

**AFFIDAVIT OF RENT ESCROW
UNDER MINNESOTA STATUTE
504B.385**

Plaintiff(s)-Tenant(s)

Vs

Court Case No.: 27-CV-HC-_____

Defendant(s)/Building Owners(s)

My name is _____, I understand that I am under oath/affirmation and that in answering the following questions I must tell the truth:

1. I am the tenant with the right to live at the property located at the following address:

Address: _____

City/State/Zip: _____

County: _____

Telephone: (____) _____

2. The name, address, and phone number for the owner(s) of the property are:

Name: _____

Address: _____

City/State/Zip: _____

Telephone: (____) _____

3. The name, address, and phone number for the manager(s) of the property (if different from the owner) are:

Name: _____

Address: _____

City/State/Zip: _____

Telephone: (____) _____

4. The following is a list of all current problem(s) or violation(s) regarding my apartment or rental housing:

5. I estimate the cost of the repair problems to be \$_____ (if you have no idea of the estimated cost, you should contact someone to give you a professional estimate).
6. The owner(s) or manager(s) received the following written notice about the problems or violations with my apartment or rental housing (*check all that apply*):
- a. On the following date, _____, the City Inspector issued an order, a copy of which is attached, ordering the owner(s) or manager(s) to fix the problems or violations by _____ **AND**
1. The owner(s) and manager(s) did not complete the repairs on time.
- OR**
2. The City Inspector gave the owner(s) or manager(s) too much time to complete repairs, because: _____
- _____
- _____
- b. On the following date, _____, I mailed or hand delivered to the owner(s) or manager(s) a written list of repairs needed or other problems with my apartment or rental housing. It has been at least 14 days since I provided the landlord(s) and/or manager(s) with the written notice and the landlord(s) and/or manager(s) have not completed the repairs or fixed the problems. I have attached a copy of the list of repairs.
7. My rent is \$_____ per month and due on the _____ of each month. As of this date (check one):
- a. My rent is paid in full and no rent is due until: _____. If this case is not resolved by that date, then on or before that date I will deposit with the court the amount of rent due.
- b. Rent in the amount of \$_____ is now due and I have attached to this affidavit cash or a cashier's check for the amount of rent due.
8. I ask the court to order one or more of the following:
- a. Directing the owner(s) or manager(s) to complete the repairs and/or fix the problems with my housing.
- b. Allowing me to complete the repairs and/or fix the problems with my housing and deduct the costs from my rent.
- c. Directing that an administrator take over operation of the property to complete the repairs and/or fix the problems with my housing.

- d. Directing the owner(s) and/or manager(s) to pay me a rent refund for the month(s) when my housing was not fixed.
- e. Directing the owner(s) and/or manager(s) to give me a rent reduction each month until the repairs are completed and problems fixed.
- f. Directing the owner(s) and/or manager(s) to pay a fine if this Order is violated.
- g. Directing the owner(s) and/or manager(s) to pay reasonable attorney fees.
- h. Other: _____

i. Ordering other relief deemed just and proper by the court.

9. Verification and Acknowledgements:

- a. I have read this document. To the best of my knowledge, information, and belief the information contained in this document is well-grounded in fact and is warranted by existing law.
- b. I have not been determined by any court in Minnesota or in any other state to be a frivolous litigant and I am not the subject of an Order precluding me from serving or filing this document.
- c. I am not serving or filing this document for any improper purpose, such as to harass the other party or to cause delay or needless increase in the cost of litigation or to commit a fraud on the court.
- d. I understand that if I am not telling the truth or if I am misleading the court or if I am serving or filing this document for an improper purpose, the court can order me to pay money to the other party, including the reasonable expenses incurred by the other party because of the serving or filing this document, court costs, and reasonable attorney fees.

Subscribed and sworn to before me

on _____, 20__.

Notary/Court Clerk

Signature(s) of Plaintiff(s)

(Sign only in presence of Notary Public)

Address

City, State, Zip

(_____) Phone

TO BE FILLED IN BY THE COURT

Set for ____/____/____ at _____ m. in Room _____. Notice sent ____/____/____

Continued to ____/____/____ at _____ m. in Room _____. Notice sent ____/____/____