

The Saint Paul Tenant-Landlord Energy, iNformation, Education, and Resource Guide (ENERG)

A resource of energy efficiency programs to improve the
quality of the home, health and environment for our
communities.

A partnership of
Community Stabilization Project and Fresh Energy

Community Stabilization Project



Fresh  Energy

The Saint Paul Tenant-Landlord Energy, iNformation, Education and Resource Guide

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About:

The Saint Paul Tenant-Landlord Energy, iNformation, Education and Resource Guide (ENERG) is a partnership of Fresh Energy, an independent energy policy nonprofit and Community Stabilization Project, a housing rights organization that is working to build community stability through tenant stability. Together, we seek a vision of energy and housing justice and how it can be achieved in response to climate change and the affordable housing crisis by engaging renters and landlords on energy efficiency programs. The present challenge is for housing, climate and energy advocates to work together to eliminate barriers of access to sustainable, affordable, healthy and comfortable housing for all. The ENERG guide aims to be a resource to address these issues and barriers.

*Do you have an immediate energy need?
Turn to page 8 for Available Programs that can help*

What is energy?

To understand energy, we need to know about **natural resources**. Natural resources are materials that exist without any kind of human action. For example, sunlight, water, air, and coal are all natural resources. For centuries, many different types of natural resources have been used to generate energy.

Energy is what we use to light, heat, cool, and power our homes and buildings. Your lights, for example, run on electricity. The heat in your home might come from electricity, natural gas, or other sources of fuel like propane or heating oil.

Water is what we use to cook, clean and many other house-hold uses. Access to clean water is essential to a healthy life. It can also be used as a source of electricity.

Energy sources can be renewable or nonrenewable.

Renewable energy sources include solar energy, where solar panels absorb light from the sun and convert it into energy, and wind energy, where large turbines generate energy from spinning in the wind. Solar and wind energy are often called “clean energy,” because they don’t burn any materials to produce energy, which causes air pollution.

Nonrenewable energy sources include coal and natural gas, to name a few. Both coal and natural gas are commonly found in the United States and have been used for many years. However, both can have negative effects on the environment.

Energy and **water** also have major impacts on each other. We use energy to treat water, to pump it to our homes and other buildings, and to heat and cool it for cooking, cleaning, and drinking. On the other hand, we use water to safely generate energy at power plants and even as a form of renewable energy (known as hydropower).

Why should we care about energy?

In everyday life, it might be easy not to think about energy too much. Without much thought, you might flip a switch and the light turns on, or you turn on the hot water faucet to wash your hands.

Energy - how much of it you use and what source of energy you use, matters.

First, the more energy you use, the more money you'll spend on your energy bills. Even if you live in an apartment building where utilities are included in your rent, higher energy costs could lead to higher rents.

Second, when more energy is used from nonrenewable sources like coal, that leads to more air pollution. This can negatively impact air quality and affect health and comfort in our communities.

How can we achieve energy justice?

Equity within energy efficiency policy is key to achieving access for households left out of opportunities for energy efficiency upgrades. Renters and homeowners alike are burdened by low wages, high housing costs and expensive energy upgrade options. These burdens are worsened by a history of racist and classist housing policies that have deliberately excluded communities of color and under-resourced neighborhoods from energy efficiency options that when done effectively, can improve the environmental health of homes and reduce the average financial cost of utilities.

According to the Wilder Foundation's Minnesota Compass data, the housing cost burden for St. Paul renters is 50.9% compared to 22.7% for homeowners. The housing cost burden is calculated as "households paying 30% or more of their income for housing".

Energy costs are factored into this as utilities are a part of the total cost to housing. Overall, nearly 4 out of 10 St. Paul residents are living in cost-burdened households.

Environmental justice in energy efficiency seeks to eliminate the barriers of access and participation to energy efficiency upgrades for all residents regardless of housing status, income, race and ethnicity.

Equitable access to energy efficiency is essential to ensure that everyone can have the energy that they need. This means focusing on the need of those who have been historically excluded in energy efficient housing and programs: renters and under-resourced communities of color. Equity is about fairness, inclusion and ensuring that all people have what they need to achieve a livable life with comfort and health.

What else should I know?

There are a few different things you can do to control your energy use and keep your bills low! One thing you can do is change your habits. Turn off lights and appliances when you don't need them. If you can control the temperature in your home, turn down the thermostat a couple of degrees. Take shorter showers, and only run hot water when you need it. All of these behaviors are called **energy conservation**, and conserving energy can help save a lot of money in the long run.

Another thing that can help is **energy efficiency**. Energy efficiency is when things you use every day, like light bulbs or refrigerators, are designed and made to use less energy. These energy efficient products might look a little different, but they basically work the same—just with less energy to make them work. Sometimes, energy efficient products might cost more, but they can help save money through lower energy bills.

Examples of energy efficient products include:

- Compact fluorescent lights (CFL) or light-emitting diode bulbs (LEDs)
- ENERGY STAR-certified appliances, such as refrigerators, dishwashers, clothes washers, and dryers
- Double-pane windows
- Programmable or smart thermostats

Laws and rules about energy in rental properties

There are a few different laws and rules that you should know about.

Did you know that under Minnesota law, there are guaranteed promises in every residential lease, even if they're not written in the lease? That's right—under **Minnesota Statute 504B.161**, the landlord makes promises about the premises that he or she is leasing to tenants. One of the promises is that the premises will be “energy efficient,” which includes weatherstripping, caulking, storm windows, and storm doors. These things can help keep the premises in good shape during Minnesota's colder seasons, and make sure tenants are safe and comfortable.

Minnesota law also includes a **Cold Weather Rule**, which means that if you're a renter and you pay your own heating bill directly to the utility company, you're protected from having your heat shut off between October 15 and April 15, as long as you have contacted your utility to set up a monthly payment plan.

But if you're a renter and you *don't* pay your heating bill directly to the utility company, you still have the right to a livable home during our coldest months. In Saint Paul, city ordinance requires that every residential building have properly installed heating equipment that is in good working condition, and that the owner must maintain a minimum room temperature of 68 degrees Fahrenheit.¹ If your heating system is not working properly, Saint Paul city ordinance allows you to give notice to the landlord, pay for the repairs to the heating equipment, and deduct those costs from your rent.²

These are a few of the laws and rules related to energy usage you should know.

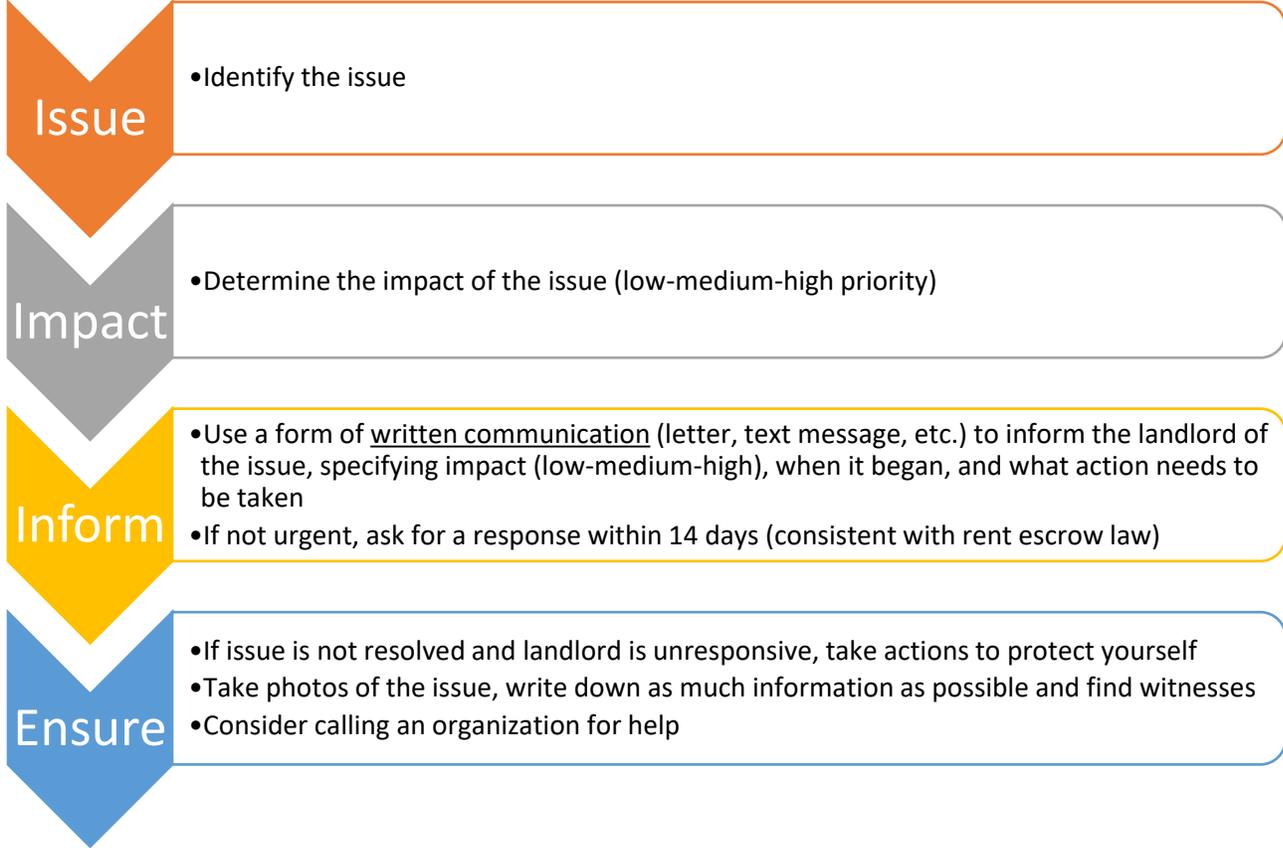
*Learn more about city and state laws on
page 16 of the ENER G guide*

If you're having an issue with energy in your unit or building, check out the “Resolution Roadmap” in the next section of the ENER G guide.

¹ St. Paul City Code, Title VI, Section 34.11(6)

² St. Paul City Code, Title VI, Section 49.03(a)

Resolution Roadmap



Energy Stakeholder map



Available programs

For renters

- ❖ Xcel Energy Power On/Gas Affordability Program
 - Provides a discount on a portion of monthly electric and gas bills
 - For income-qualified Xcel Energy customers
 - For more information, call 888-774-9070
- ❖ Minnesota Department of Commerce Energy Assistance Program
 - Helps pay a portion of home energy and heating costs
 - May also provide furnace repairs or replacements
 - Available for income-qualified renters and homeowners
 - For more information, call 800-657-3710
- ❖ Home Energy Squad
 - Energy efficiency program which includes a home visit and direct-install measures (LED bulbs, programmable thermostat, weather stripping, efficient showerheads and faucet aerators, and more)
 - Free for income-qualified residential customers served by Xcel Energy (and CenterPoint gas)
 - Must live in a single family home or 2-4 unit building
 - Landlord permission required to participate
 - For more information, visit www.homeenergysquad.net or call 866-222-4595
- ❖ Home Energy Savings Program
 - Energy efficiency program which includes a home visit and LED bulb installations, plus opportunities for other free energy-saving services
 - Free for income-qualified residential customers served by Xcel Energy
 - Must live in a single family home or 2-4 unit building
 - Landlord permission required to participate, landlord may be required to co-pay
 - For more information, call 651-774-9010
- ❖ Weatherization Assistance Program
 - Free home energy upgrades for income-qualified customers
 - Available for both single family and multifamily buildings
 - Landlord permission and assistance required
 - For more information, call 800-657-3710 or email energy.info@state.mn.us
- ❖ Utility Bill Consultation with Citizens Utility Board
 - Free utility bill consultations for ratepayers
 - Available for both renters and landlords
 - Consultations can take place at events, individual appointments and over the phone
 - For more information, call 651-300-4701 or email info@cubminnesota.org

For landlords

- ❖ Multi-Family Energy Savings Program
 - Building visit and energy efficiency improvements for income-qualified buildings
 - Available for Xcel Energy electric customers
 - Landlord enrollment required
 - For more information, visit www.franklinenergy.com or call 612-284-3663
- ❖ Multi-Family Building Efficiency Program
 - Building visit with a free energy audit, direct-install energy efficiency measures, and identification of additional energy saving opportunities
 - Tiered incentives (rebates of project cost) for energy savings achieved, doubled for income-eligible buildings
 - Available for multifamily (5+ unit) buildings served by Xcel Energy (and CenterPoint Energy)
 - Landlord enrollment required
 - For more information, visit www.multifamilyenergysolutions.com or call 844-545-7455
- ❖ Minnesota Department of Commerce Home Energy Loan Program
 - Offers loans of up to \$20,000 for energy efficiency improvements
 - For owners of 1-4 unit rental properties
 - For more information, call 612-335-5884
- ❖ Minnesota Housing financing options
 - Offers loans of up to \$15,000 for accessibility and energy efficiency improvements
 - For owners of single family and 2-4 unit properties
 - Property must be owner-occupied
 - For more information, visit www.mnhousing.gov
- ❖ Citizens Utility Board Utility Bill Consultation
 - Free utility bill consultations for ratepayers
 - Available for both renters and landlords
 - Consultations can take place at events, individual appointments and over the phone
 - For more information, call 651-300-4701 or email info@cupminnesota.org
- ❖ NovAqua Water Savings Audit
 - Free utility usage consultation to determine potential economic and water savings
 - Installation of water efficient fixtures
 - Financing options available
 - For more information, call 952-447-1635, or jim@novaqua.net

Energy Directory – these organizations can connect you to available programs

Center for Energy and Environment (CEE)

- ❖ Home Energy Squad visits and low- or no-cost audits and energy efficiency measures for income-eligible households

Citizens Utility Board

- ❖ Resources for utility consumers

Energy CENTS Coalition

- ❖ Xcel Energy Conservation Improvement Program

HOMELine

- ❖ Legal resources for renters

Legal Aid

- ❖ Southern Minnesota Regional Legal Services

Minnesota Community Action Partnership

- ❖ Community Action of Ramsey-Washington (CAPRW) administers the Energy Assistance Program (EAP) that assists eligible households maintain affordable, continuous and safe home energy.

Minnesota Department of Commerce

- ❖ Home Energy Loan Program
- ❖ Low Income Energy Assistance Program (EAP) helps pay for home heating costs and furnace repairs for income-qualified households.

Utilities

- ❖ Xcel Energy
- ❖ Saint Paul Regional Water Services

Glossary

Energy: what we use to power, heat, and cool our homes and buildings

Energy conservation: behaviors and actions that lower your energy use

Energy efficiency: lowering energy use through measures that need less energy, but still work normally, such as light bulbs or improved heating and cooling systems

Energy sources: can be nonrenewable or renewable

Nonrenewable energy: includes natural gas and coal; burns fossil fuels to produce energy, which causes air pollution

Renewable energy: includes wind and solar power; does not burn fossil fuels to produce energy

Index of Stakeholders

Attorney General of Minnesota

- **Organizational background:**
The Office of the Attorney General of Minnesota represents the State of Minnesota in legal matters. Specifically, the Residential Utilities and Antitrust Division represents people in disputes involving utilities.
- **Contact information:**
Office of the Attorney General of Minnesota
445 Minnesota Street, Suite 1400
Saint Paul, MN 55101
651-296-3353

Center for Energy and Environment

- **Organizational background:**
CEE's mission is to promote energy efficiency to strengthen the economy while improving the environment. The Lending Center offers financing to residential property owners for rehabilitation and energy efficiency projects and to businesses for energy related improvements.
- **Contact information:**
St. Paul – Midway
1754 University Avenue West
St. Paul, MN 55104
651-221-4462
<https://www.mncee.org/services/financing/>

Citizens Utility Board (CUB) Minnesota

- **Organizational background:**
CUB advocates for affordable and reliable utility service and clean energy for residential and small business consumers across Minnesota.
- **Contact information:**
332 Minnesota St., Suite W1360
St. Paul, MN 55101
651-300-4701
info@cubminnesota.org
<http://cubminnesota.org/>

City of Saint Paul Department of Safety & Inspections

- **Organizational background:**
Provides services and enforces laws within the City of Saint Paul. For help with possible code violations, contact the Saint Paul Department of Safety and Inspections.
- **Contact information:**
Saint Paul Department of Safety & Inspections
375 Jackson Street #200
Saint Paul, MN 55101
651-266-8989
dsicomplaints@ci.stpaul.mn.us
<https://www.stpaul.gov/departments/safety-inspections/property-code-enforcement>

Community Action of Ramsey and Washington Counties

- **Organizational background:**
CAPRW administers the Energy Assistance Program (EAP), services include bill payment assistance, home energy crisis intervention, outreach and more.
- **Contact information:**
Community Action Partnership of Ramsey & Washington Counties
450 Syndicate Street North Suite 122
Saint Paul, MN 55104
Tel: 651-645-6470 Fax: 651-603-5984
<http://www.capr.org/community-action-services/energy-assistance/>

Community Stabilization Project (CSP)

- **Organizational background:**
CSP's mission is to build tenant stability that will lead to community stability by: informing, educating, advocating for and organizing tenants to take action to preserve and increase the supply of healthy, safe and affordable housing in the City of Saint Paul. Their goals are to work with tenants, landlords and community stakeholders.
- **Contact information:**
501 N. Dale St. Suite 203
St. Paul, MN 55103
csp501dale@gmail.com
Tel: 651-225-8778; Fax: 651-225-4160
<http://csp501dale.wixsite.com/communitystabproject>

Energy CENTS Coalition

- **Organizational background:**
Energy CENTS Coalition promotes affordable utility service for low and fixed income people, to ensure the basic necessity of energy to all citizens, and to encourage the participation of low and fixed income citizens in energy issues and energy related decision-making.
- **Contact information:**
823 East 7th St
St Paul, MN 55106
651-774-9010
<http://energycents.org/>

Fresh Energy

- **Organizational background:**
Fresh Energy's mission is to shape and drive realistic, visionary energy policies that benefit all. Fresh Energy is working toward a vision for an economy we thrive in and energy that ensures our well-being.
- **Contact information:**
408 Saint Peter Street, Suite 220
Saint Paul, MN 55102
651-225-0878
info@fresh-energy.org
<https://fresh-energy.org/>

HOME Line

- **Organizational background:**
HOME Line provides free and low-cost legal, organizing, education, and advocacy services so that tenants throughout Minnesota can solve their own rental housing problems. HOME Line works to improve public and private policies relating to rental housing by involving affected tenants in the process.
- **Contact information:**
3455 Bloomington Ave
Minneapolis, MN 55407
612-728-5767,
For Spanish call 612-255-8870. For Somali call 612-255-8860. For Hmong call 612-255-7104.
Homelinemn.org
<https://homelinemn.org/>

Southern Minnesota Regional Legal Services

- **Organizational background:**
For 100 years, Legal Aid has worked in pursuit of helping Minnesota’s most vulnerable citizens gain access to their basic rights for safety, shelter, food, health care and education.
- **Contact information:**
St. Paul Central Office
400 Alliance Bank Center
55 East 5th Street
St. Paul, MN 55101
(651) 222-5863
(651) 297-6457 FAX
central@smrls.org
<http://www.smrls.org/>

Minnesota Department of Commerce Energy Information Center

- **Organizational background:**
The Department of Commerce provides information and assistance related to various forms of energy technologies.
- **Contact information:**
85 7th Place East, Suite 280
Saint Paul, MN 55101
651-539-1886
energy.info@state.mn.us
<https://mn.gov/commerce/eap.jsp>

Minnesota State Legislature

- **Organizational background:**
The Minnesota State Legislature passes most of the state’s laws, called statutes or rules. You can contact your state legislator in the House or Senate to discuss issues that are important to you.
- **Contact information:**
To find your representatives and their contact information, visit
<https://www.gis.leg.mn/iMaps/districts/>

Office of the Governor of Minnesota

- **Organizational background:**
The Governor of Minnesota is responsible for implementing all of the state's laws (and can pass some laws through a process called executive orders). You can contact the Governor's Office with issues that are important to you.
- **Contact information:**
Office of Governor Mark Dayton
130 State Capitol
75 Rev Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155
651-201-3400
<https://mn.gov/governor/>

Ramsey County

- **Organizational background:**
Ramsey County includes part or all of 19 cities, including all of Saint Paul. The county provides services and enforces regulations throughout the county.
- **Contact information:**
Ramsey County Government Center East
160 East Kellogg Boulevard
Saint Paul, Minnesota 55101
651-266-8500
<https://www.ramseycounty.us/residents/assistance-support>

Saint Paul Water Regional Services

- **Organizational background:**
Saint Paul Regional Water Services supplies reliable, quality water and services at a reasonable cost to the city of Saint Paul and neighboring communities.
- **Contact information:**
McCarrons Center
1900 Rice Street
Saint Paul, MN 55113
Tel: 651-266-6350 Fax: 651-266-1657
waterinquiries@ci.stpaul.mn.us
<https://www.stpaul.gov/departments/saint-paul-regional-water-services>

Xcel Energy

- **Organizational background:**
Xcel Energy Inc. is a utility holding company based in Minneapolis, Minnesota, serving more than 3.3 million electric customers.

- **Contact information:**
Customer service
Tel: 1-800-895-4999
https://www.xcelenergy.com/customer_support/contact_us_form

Index of Laws and Rules

Minnesota Statutes 504B.161: Covenants of Landlord or Licensor

Subdivision 1. **Requirements.**

(a) In every lease or license of residential premises, the landlord or licensor covenants:

(1) that the premises and all common areas are fit for the use intended by the parties;

(2) to keep the premises in reasonable repair during the term of the lease or license, except when the disrepair has been caused by the willful, malicious, or irresponsible conduct of the tenant or licensee or a person under the direction or control of the tenant or licensee;

(3) to make the premises reasonably energy efficient by installing weatherstripping, caulking, storm windows, and storm doors when any such measure will result in energy procurement cost savings, based on current and projected average residential energy costs in Minnesota, that will exceed the cost of implementing that measure, including interest, amortized over the ten-year period following the incurring of the cost; and

(4) to maintain the premises in compliance with the applicable health and safety laws of the state, and of the local units of government where the premises are located during the term of the lease or license, except when violation of the health and safety laws has been caused by the willful, malicious, or irresponsible conduct of the tenant or licensee or a person under the direction or control of the tenant or licensee.

(b) The parties to a lease or license of residential premises may not waive or modify the covenants imposed by this section.

Subd. 2. **Tenant maintenance.**

The landlord or licensor may agree with the tenant or licensee that the tenant or licensee is to perform specified repairs or maintenance, but only if the agreement is supported by adequate consideration and set forth in a conspicuous writing. No such agreement, however, may waive the provisions of subdivision 1 or relieve the landlord or licensor of the duty to maintain common areas of the premises.

Subd. 3. **Liberal construction.**

This section shall be liberally construed, and the opportunity to inspect the premises before concluding a lease or license shall not defeat the covenants established in this section.

Subd. 4. **Covenants are in addition.**

The covenants contained in this section are in addition to any covenants or conditions imposed by law or ordinance or by the terms of the lease or license.

Subd. 5. Injury to third parties.

Nothing in this section shall be construed to alter the liability of the landlord or licensor of residential premises for injury to third parties.

Subd. 6. Application.

The provisions of this section apply only to leases or licenses of residential premises concluded or renewed on or after June 15, 1971. For the purposes of this section, estates at will shall be deemed to be renewed at the commencement of each rental period.

Minnesota Statute 216B.096 "Cold Weather Rule"

Subdivision 1. Scope.

This section applies only to residential customers of a utility.

Subd. 2. Definitions.

- (a) The terms used in this section have the meanings given them in this subdivision.
- (b) "Cold weather period" means the period from October 15 through April 15 of the following year.
- (c) "Customer" means a residential customer of a utility.
- (d) "Disconnection" means the involuntary loss of utility heating service as a result of a physical act by a utility to discontinue service. Disconnection includes installation of a service or load limiter or any device that limits or interrupts utility service in any way.
- (e) "Household income" means the combined income, as defined in section [290A.03](#), subdivision 3, of all residents of the customer's household, computed on an annual basis. Household income does not include any amount received for energy assistance.
- (f) "Reasonably timely payment" means payment within five working days of agreed-upon due dates.
- (g) "Reconnection" means the restoration of utility heating service after it has been disconnected.
- (h) "Summary of rights and responsibilities" means a commission-approved notice that contains, at a minimum, the following:
 - (1) an explanation of the provisions of subdivision 5;
 - (2) an explanation of no-cost and low-cost methods to reduce the consumption of energy;
 - (3) a third-party notice;

(4) ways to avoid disconnection;

(5) information regarding payment agreements;

(6) an explanation of the customer's right to appeal a determination of income by the utility and the right to appeal if the utility and the customer cannot arrive at a mutually acceptable payment agreement; and

(7) a list of names and telephone numbers for county and local energy assistance and weatherization providers in each county served by the utility.

(i) "Third-party notice" means a commission-approved notice containing, at a minimum, the following information:

(1) a statement that the utility will send a copy of any future notice of proposed disconnection of utility heating service to a third party designated by the residential customer;

(2) instructions on how to request this service; and

(3) a statement that the residential customer should contact the person the customer intends to designate as the third-party contact before providing the utility with the party's name.

(j) "Utility" means a public utility as defined in section [216B.02](#), and a cooperative electric association electing to be a public utility under section [216B.026](#). Utility also means a municipally owned gas or electric utility for nonresident consumers of the municipally owned utility and a cooperative electric association when a complaint in connection with utility heating service during the cold weather period is filed under section [216B.17, subdivision 6](#) or 6a.

(k) "Utility heating service" means natural gas or electricity used as a primary heating source, including electricity service necessary to operate gas heating equipment, for the customer's primary residence.

(l) "Working days" means Mondays through Fridays, excluding legal holidays. The day of receipt of a personally served notice and the day of mailing of a notice shall not be counted in calculating working days.

Subd. 3. Utility obligations before cold weather period.

Each year, between September 1 and October 15, each utility must provide all customers, personally, by first class mail, or electronically for those requesting electronic billing, a summary of rights and responsibilities. The summary must also be provided to all new residential customers when service is initiated.

Subd. 4. Notice before disconnection during cold weather period.

Before disconnecting utility heating service during the cold weather period, a utility must provide, personally or by first class mail, a commission-approved notice to a customer, in easy-to-understand language, that contains, at a minimum, the date of the scheduled disconnection, the amount due, and a summary of rights and responsibilities.

Subd. 5. Cold weather rule.

(a) During the cold weather period, a utility may not disconnect and must reconnect utility heating service of a customer whose household income is at or below 50 percent of the state median income if the customer enters into and makes reasonably timely payments under a mutually acceptable payment agreement with the utility that is based on the financial resources and circumstances of the household; provided that, a utility may not require a customer to pay more than ten percent of the household income toward current and past utility bills for utility heating service.

(b) A utility may accept more than ten percent of the household income as the payment arrangement amount if agreed to by the customer.

(c) The customer or a designated third party may request a modification of the terms of a payment agreement previously entered into if the customer's financial circumstances have changed or the customer is unable to make reasonably timely payments.

(d) The payment agreement terminates at the expiration of the cold weather period unless a longer period is mutually agreed to by the customer and the utility.

(e) Each utility shall use reasonable efforts to restore service within 24 hours of an accepted payment agreement, taking into consideration customer availability, employee availability, and construction-related activity.

Subd. 6. Verification of income.

(a) In verifying a customer's household income, a utility may:

(1) accept the signed statement of a customer that the customer is income eligible;

(2) obtain income verification from a local energy assistance provider or a government agency;

(3) consider one or more of the following:

(i) the most recent income tax return filed by members of the customer's household;

(ii) for each employed member of the customer's household, paycheck stubs for the last two months or a written statement from the employer reporting wages earned during the preceding two months;

(iii) documentation that the customer receives a pension from the Department of Human Services, the Social Security Administration, the Veteran's Administration, or other pension provider;

(iv) a letter showing the customer's dismissal from a job or other documentation of unemployment; or

(v) other documentation that supports the customer's declaration of income eligibility.

(b) A customer who receives energy assistance benefits under any federal, state, or county government programs in which eligibility is defined as household income at or below 50 percent of state median income is deemed to be automatically eligible for protection under this section and no other verification of income may be required.

Subd. 7. Prohibitions and requirements.

- (a) This subdivision applies during the cold weather period.
- (b) A utility may not charge a deposit or delinquency charge to a customer who has entered into a payment agreement or a customer who has appealed to the commission under subdivision 8.
- (c) A utility may not disconnect service during the following periods:
 - (1) during the pendency of any appeal under subdivision 8;
 - (2) earlier than ten working days after a utility has deposited in first class mail, or seven working days after a utility has personally served, the notice required under subdivision 4 to a customer in an occupied dwelling;
 - (3) earlier than ten working days after the utility has deposited in first class mail the notice required under subdivision 4 to the recorded billing address of the customer, if the utility has reasonably determined from an on-site inspection that the dwelling is unoccupied;
 - (4) on a Friday, unless the utility makes personal contact with, and offers a payment agreement consistent with this section to the customer;
 - (5) on a Saturday, Sunday, holiday, or the day before a holiday;
 - (6) when utility offices are closed;
 - (7) when no utility personnel are available to resolve disputes, enter into payment agreements, accept payments, and reconnect service; or
 - (8) when commission offices are closed.
- (d) A utility may not discontinue service until the utility investigates whether the dwelling is actually occupied. At a minimum, the investigation must include one visit by the utility to the dwelling during normal working hours. If no contact is made and there is reason to believe that the dwelling is occupied, the utility must attempt a second contact during nonbusiness hours. If personal contact is made, the utility representative must provide notice required under subdivision 4 and, if the utility representative is not authorized to enter into a payment agreement, the telephone number the customer can call to establish a payment agreement.
- (e) Each utility must reconnect utility service if, following disconnection, the dwelling is found to be occupied and the customer agrees to enter into a payment agreement or appeals to the commission because the customer and the utility are unable to agree on a payment agreement.

Subd. 8. Disputes; customer appeals.

- (a) A utility must provide the customer and any designated third party with a commission-approved written notice of the right to appeal:

(1) a utility determination that the customer's household income is more than 50 percent of state median household income; or

(2) when the utility and customer are unable to agree on the establishment or modification of a payment agreement.

(b) A customer's appeal must be filed with the commission no later than seven working days after the customer's receipt of a personally served appeal notice, or within ten working days after the utility has deposited a first class mail appeal notice.

(c) The commission must determine all customer appeals on an informal basis, within 20 working days of receipt of a customer's written appeal. In making its determination, the commission must consider one or more of the factors in subdivision 6.

(d) Notwithstanding any other law, following an appeals decision adverse to the customer, a utility may not disconnect utility heating service for seven working days after the utility has personally served a disconnection notice, or for ten working days after the utility has deposited a first class mail notice. The notice must contain, in easy-to-understand language, the date on or after which disconnection will occur, the reason for disconnection, and ways to avoid disconnection.

Subd. 9. Cooperative and municipal disputes.

Complaints in connection with utility heating service during the cold weather period filed against a municipal or a cooperative electric association with the commission under section [216B.17, subdivision 6](#) or 6a, are governed by section [216B.097](#).

Subd. 10. Customers above 50 percent of state median income.

During the cold weather period, a customer whose household income is above 50 percent of state median income:

(1) has the right to a payment agreement that takes into consideration the customer's financial circumstances and any other extenuating circumstances of the household; and

(2) may not be disconnected and must be reconnected if the customer makes timely payments under a payment agreement accepted by a utility.

Subdivision 7, paragraph (b), does not apply to customers whose household income is above 50 percent of state median income.

Subd. 11. Reporting.

Annually on November 1, a utility must electronically file with the commission a report, in a format specified by the commission, specifying the number of utility heating service customers whose service is disconnected or remains disconnected for nonpayment as of October 1 and October 15. If customers remain disconnected

on October 15, a utility must file a report each week between November 1 and the end of the cold weather period specifying:

(1) the number of utility heating service customers that are or remain disconnected from service for nonpayment; and

(2) the number of utility heating service customers that are reconnected to service each week. The utility may discontinue weekly reporting if the number of utility heating service customers that are or remain disconnected reaches zero before the end of the cold weather period.

The data reported under this subdivision are presumed to be accurate upon submission and must be made available through the commission's electronic filing system.

St. Paul City Code, Title VI, Section 34.11(6)

Heating facilities. Every residential building or residential portion of a building shall have heating facilities that are properly installed, safely maintained and in good working condition, and capable of safely and adequately heating all habitable rooms, bathrooms and toilet rooms located therein to a temperature of at least sixty-eight (68) degrees Fahrenheit with an outside temperature of minus twenty (-20) degrees Fahrenheit. The owner shall maintain a minimum room temperature of sixty-eight (68) degrees Fahrenheit. Installation, repair or alteration of heating facilities, space heaters and water heating facilities shall be in accordance with the Legislative Code, Chapter 33, and the state mechanical code. The enforcement officer may require the owner of residential property to provide current proof of service of any heating or space heating facility by a licensed contractor, which must include a carbon monoxide reading. Every space heating, cooking and water heating device located in a structure shall be properly installed, connected, maintained and capable of performing the function for which it was designed in accordance with the provisions of the plumbing and mechanical codes.

St. Paul City Code, Title VI, Section 49.03(a)

In those cases where the gas, water or electric utility has given notice that it will terminate or has terminated service because of the property owner's nonpayment or in the event that heating facilities are not safely maintained and in good working condition, capable of safety and adequately heating all habitable rooms, bathrooms and toilet rooms located therein to a temperature of at least sixty-eight (68) degrees Fahrenheit with an outside temperature of minus twenty (-20) degrees Fahrenheit during the time period from October 15 to April 15, the tenant shall make a reasonable attempt to notify the property owner, either orally or in writing, of the condition and his intention to pay the bill or cause the necessary repair to be made after forty-eight (48) hours or shorter period as is reasonable under the circumstances, if the property owner has not done so. If the condition is not remedied, the tenant may pay the outstanding bill or portion thereof or cause the necessary repairs to be made and, upon submitting to the property owner receipts, deduct the cost from the rent.