

Renter or guest? How to decide?

MINNESOTA LEGAL GUIDE



IF THE HOST IS A RENTER...

the youth could be the host's guest,

or the youth could rent with or from the host.  See other side.

PROS

- Allows for a more flexible time frame for stay.

CONS

- Youth does not build a rental history.
- If the host wants the youth to leave, youth has less legal protection than the youth would have as a renter.
- If the youth overstays the guest policy on the lease, the property owner can evict the host.
- If the youth is 18 years old or older, even if they are not on the lease, an eviction could still name them and be on their rental history. (An attorney might be able to ask the court to take the eviction off of the youth's record.)
- Youth does not have a permanent address—Future property owners won't be able to confirm a rental history.
- If the youth receives mail at the residence, youth and host risk discovery by the property owner. (TIP: Youth can receive mail addressed to them at "general delivery" at certain US Post Offices.)

WHETHER THE YOUTH IS A RENTER OR A GUEST

- Does the youth have health insurance?
- Will the youth be filing taxes on their own? Or will someone claim the youth as their dependent?
- How will the youth get to school?

If the youth's school has identified the youth as homeless, the McKinney-Vento Homeless Assistance Act requires that the youth receive transportation to and from their "home" school. Contact the school district's McKinney-Vento liaison for more information.

Youth includes anyone 25 years old or younger facing income instability.

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ALSO CONSIDER

- Host can end the hosting arrangement at any time.
- What is the plan if the host wants the youth to leave and the youth doesn't want to?
Free mediation services can help a host and youth in this situation. Check out [Community Mediation Minnesota](#).
- If the youth is a minor, do the youth's parents or guardians know where the youth is?
To understand the potential legal issues and possible solutions when a minor stays with an informal host, see our *Minor Legal Guide*.



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IF THE HOST IS A RENTER...

the youth could **rent from or with the host,**

or the youth could be the host's guest.  See other side.

PROS

- Youth starts to build a rental history.
- Youth has guaranteed rights as a renter: a full rental period's notice, right to privacy, and the homeowner has to maintain the property.

CONS

- If the youth is 18 years or older, even if they are not on the lease, an eviction could still name them and be on their rental history. (An attorney might be able to ask the court to take the eviction off of the youth's record.)

EITHER WAY

- Does the youth have health insurance?
- Will the youth be filing taxes on their own? Or will someone claim the youth as their dependent?
- How will the youth get to school?
- If the youth's school has identified the youth as homeless, the McKinney-Vento Homeless Assistance Act requires that the youth receive transportation to and from their "home" school. Contact the school district's McKinney-Vento liaison for more information

ALSO CONSIDER

- Can the youth be added to the lease?
- Will the youth need to have a background check to be added to the lease?
- Is the youth ready for the responsibility of renting?
- If the lease allows the renter to sublet, can the youth sublet from the renter-host?
- Is the renter ready for the responsibility of subletting?
- If the youth is added to the host's lease or sublets from the host, how might this change the relationship between the youth and the host?
- How will the youth pay the rent?
 - Give money to the renter-host or to the property owner?
 - Do chores around the house—beyond just keeping their own space clean? Any regular duties or chores make the youth more likely to qualify as a renter.
- Can the youth pay on 30% of their income—the measure of affordability—for rent? Set the youth up for success!
- What resources can the host or youth access to help with rent?
- Does the host receive other benefits that would be impacted by officially adding another person to the household?
- If the youth is a minor, do their parents or guardians know where the youth is? To understand the potential legal issues and possible solutions when a minor stays with an informal host, see our *Minor Legal Guide*.
- How will the youth navigate their relationship with their parents/guardians if, for example, they need certain legal documents from their parents/guardians to get on the lease. (Free mediation services can help a youth in this situation. Contact [Community Mediation Minnesota](#).)

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