1.1   .... moves to amend H.F. No. 3692, the first engrossment, as follows:

1.2   Page 21, line 21, before "If" insert "(a)"

1.3   Page 21, after line 24, insert:

1.4   "(b) Upon delivery to the purchaser by the investor seller of reasonable documentation

1.5   that the following expenses were incurred or taxes and contract payments were unpaid, an

1.6   investor seller may offset against the refund, if applicable, for:

1.7   (1) unpaid property taxes for the period prior to termination of the contract;

1.8   (2) unpaid insurance premiums for the period prior to termination of the contract incurred

1.9   by the investor seller;

1.10   (3) the reasonable cost of necessary repairs for damage to the residential real property

1.11   caused by the purchaser, beyond ordinary wear and tear, incurred by the investor seller;

1.12   (4) attorney fees, not to exceed $1,000, and costs of service incurred in connection with

1.13   the termination of the contract;

1.14   (5) unpaid utility arrears for the period prior to termination of the contract incurred by

1.15   the investor seller; and

1.16   (6) one-half of the unpaid monthly contract installment payments, exclusive of balloon

1.17   payments, that accrued prior to termination of the contract.

1.18   (c) If the purchaser disputes the amount that an investor seller claims as the refund or

1.19   an offset, the purchaser may commence an action in district court or conciliation court to

1.20   determine the amount of the refund or the offsets and recover any monies owed by the

1.21   investor seller to the purchaser. The purchaser is entitled to recover from the investor seller

1.22   any portion of the down payment that the court finds is owed to by the investor seller to the

1.23   purchaser not previously paid to the purchaser. An attorney expressly authorized by the

1.24   investor seller to receive payments in the notice of termination is designated as the attorney

2.1   who may receive service as agent for the investor seller in an action under this paragraph

2.2   in the same manner as provided in section 559.21, subdivision 8."