

1.1 moves to amend H.F. No. 2542 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2018, section 327C.01, is amended by adding a subdivision
1.4 to read:

1.5 Subd. 8a. **Representative acting on behalf of residents.** "Representative acting on
1.6 behalf of residents" means a representative who is authorized to represent residents in the
1.7 purchase of property for the purposes of this chapter, and has gained that authorization by
1.8 obtaining the signature of support from at least one resident, as defined by section 327C.01,
1.9 subdivision 9, from at least 51 percent of the occupied homes in a manufactured home park.
1.10 The signature of a resident asserting that they are a resident of that manufactured home park
1.11 shall be presumptive evidence of such claim and shall be exclusive to only one representative
1.12 acting on behalf of residents.

1.13 Sec. 2. Minnesota Statutes 2018, section 327C.095, subdivision 1, is amended to read:

1.14 Subdivision 1. **Conversion of use; minimum notice.** (a) At least ~~nine~~ 12 months before
1.15 the conversion of all or a portion of a manufactured home park to another use, or before
1.16 closure of a manufactured home park or cessation of use of the land as a manufactured home
1.17 park, the park owner must prepare a closure statement and provide a copy to the
1.18 commissioners of health and the housing finance agency, the local planning agency, and a
1.19 resident of each manufactured home where the residential use is being converted. The
1.20 closure statement must include the following language in a font no smaller than 14 point:
1.21 "YOU MAY BE ENTITLED TO COMPENSATION FROM THE MINNESOTA
1.22 MANUFACTURED HOME RELOCATION TRUST FUND ADMINISTERED BY THE
1.23 MINNESOTA HOUSING FINANCE AGENCY." A resident may not be required to vacate
1.24 until ~~60~~ 90 days after the conclusion of the public hearing required under subdivision 4. If

2.1 a lot is available in another section of the park that will continue to be operated as a park,
2.2 the park owner must allow the resident to relocate the home to that lot unless the home,
2.3 because of its size or local ordinance, is not compatible with that lot.

2.4 (b) Closure statements issued more than 24 months prior to the park closure must contain
2.5 a closure date. If the closure does not take place within 24 months and the original statement
2.6 does not contain a closure date, the statement must be reissued to the commissioners of
2.7 health and the Housing Finance Agency, the local planning agency, and a resident of each
2.8 manufactured home where the residential use is being converted.

2.9 Sec. 3. Minnesota Statutes 2018, section 327C.095, subdivision 2, is amended to read:

2.10 Subd. 2. **Notice of hearing; proposed change in land use.** If the planned conversion
2.11 or cessation of operation requires a variance or zoning change, the ~~municipality~~ local
2.12 government authority must mail a notice at least ten days before the hearing to a resident
2.13 of each manufactured home in the park stating the time, place, and purpose of the public
2.14 hearing. The park owner shall provide the ~~municipality~~ local government authority with a
2.15 list of the names and addresses of at least one resident of each manufactured home in the
2.16 park at the time application is made for a variance or zoning change.

2.17 Sec. 4. Minnesota Statutes 2018, section 327C.095, subdivision 3, is amended to read:

2.18 Subd. 3. **Closure statement.** Upon receipt of the closure statement from the park owner,
2.19 the local planning agency shall submit the closure statement to the governing body of the
2.20 ~~municipality~~ local government authority and request the governing body to schedule a public
2.21 hearing. The ~~municipality~~ local government authority must mail a notice at least ten days
2.22 before the hearing to a resident of each manufactured home in the park stating the time,
2.23 place, and purpose of the public hearing. The park owner shall provide the ~~municipality~~
2.24 local government authority with a list of the names and addresses of at least one resident
2.25 of each manufactured home in the park at the time the closure statement is submitted to the
2.26 local planning agency.

2.27 Sec. 5. Minnesota Statutes 2018, section 327C.095, subdivision 4, is amended to read:

2.28 Subd. 4. **Public hearing; relocation compensation; neutral third party.** (a) The
2.29 governing body of the affected ~~municipality~~ local government authority shall hold a public
2.30 hearing to review the closure statement and any impact that the park closing may have on
2.31 the displaced residents and the park owner. At the time of, and in the notice for, the public
2.32 hearing, displaced residents must be informed that they may be eligible for payments from

3.1 the Minnesota manufactured home relocation trust fund under section 462A.35 as
3.2 compensation for reasonable relocation costs under subdivision 13, paragraphs (a) and (e).

3.3 (b) The governing body of the ~~municipality~~ local government authority may also require
3.4 that other parties, including the ~~municipality~~ local government authority, but excluding the
3.5 park owner or its purchaser, involved in the park closing provide additional compensation
3.6 to residents to mitigate the adverse financial impact of the park closing upon the residents.

3.7 (c) At the public hearing, the ~~municipality~~ local government authority shall appoint a
3.8 neutral third party, to be agreed upon by both the manufactured home park owner and
3.9 manufactured home owners, whose hourly cost must be reasonable and paid from the
3.10 Minnesota manufactured home relocation trust fund. The neutral third party shall act as a
3.11 paymaster and arbitrator, with decision-making authority to resolve any questions or disputes
3.12 regarding any contributions or disbursements to and from the Minnesota manufactured
3.13 home relocation trust fund by either the manufactured home park owner or the manufactured
3.14 home owners. If the parties cannot agree on a neutral third party, the ~~municipality will~~ local
3.15 government authority shall make a determination.

3.16 (d) At the public hearing, the governing body of the local government authority shall
3.17 make a determination if any ordinance was in effect on May 26, 2007, that would provide
3.18 compensation to displaced residents and provide this information to the third party neutral
3.19 to determine the applicable amount of compensation under subdivision 13, paragraph (f).

3.20 Sec. 6. Minnesota Statutes 2018, section 327C.095, subdivision 6, is amended to read:

3.21 Subd. 6. **Intent to convert use of park at time of purchase.** (a) Before the execution
3.22 of an agreement to purchase a manufactured home park, the purchaser must notify the park
3.23 owner, in writing, if the purchaser intends to close the manufactured home park or convert
3.24 it to another use within one year of the execution of the agreement. If so, the park owner
3.25 shall provide a resident of each manufactured home with a 45-day written notice of the
3.26 purchaser's intent to close the park or convert it to another use and may not enter into a
3.27 purchase agreement for the sale of the park other than with a representative acting on behalf
3.28 of residents, until the 45 days have expired. The notice must state that the park owner will
3.29 promptly provide information on the cash price and the terms and conditions of the
3.30 purchaser's offer to residents requesting the information. The notice must be sent by first
3.31 class mail to a resident of each manufactured home in the park and made available in
3.32 alternative formats or translations if requested by a resident and the request is a reasonable
3.33 accommodation due to a disability of an adult resident or because there is not an adult
3.34 resident who is able to speak the language the notice is provided in. The notice period begins

4.1 on the postmark date affixed to the notice and ends 45 days after it begins. During the notice
4.2 period required in this subdivision, ~~the owners of at least 51 percent of the manufactured~~
4.3 ~~homes in the park or a nonprofit organization which has the written permission of the owners~~
4.4 ~~of at least 51 percent of the manufactured homes in the park to represent them in the~~
4.5 ~~acquisition of the park~~ a representative acting on behalf of residents shall have the right to
4.6 make an offer to meet the cash price and execute an agreement to purchase the park for the
4.7 purposes of keeping the park as a manufactured housing community to agree to material
4.8 terms and conditions set forth in the purchaser's offer and to execute an agreement to purchase
4.9 the park for the purposes of keeping the park as a manufactured housing community. The
4.10 park owner must ~~accept the offer if it meets~~ in good faith negotiate a purchase agreement
4.11 meeting the cash price and the same terms and conditions set forth in the purchaser's offer
4.12 except that the seller is not obligated to provide owner financing. For purposes of this
4.13 section, cash price means the cash price offer or equivalent cash offer as defined in section
4.14 500.245, subdivision 1, paragraph (d). The purchase agreement must permit the representative
4.15 a commercially reasonable due diligence period with access by the representative to all
4.16 information reasonably necessary to make an informed decision regarding the purchase.
4.17 The representative may be required to enter into a confidentiality agreement regarding such
4.18 information.

4.19 (b) A representative acting on behalf of residents must obtain a bond for ten percent of
4.20 the offer price upon gaining the required number of signatures to represent the residents in
4.21 the purchase of a manufactured home park and must maintain the bond for six months. If
4.22 the representative acting on behalf of the residents is unable to complete the purchase, and
4.23 the original purchaser withdraws their offer during the 45-day period in paragraph (a), and
4.24 the manufactured home park is sold to another purchaser for a lower price within six months
4.25 of the notice to residents in paragraph (a), then the park owner will be compensated from
4.26 the bond for the difference between the offer made by the original purchaser and the actual
4.27 lower purchase price.

4.28 (c) In the event of a sale to a representative acting on behalf of residents, the
4.29 representative must certify to the commissioner of commerce that the property will be
4.30 preserved as a manufactured home park for ten years from the date of the sale.

4.31 Sec. 7. Minnesota Statutes 2018, section 327C.095, subdivision 7, is amended to read:

4.32 Subd. 7. ~~Intent to convert~~ Conversion of use of park after purchase. If the purchaser
4.33 residents of a manufactured home park decides to convert the park to another use within
4.34 one year after the purchase of the park, the purchaser must offer the park for purchase by

5.1 ~~the residents of the park~~ have not been provided the written notice of intent to close the park
 5.2 ~~required by subdivision 6, the purchaser may not provide residents with the notice required~~
 5.3 ~~by subdivision 1 until 12 months after the date of purchase.~~ For purposes of this subdivision,
 5.4 the date of purchase is the date of the transfer of the title to the purchaser. ~~The purchaser~~
 5.5 ~~must provide a resident of each manufactured home with a written notice of the intent to~~
 5.6 ~~close the park and all of the owners of at least 51 percent of the manufactured homes in the~~
 5.7 ~~park or a nonprofit organization which has the written permission of the owners of at least~~
 5.8 ~~51 percent of the manufactured homes in the park to represent them in the acquisition of~~
 5.9 ~~the park shall have 45 days to execute an agreement for the purchase of the park at a cash~~
 5.10 ~~price equal to the original purchase price paid by the purchaser plus any documented expenses~~
 5.11 ~~relating to the acquisition and improvement of the park property, together with any increase~~
 5.12 ~~in value due to appreciation of the park. The purchaser must execute the purchase agreement~~
 5.13 ~~at the price specified in this subdivision and pay the cash price within 90 days of the date~~
 5.14 ~~of the purchase agreement. The notice must be sent by first class mail to a resident of each~~
 5.15 ~~manufactured home in the park. The notice period begins on the postmark date affixed to~~
 5.16 ~~the notice and ends 45 days after it begins.~~

5.17 Sec. 8. Minnesota Statutes 2018, section 327C.095, subdivision 9, is amended to read:

5.18 Subd. 9. **Effect of noncompliance.** If a manufactured home park is finally sold or
 5.19 converted to another use in violation of subdivision 6 or 7, the residents ~~do not have any~~
 5.20 ~~continuing right to purchase the park as a result of that sale or conversion. A violation of~~
 5.21 ~~subdivision 6 or 7 is subject to~~ have a right to any remedy provided in section 8.31, ~~except~~
 5.22 ~~that relief shall be limited so that questions of marketability of title shall not be affected.~~

5.23 Sec. 9. Minnesota Statutes 2018, section 327C.095, subdivision 11, is amended to read:

5.24 Subd. 11. **Affidavit of compliance.** After a park is sold, a park owner or other person
 5.25 ~~with personal knowledge~~ bona fide purchaser acting in good faith may record an affidavit
 5.26 with the county recorder or registrar of titles in the county in which the park is located
 5.27 certifying compliance with subdivision 6 ~~or 7~~ or that ~~subdivisions~~ subdivision 6 and 7 are
 5.28 is not applicable. The affidavit may be used as ~~proof of the facts stated in the affidavit.~~ A
 5.29 person acquiring an interest in a park or a title insurer or attorney who prepares, furnishes,
 5.30 or examines evidence of title may rely on the truth and accuracy of statements made in the
 5.31 affidavit and is not required to inquire further as to the park owner's compliance with
 5.32 subdivisions 6 and 7. When an affidavit is recorded, the right to purchase provided under
 5.33 subdivisions 6 and 7 terminate, and if registered property, the registrar of titles shall delete

6.1 ~~the memorials of the notice and affidavit from future certificates of title~~ presumptive evidence
6.2 of compliance.

6.3 Sec. 10. Minnesota Statutes 2018, section 327C.095, subdivision 12, is amended to read:

6.4 Subd. 12. **Payment to the Minnesota manufactured home relocation trust fund.** (a)

6.5 If a manufactured home owner is required to move due to the conversion of all or a portion
6.6 of a manufactured home park to another use, the closure of a park, or cessation of use of
6.7 the land as a manufactured home park, the manufactured park owner shall, upon the change
6.8 in use, pay to the commissioner of management and budget for deposit in the Minnesota
6.9 manufactured home relocation trust fund under section 462A.35, the lesser amount of the
6.10 actual costs of moving or purchasing the manufactured home approved by the neutral third
6.11 party and paid by the Minnesota Housing Finance Agency under subdivision 13, paragraph
6.12 (a) or (e), or \$3,250 for each single section manufactured home, and \$6,000 for each
6.13 multisection manufactured home, for which a manufactured home owner has made
6.14 application for payment of relocation costs under subdivision 13, paragraph (c). The
6.15 manufactured home park owner shall make payments required under this section to the
6.16 Minnesota manufactured home relocation trust fund within 60 days of receipt of invoice
6.17 from the neutral third party.

6.18 (b) A manufactured home park owner is not required to make the payment prescribed
6.19 under paragraph (a), nor is a manufactured home owner entitled to compensation under
6.20 subdivision 13, paragraph (a) or (e), if:

6.21 (1) the manufactured home park owner relocates the manufactured home owner to
6.22 another space in the manufactured home park or to another manufactured home park at the
6.23 park owner's expense;

6.24 (2) the manufactured home owner is vacating the premises and has informed the
6.25 manufactured home park owner or manager of this prior to the mailing date of the closure
6.26 statement under subdivision 1;

6.27 (3) a manufactured home owner has abandoned the manufactured home, or the
6.28 manufactured home owner is not current on the monthly lot rental, personal property taxes;

6.29 (4) the manufactured home owner has a pending eviction action for nonpayment of lot
6.30 rental amount under section 327C.09, which was filed against the manufactured home owner
6.31 prior to the mailing date of the closure statement under subdivision 1, and the writ of recovery
6.32 has been ordered by the district court;

7.1 (5) the conversion of all or a portion of a manufactured home park to another use, the
7.2 closure of a park, or cessation of use of the land as a manufactured home park is the result
7.3 of a taking or exercise of the power of eminent domain by a governmental entity or public
7.4 utility; or

7.5 (6) the owner of the manufactured home is not a resident of the manufactured home
7.6 park, as defined in section 327C.01, subdivision 9, or the owner of the manufactured home
7.7 is a resident, but came to reside in the manufactured home park after the mailing date of
7.8 the closure statement under subdivision 1.

7.9 (c) If the unencumbered fund balance in the manufactured home relocation trust fund
7.10 is less than ~~\$1,000,000~~ \$3,000,000 as of June 30 of each year, the commissioner of
7.11 management and budget shall assess each manufactured home park owner by mail the total
7.12 amount of \$15 for each licensed lot in their park, payable on or before September 15 of that
7.13 year. The commissioner of management and budget shall deposit any payments in the
7.14 Minnesota manufactured home relocation trust fund. On or before July 15 of each year, the
7.15 commissioner of management and budget shall prepare and distribute to park owners a letter
7.16 explaining whether funds are being collected for that year, information about the collection,
7.17 an invoice for all licensed lots, and a sample form for the park owners to collect information
7.18 on which park residents have been accounted for. If assessed under this paragraph, the park
7.19 owner may recoup the cost of the \$15 assessment as a lump sum or as a monthly fee of no
7.20 more than \$1.25 collected from park residents together with monthly lot rent as provided
7.21 in section 327C.03, subdivision 6. Park owners may adjust payment for lots in their park
7.22 that are vacant or otherwise not eligible for contribution to the trust fund under section
7.23 327C.095, subdivision 12, paragraph (b), and deduct from the assessment accordingly.

7.24 (d) This subdivision and subdivision 13, paragraph (c), clause (5), are enforceable by
7.25 the neutral third party, on behalf of the Minnesota Housing Finance Agency, or by action
7.26 in a court of appropriate jurisdiction. The court may award a prevailing party reasonable
7.27 attorney fees, court costs, and disbursements.

7.28 Sec. 11. Minnesota Statutes 2018, section 327C.095, subdivision 13, is amended to read:

7.29 Subd. 13. **Change in use, relocation expenses; payments by park owner.** (a) If a
7.30 manufactured home owner is required to relocate due to the conversion of all or a portion
7.31 of a manufactured home park to another use, the closure of a manufactured home park, or
7.32 cessation of use of the land as a manufactured home park under subdivision 1, and the
7.33 manufactured home owner complies with the requirements of this section, the manufactured
7.34 home owner is entitled to payment from the Minnesota manufactured home relocation trust

8.1 fund equal to the manufactured home owner's actual relocation costs for relocating the
8.2 manufactured home to a new location within a ~~25-mile~~ 50-mile radius of the park that is
8.3 being closed, up to a maximum of \$7,000 for a single-section and \$12,500 for a multisection
8.4 manufactured home. The actual relocation costs must include the reasonable cost of taking
8.5 down, moving, and setting up the manufactured home, including equipment rental, utility
8.6 connection and disconnection charges, minor repairs, modifications necessary for
8.7 transportation of the home, necessary moving permits and insurance, moving costs for any
8.8 appurtenances, which meet applicable local, state, and federal building and construction
8.9 codes.

8.10 (b) A manufactured home owner is not entitled to compensation under paragraph (a) if
8.11 the manufactured home park owner is not required to make a payment to the Minnesota
8.12 manufactured home relocation trust fund under subdivision 12, paragraph (b).

8.13 (c) Except as provided in paragraph (e), in order to obtain payment from the Minnesota
8.14 manufactured home relocation trust fund, the manufactured home owner shall submit to the
8.15 neutral third party and the Minnesota Housing Finance Agency, with a copy to the park
8.16 owner, an application for payment, which includes:

8.17 (1) a copy of the closure statement under subdivision 1;

8.18 (2) a copy of the contract with a moving or towing contractor, which includes the
8.19 relocation costs for relocating the manufactured home;

8.20 (3) a statement with supporting materials of any additional relocation costs as outlined
8.21 in subdivision 1;

8.22 (4) a statement certifying that none of the exceptions to receipt of compensation under
8.23 subdivision 12, paragraph (b), apply to the manufactured home owner;

8.24 (5) a statement from the manufactured park owner that the lot rental is current ~~and that~~
8.25 ~~the annual \$15 payments to the Minnesota manufactured home relocation trust fund have~~
8.26 ~~been paid when due;~~ and

8.27 (6) a statement from the county where the manufactured home is located certifying that
8.28 personal property taxes for the manufactured home are paid through the end of that year.

8.29 (d) If the neutral third party has acted reasonably and does not approve or deny payment
8.30 within 45 days after receipt of the information set forth in paragraph (c), the payment is
8.31 deemed approved. Upon approval and request by the neutral third party, the Minnesota
8.32 Housing Finance Agency shall issue two checks in equal amount for 50 percent of the
8.33 contract price payable to the mover and towing contractor for relocating the manufactured

9.1 home in the amount of the actual relocation cost, plus a check to the home owner for
9.2 additional certified costs associated with third-party vendors, that were necessary in relocating
9.3 the manufactured home. The moving or towing contractor shall receive 50 percent upon
9.4 execution of the contract and 50 percent upon completion of the relocation and approval
9.5 by the manufactured home owner. The moving or towing contractor may not apply the funds
9.6 to any other purpose other than relocation of the manufactured home as provided in the
9.7 contract. A copy of the approval must be forwarded by the neutral third party to the park
9.8 owner with an invoice for payment of the amount specified in subdivision 12, paragraph
9.9 (a).

9.10 (e) In lieu of collecting a relocation payment from the Minnesota manufactured home
9.11 relocation trust fund under paragraph (a), the manufactured home owner may collect an
9.12 amount from the fund after reasonable efforts to relocate the manufactured home have failed
9.13 due to the age or condition of the manufactured home, or because there are no manufactured
9.14 home parks willing or able to accept the manufactured home within a 25-mile radius. A
9.15 manufactured home owner may tender title of the manufactured home in the manufactured
9.16 home park to the manufactured home park owner, and collect an amount to be determined
9.17 by an independent appraisal. The appraiser must be agreed to by both the manufactured
9.18 home park owner and the manufactured home owner. If the appraised market value cannot
9.19 be determined, the tax market value, averaged over a period of five years, can be used as a
9.20 substitute. The maximum amount that may be reimbursed under the fund is \$8,000 for a
9.21 single-section and \$14,500 for a multisection manufactured home. The minimum amount
9.22 that may be reimbursed under the fund is \$2,000 for a single section and \$4,000 for a
9.23 multisection manufactured home. The manufactured home owner shall deliver to the
9.24 manufactured home park owner the current certificate of title to the manufactured home
9.25 duly endorsed by the owner of record, and valid releases of all liens shown on the certificate
9.26 of title, and a statement from the county where the manufactured home is located evidencing
9.27 that the personal property taxes have been paid. The manufactured home owner's application
9.28 for funds under this paragraph must include a document certifying that the manufactured
9.29 home cannot be relocated, that the lot rental is current, that the annual \$15 payments to the
9.30 Minnesota manufactured home relocation trust fund have been paid when due, that the
9.31 manufactured home owner has chosen to tender title under this section, and that the park
9.32 owner agrees to make a payment to the commissioner of management and budget in the
9.33 amount established in subdivision 12, paragraph (a), less any documented costs submitted
9.34 to the neutral third party, required for demolition and removal of the home, and any debris
9.35 or refuse left on the lot, not to exceed \$1,000. The manufactured home owner must also
9.36 provide a copy of the certificate of title endorsed by the owner of record, and certify to the

10.1 neutral third party, with a copy to the park owner, that none of the exceptions to receipt of
10.2 compensation under subdivision 12, paragraph (b), clauses (1) to (6), apply to the
10.3 manufactured home owner, and that the home owner will vacate the home within 60 days
10.4 after receipt of payment or the date of park closure, whichever is earlier, provided that the
10.5 monthly lot rent is kept current.

10.6 (f) ~~The Minnesota Housing Finance Agency must make a determination of the amount~~
10.7 ~~of payment a manufactured home owner would have been entitled to under a local ordinance~~
10.8 ~~in effect on May 26, 2007.~~ Notwithstanding paragraph (a), the manufactured home owner's
10.9 compensation for relocation costs from the fund under section 462A.35, is the greater of
10.10 the amount provided under this subdivision, or the amount under the local ordinance in
10.11 effect on May 26, 2007, that is applicable to the manufactured home owner. Nothing in this
10.12 paragraph is intended to increase the liability of the park owner.

10.13 (g) Neither the neutral third party nor the Minnesota Housing Finance Agency shall be
10.14 liable to any person for recovery if the funds in the Minnesota manufactured home relocation
10.15 trust fund are insufficient to pay the amounts claimed. The Minnesota Housing Finance
10.16 Agency shall keep a record of the time and date of its approval of payment to a claimant.

10.17 (h) The agency shall report to the chairs of the senate Finance Committee and house of
10.18 representatives Ways and Means Committee by January 15 of each year on the Minnesota
10.19 manufactured home relocation trust fund, including the account balance, payments to
10.20 claimants, the amount of any advances to the fund, the amount of any insufficiencies
10.21 encountered during the previous calendar year, and any administrative charges or expenses
10.22 deducted from the trust fund balance. If sufficient funds become available, the Minnesota
10.23 Housing Finance Agency shall pay the manufactured home owner whose unpaid claim is
10.24 the earliest by time and date of approval.

10.25 Sec. 12. Minnesota Statutes 2018, section 462A.05, is amended by adding a subdivision
10.26 to read:

10.27 Subd. 42. **30-year affordability covenants.** The agency may impose rent, income, or
10.28 rent and income restrictions on a multifamily rental housing development as a condition of
10.29 agency financing as required in this chapter, or as a condition of an allocation or award of
10.30 federal low-income housing tax credits. If the agency imposes rent, income, or rent and
10.31 income restrictions on a multifamily rental housing development, the rent, income, or rent
10.32 and income restrictions must be contained in a covenant running with the land for at least
10.33 30 years. The agency may waive this requirement if it determines a waiver is necessary to

11.1 finance an affordable multifamily rental housing development that furthers the policies in
 11.2 this chapter.

11.3 **EFFECTIVE DATE.** This section is effective July 1, 2020, and applies on or after that
 11.4 date to any multifamily rental housing development for which the agency allocates
 11.5 low-income housing tax credits or funding, or with which the agency enters into a financing
 11.6 or grant agreement.

11.7 Sec. 13. Minnesota Statutes 2018, section 462A.222, subdivision 3, is amended to read:

11.8 Subd. 3. **Allocation procedure.** (a) Projects will be awarded tax credits in two
 11.9 competitive rounds on an annual basis. The date for applications for each round must be
 11.10 determined by the agency. No allocating agency may award tax credits prior to the application
 11.11 dates established by the agency.

11.12 (b) Each allocating agency must meet the requirements of section 42(m) of the Internal
 11.13 Revenue Code of 1986, as amended through December 31, 1989, for the allocation of tax
 11.14 credits and the selection of projects.

11.15 (c) For projects that are eligible for an allocation of credits pursuant to section 42(h)(4)
 11.16 of the Internal Revenue Code of 1986, as amended, tax credits may only be allocated if the
 11.17 project satisfies the requirements of the allocating agency's qualified allocation plan. For
 11.18 projects that are eligible for an allocation of credits pursuant to section 42(h)(4) of the
 11.19 Internal Revenue Code of 1986, as amended, for which the agency is the issuer of the bonds
 11.20 for the project, or the issuer of the bonds for the project is located outside the jurisdiction
 11.21 of a city or county that has received reserved tax credits, the applicable allocation plan is
 11.22 the agency's qualified allocation plan.

11.23 (d)~~(1)~~ To maximize the resources available for and increase the supply of affordable
 11.24 housing in Minnesota by leveraging the benefits to Minnesota from the use of tax-exempt
 11.25 bonds to finance multifamily housing and to allow local units of government more flexibility
 11.26 to address specific affordable housing needs in their communities, the agency shall make
 11.27 residential rental housing projects financed with an allocation of tax-exempt bonds under
 11.28 chapter 474A the highest strategic priority for tax credits under the agency's qualified
 11.29 allocation plan under section 42(m)(1)(D) of the Internal Revenue Code of 1986, as amended.

11.30 ~~(2) For projects eligible for an allocation of tax credits under section 42(h)(4) of the~~
 11.31 ~~Internal Revenue Code of 1986, as amended, the agency's qualified allocation plan and~~
 11.32 ~~other related agency guidance and requirements:~~

12.1 ~~(i) shall not include any selection criteria other than (A) the criteria of section 42(m)(1)(C)~~
12.2 ~~of the Internal Revenue Code of 1986, as amended, and (B) whether the project has received~~
12.3 ~~an allocation of tax-exempt bonds under chapter 474A, with subitem (B) as the most~~
12.4 ~~important criteria;~~

12.5 ~~(ii) shall grant projects receiving an allocation of tax-exempt bonds under chapter 474A~~
12.6 ~~the highest possible preference and, to the extent applicable, ahead of any preference~~
12.7 ~~described in section 42(m)(1)(B) of the Internal Revenue Code of 1986, as amended;~~

12.8 ~~(iii) shall exclude any per-unit cost limitations, cost reasonableness, or other similar~~
12.9 ~~restrictions for residential rental housing projects financed with an allocation of tax-exempt~~
12.10 ~~bonds under chapter 474A; and~~

12.11 ~~(iv) shall not adopt or impose any additional rules, requirements, regulations, or~~
12.12 ~~restrictions other than those required by section 42 of the Internal Revenue Code of 1986,~~
12.13 ~~as amended, regarding the allocation of credits.~~

12.14 ~~Each developer of a residential rental housing project that has received an allocation of~~
12.15 ~~tax-exempt bonds under chapter 474A and the proposed issuer of such tax-exempt bonds~~
12.16 ~~shall have standing to challenge the agency's qualified allocation plan for failure to comply~~
12.17 ~~with this clause.~~

12.18 ~~In the event of any conflict or inconsistency between this paragraph and section 462A.04,~~
12.19 ~~the provisions of this paragraph shall govern and control. The provisions of paragraph (d)~~
12.20 ~~shall not apply to any allocating agency other than the agency.~~

12.21 (e) For applications submitted for the first round, an allocating agency may allocate tax
12.22 credits only to the following types of projects:

12.23 (1) in the metropolitan area:

12.24 (i) new construction or substantial rehabilitation of projects in which, for the term of the
12.25 extended use period, at least 75 percent of the total tax credit units are single-room
12.26 occupancy, efficiency, or one bedroom units and which are affordable by households whose
12.27 income does not exceed 30 percent of the median income;

12.28 (ii) new construction or substantial rehabilitation family housing projects that are not
12.29 restricted to persons who are 55 years of age or older and in which, for the term of the
12.30 extended use period, at least 75 percent of the tax credit units contain two or more bedrooms
12.31 and at least one-third of the 75 percent contain three or more bedrooms; or

12.32 (iii) substantial rehabilitation projects in neighborhoods targeted by the city for
12.33 revitalization;

13.1 (2) outside the metropolitan area, projects which meet a locally identified housing need
13.2 and which are in short supply in the local housing market as evidenced by credible data
13.3 submitted with the application;

13.4 (3) projects that are not restricted to persons of a particular age group and in which, for
13.5 the term of the extended use period, a percentage of the units are set aside and rented to
13.6 persons:

13.7 (i) with a serious and persistent mental illness as defined in section 245.462, subdivision
13.8 20, paragraph (c);

13.9 (ii) with a developmental disability as defined in United States Code, title 42, section
13.10 6001, paragraph (5), as amended through December 31, 1990;

13.11 (iii) who have been assessed as drug dependent persons as defined in section 254A.02,
13.12 subdivision 5, and are receiving or will receive care and treatment services provided by an
13.13 approved treatment program as defined in section 254A.02, subdivision 2;

13.14 (iv) with a brain injury as defined in section 256B.093, subdivision 4, paragraph (a); or

13.15 (v) with permanent physical disabilities that substantially limit one or more major life
13.16 activities, if at least 50 percent of the units in the project are accessible as provided under
13.17 Minnesota Rules, chapter 1340;

13.18 (4) projects, whether or not restricted to persons of a particular age group, which preserve
13.19 existing subsidized housing, if the use of tax credits is necessary to prevent conversion to
13.20 market rate use or to remedy physical deterioration of the project which would result in loss
13.21 of existing federal subsidies; or

13.22 (5) projects financed by the Farmers Home Administration, or its successor agency,
13.23 which meet statewide distribution goals.

13.24 (f) Before the date for applications for the final round, the allocating agencies other than
13.25 the agency shall return all uncommitted and unallocated tax credits to a unified pool for
13.26 allocation by the agency on a statewide basis.

13.27 (g) Unused portions of the state ceiling for low-income housing tax credits reserved to
13.28 cities and counties for allocation may be returned at any time to the agency for allocation.

13.29 (h) If an allocating agency determines, at any time after the initial commitment or
13.30 allocation for a specific project, that a project is no longer eligible for all or a portion of the
13.31 low-income housing tax credits committed or allocated to the project, the credits must be
13.32 transferred to the agency to be reallocated pursuant to the procedures established in

14.1 paragraphs (f) to (h); provided that if the tax credits for which the project is no longer eligible
14.2 are from the current year's annual ceiling and the allocating agency maintains a waiting list,
14.3 the allocating agency may continue to commit or allocate the credits until not later than the
14.4 date of applications for the final round, at which time any uncommitted credits must be
14.5 transferred to the agency.

14.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.

14.7 Sec. 14. Minnesota Statutes 2018, section 474A.02, is amended by adding a subdivision
14.8 to read:

14.9 Subd. 1a. **Aggregate bond limitation.** "Aggregate bond limitation" means up to 55
14.10 percent of the reasonably expected aggregate basis of a residential rental project and the
14.11 land on which the project is or will be located.

14.12 Sec. 15. Minnesota Statutes 2018, section 474A.02, is amended by adding a subdivision
14.13 to read:

14.14 Subd. 1b. **AMI.** "AMI" means the area median income for the applicable county or
14.15 metropolitan area as published by the Department of Housing and Urban Development, as
14.16 adjusted for household size.

14.17 Sec. 16. Minnesota Statutes 2018, section 474A.02, is amended by adding a subdivision
14.18 to read:

14.19 Subd. 12a. **LIHTC.** "LIHTC" means low-income housing tax credits under section 42
14.20 of the Internal Revenue Code of 1986, as amended.

14.21 Sec. 17. Minnesota Statutes 2018, section 474A.02, is amended by adding a subdivision
14.22 to read:

14.23 Subd. 21a. **Preservation project.** "Preservation project" means any residential rental
14.24 project, regardless of whether or not such project is restricted to persons of a certain age or
14.25 older, that is expected to generate low-income housing tax credits under section 42 of the
14.26 Internal Revenue Code of 1986, as amended, and (1) receives federal project-based rental
14.27 assistance, or (2) is funded through a loan from or guaranteed by the United States
14.28 Department of Agriculture's Rural Development Program. In addition, to qualify as a
14.29 preservation project, the amount of bonds requested in the application must not exceed the
14.30 aggregate bond limitation.

15.1 Sec. 18. Minnesota Statutes 2018, section 474A.02, is amended by adding a subdivision
15.2 to read:

15.3 Subd. 30. **30 percent AMI residential rental project.** "30 percent AMI residential
15.4 rental project" means a residential rental project that does not otherwise qualify as a
15.5 preservation project, is expected to generate low-income housing tax credits under section
15.6 42 of the Internal Revenue Code of 1986, as amended, from 100 percent of its residential
15.7 units, and in which:

15.8 (1) all the residential units of the project:

15.9 (i) are reserved for tenants whose income, on average, is 30 percent of AMI or less;

15.10 (ii) are rent-restricted in accordance with section 42(g)(2) of the Internal Revenue Code
15.11 of 1986, as amended; and

15.12 (iii) are subject to rent and income restrictions for a period of not less than 30 years; or

15.13 (2)(i) is located outside of the metropolitan area as defined in section 473.121, subdivision
15.14 2, and within a county or metropolitan area that has a current median area gross income
15.15 that is less than the statewide area median income for Minnesota;

15.16 (ii) all of the units of the project are rent-restricted in accordance with section 42(g)(2)
15.17 of the Internal Revenue Code of 1986, as amended; and

15.18 (iii) all of the units of the project are subject to the applicable rent and income restrictions
15.19 for a period of not less than 30 years.

15.20 In addition, to qualify as a 30 percent AMI residential project, the amount of bonds
15.21 requested in the application must not exceed the aggregate bond limitation.

15.22 For purposes of this subdivision, "on average" means the average of the applicable
15.23 income limitation level for a project determined on a unit-by-unit basis e.g., a project with
15.24 one-half of its units subject to income limitations of not greater than 20 percent AMI and
15.25 one-half subject to income limitations of not greater than 40 percent AMI would be subject
15.26 to an income limitation on average of not greater than 30 percent AMI.

15.27 Sec. 19. Minnesota Statutes 2018, section 474A.02, is amended by adding a subdivision
15.28 to read:

15.29 Subd. 31. **50 percent AMI residential rental project.** "50 percent AMI residential
15.30 rental project" means a residential rental project that does not qualify as a preservation
15.31 project or 30 percent AMI residential rental project, is expected to generate low-income

16.1 housing tax credits under section 42 of the Internal Revenue Code of 1986, as amended,
16.2 from 100 percent of its residential units, and in which all the residential units of the project:

16.3 (1) are reserved for tenants whose income, on average, is 50 percent of AMI or less;

16.4 (2) are rent-restricted in accordance with section 42(g)(2) of the Internal Revenue Code
16.5 of 1986, as amended; and

16.6 (3) are subject to rent and income restrictions for a period of not less than 30 years.

16.7 In addition, to qualify as a 50 percent AMI residential rental project, the amount of bonds
16.8 requested in the application must not exceed the aggregate bond limitation.

16.9 For purposes of this subdivision, "on average" means the average of the applicable
16.10 income limitation level for a project determined on a unit-by-unit basis e.g., a project with
16.11 one-half of its units subject to income limitations of not greater than 40 percent AMI and
16.12 one-half subject to income limitations of not greater than 60 percent AMI would be subject
16.13 to an income limitation on average of not greater than 50 percent AMI.

16.14 Sec. 20. Minnesota Statutes 2018, section 474A.02, is amended by adding a subdivision
16.15 to read:

16.16 Subd. 32. **100 percent LIHTC project.** "100 percent LIHTC project" means a residential
16.17 rental project that is expected to generate low-income housing tax credits under section 42
16.18 of the Internal Revenue Code of 1986, as amended, from 100 percent of its residential units
16.19 and does not otherwise qualify as a preservation project, 30 percent AMI residential rental
16.20 project, or 50 percent AMI residential rental project. In addition, to qualify as a 100 percent
16.21 LIHTC project, the amount of bonds requested in the application must not exceed the
16.22 aggregate bond limitation.

16.23 Sec. 21. Minnesota Statutes 2018, section 474A.02, is amended by adding a subdivision
16.24 to read:

16.25 Subd. 33. **20 percent LIHTC project.** "20 percent LIHTC project" means a residential
16.26 rental project that is expected to generate low-income housing tax credits under section 42
16.27 of the Internal Revenue Code of 1986, as amended, from at least 20 percent of its residential
16.28 units and does not otherwise qualify as a preservation project, 30 percent AMI residential
16.29 rental project, 50 percent AMI residential rental project, or 100 percent LIHTC project. In
16.30 addition, to qualify as a 20 percent LIHTC project, the amount of bonds requested in the
16.31 application must not exceed the aggregate bond limitation.

17.1 Sec. 22. Minnesota Statutes 2018, section 474A.03, subdivision 1, is amended to read:

17.2 Subdivision 1. **Under federal tax law; allocations.** At the beginning of each calendar
17.3 year after December 31, 2001, the commissioner shall determine the aggregate dollar amount
17.4 of the annual volume cap under federal tax law for the calendar year, and of this amount
17.5 the commissioner shall make the following allocation:

17.6 (1) \$74,530,000 to the small issue pool;

17.7 (2) \$122,060,000 to the housing pool, of which 31 percent of the adjusted allocation is
17.8 reserved until the last Monday in ~~July~~ June for single-family housing programs;

17.9 (3) \$12,750,000 to the public facilities pool; and

17.10 (4) amounts to be allocated as provided in subdivision 2a.

17.11 If the annual volume cap is greater or less than the amount of bonding authority allocated
17.12 under clauses (1) to (4) and subdivision 2a, paragraph (a), clauses (1) to (4), the allocation
17.13 must be adjusted so that each adjusted allocation is the same percentage of the annual volume
17.14 cap as each original allocation is of the total bonding authority originally allocated.

17.15 Sec. 23. Minnesota Statutes 2018, section 474A.04, subdivision 1a, is amended to read:

17.16 Subd. 1a. **Entitlement reservations.** Any amount returned by an entitlement issuer
17.17 before July ~~15~~ 1 shall be reallocated through the housing pool. Any amount returned on or
17.18 after July ~~15~~ 1 shall be reallocated through the unified pool. An amount returned after the
17.19 last Monday in November shall be reallocated to the Minnesota Housing Finance Agency.

17.20 Sec. 24. Minnesota Statutes 2018, section 474A.061, subdivision 1, is amended to read:

17.21 Subdivision 1. **Allocation application; small issue pool and public facilities pool.** (a)
17.22 For any requested allocations from the small issue pool and the public facilities pool, an
17.23 issuer may apply for an allocation under this section by submitting to the department an
17.24 application on forms provided by the department, accompanied by (1) a preliminary
17.25 resolution, (2) a statement of bond counsel that the proposed issue of obligations requires
17.26 an allocation under this chapter and the Internal Revenue Code, (3) the type of qualified
17.27 bonds to be issued, (4) an application deposit in the amount of one percent of the requested
17.28 allocation before the last Monday in ~~July~~ June, or in the amount of two percent of the
17.29 requested allocation on or after the last Monday in ~~July~~ June, and (5) a public purpose
17.30 scoring worksheet for manufacturing project and enterprise zone facility project applications;
17.31 ~~and (6) for residential rental projects, a statement from the applicant or bond counsel as to~~
17.32 ~~whether the project preserves existing federally subsidized housing for residential rental~~

18.1 ~~project applications and whether the project is restricted to persons who are 55 years of age~~
 18.2 ~~or older.~~ The issuer must pay the application deposit ~~by a check made payable to the~~
 18.3 Department of Management and Budget. The Minnesota Housing Finance Agency, the
 18.4 Minnesota Rural Finance Authority, and the Minnesota Office of Higher Education may
 18.5 apply for and receive an allocation under this section without submitting an application
 18.6 deposit.

18.7 (b) An entitlement issuer may not apply for an allocation ~~from the public facilities pool~~
 18.8 under this subdivision unless it has either permanently issued bonds equal to the amount of
 18.9 its entitlement allocation for the current year plus any amount of bonding authority carried
 18.10 forward from previous years or returned for reallocation all of its unused entitlement
 18.11 allocation. ~~An entitlement issuer may not apply for an allocation from the housing pool~~
 18.12 ~~unless it either has permanently issued bonds equal to any amount of bonding authority~~
 18.13 ~~carried forward from a previous year or has returned for reallocation any unused bonding~~
 18.14 ~~authority carried forward from a previous year.~~ For purposes of this subdivision, its
 18.15 entitlement allocation includes an amount obtained under section 474A.04, subdivision 6.
 18.16 ~~This paragraph does not apply to an application from the Minnesota Housing Finance Agency~~
 18.17 ~~for an allocation under subdivision 2a for cities who choose to have the agency issue bonds~~
 18.18 ~~on their behalf.~~

18.19 (c) If an application is rejected under this section, the commissioner must notify the
 18.20 applicant and return the application deposit to the applicant within 30 days unless the
 18.21 applicant requests in writing that the application be resubmitted. The granting of an allocation
 18.22 of bonding authority under this section must be evidenced by a certificate of allocation.

18.23 Sec. 25. Minnesota Statutes 2018, section 474A.061, is amended by adding a subdivision
 18.24 to read:

18.25 Subd. 1a. **Allocation application; housing pool.** (a) For any requested allocations from
 18.26 the housing pool, an issuer may apply for an allocation under this section by submitting to
 18.27 the department an application on forms provided by the department, accompanied by (1) a
 18.28 preliminary resolution, (2) a statement of bond counsel that the proposed issue of obligations
 18.29 requires an allocation under this chapter and the Internal Revenue Code, (3) an application
 18.30 deposit in the amount of two percent of the requested allocation, (4) a sworn statement from
 18.31 the applicant identifying the project as either a preservation project, 30 percent AMI
 18.32 residential rental project, 50 percent AMI residential rental project, 100 percent LIHTC
 18.33 project, 20 percent LIHTC project, or any other residential rental project, and (5) a
 18.34 certification from the applicant or its accountant stating whether the requested allocation

19.1 exceeds the aggregate bond limitation. The issuer must pay the application deposit to the
 19.2 Department of Management and Budget. The Minnesota Housing Finance Agency may
 19.3 apply for and receive an allocation under this section without submitting an application
 19.4 deposit.

19.5 (b) An entitlement issuer may not apply for an allocation from the housing pool unless
 19.6 it either has permanently issued bonds equal to any amount of bonding authority carried
 19.7 forward from a previous year or has returned for reallocation any unused bonding authority
 19.8 carried forward from a previous year. For purposes of this subdivision, its entitlement
 19.9 allocation includes an amount obtained under section 474A.04, subdivision 6. This paragraph
 19.10 does not apply to an application from the Minnesota Housing Finance Agency for an
 19.11 allocation under subdivision 2a for cities who choose to have the agency issue bonds on the
 19.12 city's behalf.

19.13 (c) If an application is rejected under this section, the commissioner must notify the
 19.14 applicant and return the application deposit to the applicant within 30 days unless the
 19.15 applicant requests in writing that the application be resubmitted. The granting of an allocation
 19.16 of bonding authority under this section must be evidenced by a certificate of allocation.

19.17 Sec. 26. Minnesota Statutes 2018, section 474A.061, subdivision 2a, is amended to read:

19.18 Subd. 2a. **Housing pool allocation.** (a) Commencing on the second Tuesday in January
 19.19 and continuing on each Monday through ~~July 15~~ the end of June, the commissioner shall
 19.20 allocate available bonding authority from the housing pool to applications received on or
 19.21 before the Monday of the preceding week for residential rental projects that meet the
 19.22 eligibility criteria under section 474A.047. Allocations of available bonding authority from
 19.23 the housing pool for eligible residential rental projects shall be awarded in the following
 19.24 order of priority: ~~(1) projects that preserve existing federally subsidized housing; (2) projects~~
 19.25 ~~that are not restricted to persons who are 55 years of age or older; and (3) other residential~~
 19.26 ~~rental projects. Prior to May 15, no allocation shall be made to a project restricted to persons~~
 19.27 ~~who are 55 years of age or older~~

19.28 (1) preservation projects;

19.29 (2) 30 percent AMI residential rental projects;

19.30 (3) 50 percent AMI residential rental projects;

19.31 (4) 100 percent LIHTC projects;

19.32 (5) 20 percent LIHTC projects; and

20.1 (6) other residential rental projects for which the amount of bonds requested in their
20.2 respective applications do not exceed the aggregate bond limitation.

20.3 ~~If an issuer that receives an allocation under this paragraph does not issue obligations equal~~
20.4 ~~to all or a portion of the allocation received within 120 days of the allocation or returns the~~
20.5 ~~allocation to the commissioner, the amount of the allocation is canceled and returned for~~
20.6 ~~reallocation through the housing pool or to the unified pool after July 15. If there are two~~
20.7 or more applications for residential rental projects at the same priority level and there is
20.8 insufficient bonding authority to provide allocations for all the projects in any one allocation
20.9 period, available bonding authority shall be randomly awarded by lot but only for projects
20.10 that can receive the full amount of their respective requested allocations. If a residential
20.11 rental project does not receive any of its requested allocation pursuant to this paragraph and
20.12 the project applies in the future to the housing pool or unified pool for additional allocation
20.13 of bonds, the project shall be fully funded up to its original application request for bonding
20.14 authority before any new project, applying in the same allocation period, that has an equal
20.15 priority shall receive bonding authority. An issuer that receives an allocation under this
20.16 paragraph must issue obligations equal to all or a portion of the allocation received on or
20.17 before the later of 180 days of the allocation or within 18 months after the allocation date
20.18 if the applicant submits an additional application deposit equal to one percent of the allocation
20.19 amount on or prior to 180 days after the allocation date. If an issuer that receives an allocation
20.20 under this paragraph does not issue obligations equal to all or a portion of the allocation
20.21 received within the time period provided in this paragraph or returns the allocation to the
20.22 commissioner, the amount of the allocation is canceled and returned for reallocation through
20.23 the housing pool or to the unified pool after July 1. If an issuer that receives an allocation
20.24 under this paragraph issues obligations within the time period provided in this paragraph,
20.25 the commissioner shall refund 50 percent of any application deposit previously paid within
20.26 30 days of the issuance of the obligations and the remaining 50 percent of the application
20.27 deposit within 30 days after completion of construction of the project.

20.28 (b) After January 1, and through January 15, The Minnesota Housing Finance Agency
20.29 may accept applications from cities for single-family housing programs which meet program
20.30 requirements as follows:

20.31 (1) the housing program must meet a locally identified housing need and be economically
20.32 viable;

20.33 (2) the adjusted income of home buyers may not exceed 80 percent of the greater of
20.34 AMI; statewide or area median income as published by the Department of Housing and
20.35 Urban Development, adjusted for household size;

21.1 (3) house price limits may not exceed the federal price limits established for mortgage
21.2 revenue bond programs. Data on the home purchase price amount, mortgage amount, income,
21.3 household size, and race of the households served in the previous year's single-family
21.4 housing program, if any, must be included in each application; and

21.5 (4) for applicants who choose to have the agency issue bonds on their behalf, an
21.6 application fee pursuant to section 474A.03, subdivision 4, and an application deposit equal
21.7 to one percent of the requested allocation must be submitted to the Minnesota Housing
21.8 Finance Agency before the agency forwards the list specifying the amounts allocated to the
21.9 commissioner under paragraph (d). The agency shall submit the city's application fee and
21.10 application deposit to the commissioner when requesting an allocation from the housing
21.11 pool.

21.12 Applications by a consortium shall include the name of each member of the consortium
21.13 and the amount of allocation requested by each member.

21.14 (c) Any amounts remaining in the housing pool after July ~~15~~ 1 are available for
21.15 single-family housing programs for cities that applied in January and received an allocation
21.16 under this section in the same calendar year. For a city that chooses to issue bonds on its
21.17 own behalf or pursuant to a joint powers agreement, the agency must allot available bonding
21.18 authority based on the formula in paragraphs (d) and (f). Allocations will be made loan by
21.19 loan, on a first-come, first-served basis among cities on whose behalf the Minnesota Housing
21.20 Finance Agency issues bonds.

21.21 Any city that received an allocation pursuant to paragraph (f) in the same calendar year
21.22 that wishes to issue bonds on its own behalf or pursuant to a joint powers agreement for an
21.23 amount becoming available for single-family housing programs after July ~~15~~ 1 shall notify
21.24 the Minnesota Housing Finance Agency by July ~~15~~ 1. The Minnesota Housing Finance
21.25 Agency shall notify each city making a request of the amount of its allocation within three
21.26 business days after July ~~15~~ 1. The city must comply with paragraph (f).

21.27 For purposes of paragraphs (a) to (h), "city" means a county or a consortium of local
21.28 government units that agree through a joint powers agreement to apply together for
21.29 single-family housing programs, and has the meaning given it in section 462C.02, subdivision
21.30 6. "Agency" means the Minnesota Housing Finance Agency.

21.31 (d) The total amount of allocation for mortgage bonds for one city is limited to the lesser
21.32 of: (i) the amount requested, or (ii) the product of the total amount available for mortgage
21.33 bonds from the housing pool, multiplied by the ratio of each applicant's population as
21.34 determined by the most recent estimate of the city's population released by the state

22.1 demographer's office to the total of all the applicants' population, except that each applicant
22.2 shall be allocated a minimum of \$100,000 regardless of the amount requested or the amount
22.3 determined under the formula in clause (ii). If a city applying for an allocation is located
22.4 within a county that has also applied for an allocation, the city's population will be deducted
22.5 from the county's population in calculating the amount of allocations under this paragraph.

22.6 Upon determining the amount of each applicant's allocation, the agency shall forward
22.7 to the commissioner a list specifying the amounts allotted to each application with all
22.8 application fees and deposits from applicants who choose to have the agency issue bonds
22.9 on their behalf.

22.10 Total allocations from the housing pool for single-family housing programs may not
22.11 exceed 31 percent of the adjusted allocation to the housing pool until after July ~~15~~ 1.

22.12 (e) The agency may issue bonds on behalf of participating cities. The agency shall request
22.13 an allocation from the commissioner for all applicants who choose to have the agency issue
22.14 bonds on their behalf and the commissioner shall allocate the requested amount to the
22.15 agency. The agency may request an allocation at any time after the second Tuesday in
22.16 January and through the last Monday in ~~July~~ June. After awarding an allocation and receiving
22.17 a notice of issuance for the mortgage bonds issued on behalf of the participating cities, the
22.18 commissioner shall transfer the application deposits to the Minnesota Housing Finance
22.19 Agency to be returned to the participating cities. The Minnesota Housing Finance Agency
22.20 shall return any application deposit to a city that paid an application deposit under paragraph
22.21 (b), clause (4), but was not part of the list forwarded to the commissioner under paragraph
22.22 (d).

22.23 (f) A city may choose to issue bonds on its own behalf or through a joint powers
22.24 agreement and may request an allocation from the commissioner by forwarding an application
22.25 with an application fee pursuant to section 474A.03, subdivision 4, and a one percent
22.26 application deposit to the commissioner no later than the Monday of the week preceding
22.27 an allocation. If the total amount requested by all applicants exceeds the amount available
22.28 in the pool, the city may not receive a greater allocation than the amount it would have
22.29 received under the list forwarded by the Minnesota Housing Finance Agency to the
22.30 commissioner. No city may request or receive an allocation from the commissioner until
22.31 the list under paragraph (d) has been forwarded to the commissioner. A city must request
22.32 an allocation from the commissioner no later than the last Monday in ~~July~~ June. No city
22.33 may receive an allocation from the housing pool for mortgage bonds which has not first
22.34 applied to the Minnesota Housing Finance Agency. The commissioner shall allocate the
22.35 requested amount to the city or cities subject to the limitations under this paragraph.

23.1 If a city issues mortgage bonds from an allocation received under this paragraph, the
23.2 issuer must provide for the recycling of funds into new loans. If the issuer is not able to
23.3 provide for recycling, the issuer must notify the commissioner in writing of the reason that
23.4 recycling was not possible and the reason the issuer elected not to have the Minnesota
23.5 Housing Finance Agency issue the bonds. "Recycling" means the use of money generated
23.6 from the repayment and prepayment of loans for further eligible loans or for the redemption
23.7 of bonds and the issuance of current refunding bonds.

23.8 (g) No entitlement city or county or city in an entitlement county may apply for or be
23.9 allocated authority to issue mortgage bonds or use mortgage credit certificates from the
23.10 housing pool. No city in an entitlement county may apply for or be allocated authority to
23.11 issue residential rental bonds from the housing pool or the unified pool.

23.12 (h) A city that does not use at least 50 percent of its allotment by the date applications
23.13 are due for the first allocation that is made from the housing pool for single-family housing
23.14 programs in the immediately succeeding calendar year may not apply to the housing pool
23.15 for a single-family mortgage bond or mortgage credit certificate program allocation that
23.16 exceeds the amount of its allotment for the preceding year that was used by the city in the
23.17 immediately preceding year or receive an allotment from the housing pool in the succeeding
23.18 calendar year that exceeds the amount of its allotment for the preceding year that was used
23.19 in the preceding year. The minimum allotment is \$100,000 for an allocation made prior to
23.20 ~~July 15~~ 1, regardless of the amount used in the preceding calendar year, except that a city
23.21 whose allocation in the preceding year was the minimum amount of \$100,000 and who did
23.22 not use at least 50 percent of its allocation from the preceding year is ineligible for an
23.23 allocation in the immediate succeeding calendar year. Each local government unit in a
23.24 consortium must meet the requirements of this paragraph.

23.25 Sec. 27. Minnesota Statutes 2018, section 474A.061, subdivision 2b, is amended to read:

23.26 Subd. 2b. **Small issue pool allocation.** Commencing on the second Tuesday in January
23.27 and continuing on each Monday through the last Monday in ~~July~~ June, the commissioner
23.28 shall allocate available bonding authority from the small issue pool to applications received
23.29 on or before the Monday of the preceding week for manufacturing projects and enterprise
23.30 zone facility projects. From the second Tuesday in January through the last Monday in ~~July~~
23.31 June, the commissioner shall reserve \$5,000,000 of the available bonding authority from
23.32 the small issue pool for applications for agricultural development bond loan projects of the
23.33 Minnesota Rural Finance Authority.

24.1 Beginning in calendar year 2002, on the second Tuesday in January through the last
24.2 Monday in ~~July~~ June, the commissioner shall reserve \$10,000,000 of available bonding
24.3 authority in the small issue pool for applications for student loan bonds of or on behalf of
24.4 the Minnesota Office of Higher Education. The total amount of allocations for student loan
24.5 bonds from the small issue pool may not exceed \$10,000,000 per year.

24.6 The commissioner shall reserve \$10,000,000 until the day after the last Monday in
24.7 February, \$10,000,000 until the day after the last Monday in April, and \$10,000,000 until
24.8 the day after the last Monday in June in the small issue pool for enterprise zone facility
24.9 projects and manufacturing projects. The amount of allocation provided to an issuer for a
24.10 specific enterprise zone facility project or manufacturing project will be based on the number
24.11 of points received for the proposed project under the scoring system under section 474A.045.

24.12 If there are two or more applications for manufacturing and enterprise zone facility
24.13 projects from the small issue pool and there is insufficient bonding authority to provide
24.14 allocations for all projects in any one week, the available bonding authority shall be awarded
24.15 based on the number of points awarded a project under section 474A.045, with those projects
24.16 receiving the greatest number of points receiving allocation first. If two or more applications
24.17 receive an equal number of points, available bonding authority shall be awarded by lot
24.18 unless otherwise agreed to by the respective issuers.

24.19 Sec. 28. Minnesota Statutes 2018, section 474A.061, subdivision 2c, is amended to read:

24.20 Subd. 2c. **Public facilities pool allocation.** From the beginning of the calendar year and
24.21 continuing for a period of 120 days, the commissioner shall reserve \$5,000,000 of the
24.22 available bonding authority from the public facilities pool for applications for public facilities
24.23 projects to be financed by the Western Lake Superior Sanitary District. Commencing on
24.24 the second Tuesday in January and continuing on each Monday through the last Monday
24.25 in ~~July~~ June, the commissioner shall allocate available bonding authority from the public
24.26 facilities pool to applications for eligible public facilities projects received on or before the
24.27 Monday of the preceding week. If there are two or more applications for public facilities
24.28 projects from the pool and there is insufficient available bonding authority to provide
24.29 allocations for all projects in any one week, the available bonding authority shall be awarded
24.30 by lot unless otherwise agreed to by the respective issuers.

24.31 Sec. 29. Minnesota Statutes 2018, section 474A.061, subdivision 4, is amended to read:

24.32 Subd. 4. **Return of allocation; deposit refund for small issue pool or public facilities**
24.33 **pool.** (a) For any requested allocations from the small issue pool or the public facilities

25.1 pool, If an issuer that receives an allocation under this section determines that it will not
25.2 issue obligations equal to all or a portion of the allocation received under this section within
25.3 120 days of allocation or within the time period permitted by federal tax law, whichever is
25.4 less, the issuer must notify the department. If the issuer notifies the department or the 120-day
25.5 period since allocation has expired prior to the last Monday in ~~July~~ June, the amount of
25.6 allocation is canceled and returned for reallocation through the pool from which it was
25.7 originally allocated. If the issuer notifies the department or the 120-day period since allocation
25.8 has expired on or after the last Monday in ~~July~~ June, the amount of allocation is canceled
25.9 and returned for reallocation through the unified pool. If the issuer notifies the department
25.10 after the last Monday in November, the amount of allocation is canceled and returned for
25.11 reallocation to the Minnesota Housing Finance Agency. To encourage a competitive
25.12 application process, the commissioner shall reserve, for new applications, the amount of
25.13 allocation that is canceled and returned for reallocation under this section for a minimum
25.14 of seven calendar days.

25.15 (b) An issuer that returns for reallocation all or a portion of an allocation received under
25.16 this ~~section~~ subdivision within 120 days of allocation shall receive within 30 days a refund
25.17 equal to:

25.18 (1) one-half of the application deposit for the amount of bonding authority returned
25.19 within 30 days of receiving allocation;

25.20 (2) one-fourth of the application deposit for the amount of bonding authority returned
25.21 between 31 and 60 days of receiving allocation; and

25.22 (3) one-eighth of the application deposit for the amount of bonding authority returned
25.23 between 61 and 120 days of receiving allocation.

25.24 (c) No refund shall be available for allocations returned 120 or more days after receiving
25.25 the allocation or beyond the last Monday in November.

25.26 Sec. 30. Minnesota Statutes 2018, section 474A.061, is amended by adding a subdivision
25.27 to read:

25.28 Subd. 7. **Return of allocation; deposit refund for housing pool.** (a) For any requested
25.29 allocations from the housing pool, if an issuer that receives an allocation under this section
25.30 determines that it will not issue obligations equal to all or a portion of the allocation received
25.31 under this section within the time period provided under section 474A.061, subdivision 2a,
25.32 paragraph (a), or within the time period permitted by federal tax law, whichever is less, the
25.33 issuer must notify the department. If the issuer notifies the department or the time period

26.1 provided under section 474A.061, subdivision 2a, paragraph (a), has expired prior to the
 26.2 last Monday in June, the amount of allocation is canceled and returned for reallocation
 26.3 through the pool from which it was originally allocated. If the issuer notifies the department
 26.4 or the time period provided under section 474A.061, subdivision 2a, paragraph (a), has
 26.5 expired on or after the last Monday in June, the amount of allocation is canceled and returned
 26.6 for reallocation through the unified pool. If the issuer notifies the department after the last
 26.7 Monday in November, the amount of allocation is canceled and returned for reallocation
 26.8 to the Minnesota Housing Finance Agency. To encourage a competitive application process,
 26.9 the commissioner shall reserve, for new applications, the amount of allocation that is canceled
 26.10 and returned for reallocation under this section for a minimum of seven calendar days.

26.11 (b) An issuer that returns for reallocation all or a portion of an allocation received under
 26.12 this subdivision within 180 days of allocation shall receive within 30 days a refund equal
 26.13 to:

26.14 (1) one-half of the application deposit for the amount of bonding authority returned
 26.15 within 45 days of receiving allocation;

26.16 (2) one-fourth of the application deposit for the amount of bonding authority returned
 26.17 between 46 and 90 days of receiving allocation; and

26.18 (3) one-eighth of the application deposit for the amount of bonding authority returned
 26.19 between 91 and 180 days of receiving allocation.

26.20 (c) No refund shall be available for allocations returned 180 or more days after receiving
 26.21 the allocation or beyond the last Monday in November.

26.22 Sec. 31. Minnesota Statutes 2018, section 474A.062, is amended to read:

26.23 **474A.062 MINNESOTA OFFICE OF HIGHER EDUCATION 120-DAY ISSUANCE**
 26.24 **EXEMPTION.**

26.25 The Minnesota Office of Higher Education is exempt from ~~the 120-day~~ any time
 26.26 limitation on issuance requirements of bonds set forth in this chapter and may carry forward
 26.27 allocations for student loan bonds, subject to carryforward notice requirements of section
 26.28 474A.131, subdivision 2.

26.29 Sec. 32. Minnesota Statutes 2018, section 474A.091, subdivision 1, is amended to read:

26.30 Subdivision 1. **Unified pool amount.** On the day after the last Monday in ~~July~~ June any
 26.31 bonding authority remaining unallocated from the small issue pool, the housing pool, and

27.1 the public facilities pool is transferred to the unified pool and must be reallocated as provided
27.2 in this section.

27.3 Sec. 33. Minnesota Statutes 2018, section 474A.091, subdivision 2, is amended to read:

27.4 Subd. 2. **Application.** (a) Issuers may apply for an allocation for residential rental bonds
27.5 under this section by submitting to the department an application on forms provided by the
27.6 department accompanied by:

27.7 (1) a preliminary resolution;

27.8 (2) a statement of bond counsel that the proposed issue of obligations requires an
27.9 allocation under this chapter and the Internal Revenue Code;

27.10 (3) ~~the type of qualified bonds to be issued,~~ (4) an application deposit in the amount of
27.11 two percent of the requested allocation, ~~(5) a public purpose scoring worksheet for~~
27.12 ~~manufacturing and enterprise zone applications, and (6) for residential rental projects, a~~
27.13 ~~statement from the applicant or bond counsel as to whether the project preserves existing~~
27.14 ~~federally subsidized housing and whether the project is restricted to persons who are 55~~
27.15 ~~years of age or older.~~

27.16 (4) a sworn statement from the applicant identifying the project as a preservation project,
27.17 30 percent AMI residential rental project, 50 percent AMI residential rental project, 100
27.18 percent LIHTC project, 20 percent LIHTC project, or any other residential rental project;
27.19 and

27.20 (5) a certification from the applicant or its accountant stating whether the requested
27.21 allocation exceeds the aggregate bond limitation.

27.22 The issuer must pay the application deposit ~~by check~~ to the Department of Management
27.23 and Budget. An entitlement issuer may not apply for an allocation for ~~public facility bonds,~~
27.24 ~~residential rental project bonds, or mortgage bonds~~ under this section unless it has either
27.25 permanently issued bonds equal to the amount of its entitlement allocation for the current
27.26 year plus any amount carried forward from previous years or returned for reallocation all
27.27 of its unused entitlement allocation. For purposes of this subdivision, its entitlement allocation
27.28 includes an amount obtained under section 474A.04, subdivision 6.

27.29 (b) An issuer that receives an allocation under this subdivision must issue obligations
27.30 equal to all or a portion of the allocation received on or before the later of 180 days of the
27.31 allocation or within 18 months after the allocation date if the applicant submits an additional
27.32 application deposit equal to one percent of the allocation amount on or prior to 180 days
27.33 after the allocation date. If an issuer that receives an allocation under this subdivision does

28.1 not issue obligations equal to all or a portion of the allocation received within the time
28.2 period provided in this paragraph or returns the allocation to the commissioner, the amount
28.3 of the allocation is canceled and returned for reallocation through the unified pool. If an
28.4 issuer that receives an allocation under this subdivision issues obligations within the time
28.5 period provided in this paragraph, the commissioner shall refund 50 percent of any application
28.6 deposit previously paid within 30 days of the issuance of the obligations and the remaining
28.7 50 percent of the application deposit within 30 days after completion of construction of the
28.8 project.

28.9 (c) Notwithstanding the restrictions imposed on entitlement issuers under this subdivision,
28.10 the Minnesota Housing Finance Agency may not receive an allocation for mortgage bonds
28.11 under this section prior to the first Monday in October, but may be awarded allocations for
28.12 mortgage bonds from the unified pool on or after the first Monday in October. The Minnesota
28.13 Housing Finance Agency, ~~the Minnesota Office of Higher Education, and the Minnesota~~
28.14 ~~Rural Finance Authority~~ may apply for and receive an allocation under this section without
28.15 submitting an application deposit.

28.16 Sec. 34. Minnesota Statutes 2018, section 474A.091, is amended by adding a subdivision
28.17 to read:

28.18 Subd. 2a. **Application for all other types of qualified bonds.** (a) Issuers may apply
28.19 for an allocation for all types of qualified bonds other than residential rental bonds under
28.20 this section by submitting to the department an application on forms provided by the
28.21 department accompanied by:

28.22 (1) a preliminary resolution;

28.23 (2) a statement of bond counsel that the proposed issue of obligations requires an
28.24 allocation under this chapter and the Internal Revenue Code;

28.25 (3) the type of qualified bonds to be issued;

28.26 (4) an application deposit in the amount of two percent of the requested allocation; and

28.27 (5) a public purpose scoring worksheet for manufacturing and enterprise zone
28.28 applications.

28.29 The issuer must pay the application deposit by check. An entitlement issuer may not apply
28.30 for an allocation for public facility bonds or mortgage bonds under this section unless it has
28.31 either permanently issued bonds equal to the amount of its entitlement allocation for the
28.32 current year plus any amount carried forward from previous years or returned for reallocation

29.1 all of its unused entitlement allocation. For purposes of this subdivision, an entitlement
29.2 allocation includes an amount obtained under section 474A.04, subdivision 6.

29.3 (b) Notwithstanding the restrictions imposed on entitlement issuers under this subdivision,
29.4 the Minnesota Housing Finance Agency may not receive an allocation for mortgage bonds
29.5 under this section prior to the first Monday in October, but may be awarded allocations for
29.6 mortgage bonds from the unified pool on or after the first Monday in October. The Minnesota
29.7 Housing Finance Agency, the Minnesota Office of Higher Education, and the Minnesota
29.8 Rural Finance Authority may apply for and receive an allocation under this section without
29.9 submitting an application deposit.

29.10 Sec. 35. Minnesota Statutes 2018, section 474A.091, subdivision 3, is amended to read:

29.11 Subd. 3. **Allocation procedure.** (a) The commissioner shall allocate available bonding
29.12 authority under this section on the Monday of every other week beginning with the first
29.13 Monday in ~~August~~ July through and on the last Monday in November. Applications for
29.14 allocations must be received by the department by 4:30 p.m. on the Monday preceding the
29.15 Monday on which allocations are to be made. If a Monday falls on a holiday, the allocation
29.16 will be made or the applications must be received by the next business day after the holiday.

29.17 (b) Prior to October 1, only the following applications shall be awarded allocations from
29.18 the unified pool. Allocations shall be awarded in the following order of priority:

29.19 (1) applications for residential rental project bonds;

29.20 (2) applications for small issue bonds for manufacturing projects; and

29.21 (3) applications for small issue bonds for agricultural development bond loan projects.

29.22 (c) On the first Monday in October through the last Monday in November, allocations
29.23 shall be awarded from the unified pool in the following order of priority:

29.24 (1) applications for student loan bonds issued by or on behalf of the Minnesota Office
29.25 of Higher Education;

29.26 (2) applications for mortgage bonds;

29.27 (3) applications for public facility projects funded by public facility bonds;

29.28 (4) applications for small issue bonds for manufacturing projects;

29.29 (5) applications for small issue bonds for agricultural development bond loan projects;

29.30 (6) applications for residential rental project bonds;

29.31 (7) applications for enterprise zone facility bonds;

30.1 (8) applications for governmental bonds; and

30.2 (9) applications for redevelopment bonds.

30.3 (d) If there are two or more applications for manufacturing projects from the unified
30.4 pool and there is insufficient bonding authority to provide allocations for all manufacturing
30.5 projects in any one allocation period, the available bonding authority shall be awarded based
30.6 on the number of points awarded a project under section 474A.045 with those projects
30.7 receiving the greatest number of points receiving allocation first. If two or more applications
30.8 for manufacturing projects receive an equal amount of points, available bonding authority
30.9 shall be awarded by lot unless otherwise agreed to by the respective issuers.

30.10 (e) If there are two or more applications for enterprise zone facility projects from the
30.11 unified pool and there is insufficient bonding authority to provide allocations for all enterprise
30.12 zone facility projects in any one allocation period, the available bonding authority shall be
30.13 awarded based on the number of points awarded a project under section 474A.045 with
30.14 those projects receiving the greatest number of points receiving allocation first. If two or
30.15 more applications for enterprise zone facility projects receive an equal amount of points,
30.16 available bonding authority shall be awarded by lot unless otherwise agreed to by the
30.17 respective issuers.

30.18 (f) If there are two or more applications for residential rental projects from the unified
30.19 pool and there is insufficient bonding authority to provide allocations for all residential
30.20 rental projects in any one allocation period, the available bonding authority shall be awarded
30.21 in the following order of priority: ~~(1) projects that preserve existing federally subsidized~~
30.22 ~~housing; (2) projects that are not restricted to persons who are 55 years of age or older; and~~
30.23 ~~(3) preservation projects;~~ (2) 30 percent AMI residential rental projects; (3) 50 percent AMI
30.24 residential rental projects; (4) 100 percent LIHTC projects; (5) 20 percent LIHTC projects;
30.25 and (6) other residential rental projects. If there are two or more applications for residential
30.26 rental projects at the same priority level and there is insufficient bonding authority to provide
30.27 allocations for all the projects in any one allocation period, available bonding authority shall
30.28 be randomly awarded by lot but only for projects that received the full amount of their
30.29 respective requested allocations. If a residential rental project does not receive any of its
30.30 requested allocation pursuant to this paragraph and the project applies in the future to the
30.31 housing pool or the unified pool for additional allocation of bonds, the project shall be fully
30.32 funded up to its original application request for bonding authority before any new project,
30.33 applying in the same allocation period, that has an equal priority shall receive bonding
30.34 authority.

31.1 (g) From the first Monday in ~~August~~ July through the last Monday in November,
31.2 \$20,000,000 of bonding authority or an amount equal to the total annual amount of bonding
31.3 authority allocated to the small issue pool under section 474A.03, subdivision 1, less the
31.4 amount allocated to issuers from the small issue pool for that year, whichever is less, is
31.5 reserved within the unified pool for small issue bonds to the extent ~~such~~ the amounts are
31.6 available within the unified pool.

31.7 (h) The total amount of allocations for mortgage bonds from the housing pool and the
31.8 unified pool may not exceed:

31.9 (1) \$10,000,000 for any one city; or

31.10 (2) \$20,000,000 for any number of cities in any one county.

31.11 (i) The total amount of allocations for student loan bonds from the unified pool may not
31.12 exceed \$25,000,000 per year.

31.13 (j) If there is insufficient bonding authority to fund all projects within any qualified bond
31.14 category other than enterprise zone facility projects, manufacturing projects, and residential
31.15 rental projects, allocations shall be awarded by lot unless otherwise agreed to by the
31.16 respective issuers.

31.17 (k) If an application is rejected, the commissioner must notify the applicant and return
31.18 the application deposit to the applicant within 30 days unless the applicant requests in writing
31.19 that the application be resubmitted.

31.20 (l) The granting of an allocation of bonding authority under this section must be evidenced
31.21 by issuance of a certificate of allocation.

31.22 Sec. 36. Minnesota Statutes 2018, section 474A.091, subdivision 5, is amended to read:

31.23 Subd. 5. **Return of allocation; deposit refund.** (a) If an issuer that receives an allocation
31.24 under this section determines that it will not issue obligations equal to all or a portion of
31.25 the allocation received under this section within ~~120~~ the applicable number of days ~~of~~ after
31.26 the allocation required in this chapter or within the time period permitted by federal tax law,
31.27 whichever is less, the issuer must notify the department. If the issuer notifies the department
31.28 or the 120-day period since allocation has expired prior to the last Monday in November,
31.29 the amount of allocation is canceled and returned for reallocation through the unified pool.
31.30 If the issuer notifies the department on or after the last Monday in November, the amount
31.31 of allocation is canceled and returned for reallocation to the Minnesota Housing Finance
31.32 Agency. To encourage a competitive application process, the commissioner shall reserve,

32.1 for new applications, the amount of allocation that is canceled and returned for reallocation
32.2 under this section for a minimum of seven calendar days.

32.3 (b) An issuer that returns for reallocation all or a portion of an allocation for all types
32.4 of bonds other than residential rental project bonds received under this section within 120
32.5 days of the allocation shall receive within 30 days a refund equal to:

32.6 (1) one-half of the application deposit for the amount of bonding authority returned
32.7 within 30 days of receiving the allocation;

32.8 (2) one-fourth of the application deposit for the amount of bonding authority returned
32.9 between 31 and 60 days of receiving the allocation; and

32.10 (3) one-eighth of the application deposit for the amount of bonding authority returned
32.11 between 61 and 120 days of receiving the allocation.

32.12 (c) No refund of the application deposit shall be available for allocations returned on or
32.13 after the last Monday in November.

32.14 (d) An issuer that returns for reallocation all or a portion of an allocation for residential
32.15 rental project bonds received under this section within 180 days of the allocation shall
32.16 receive within 30 days a refund equal to:

32.17 (1) one-half of the application deposit for the amount of bonding authority returned
32.18 within 45 days of receiving the allocation;

32.19 (2) one-fourth of the application deposit for the amount of bonding authority returned
32.20 between 46 and 90 days of receiving the allocation; and

32.21 (3) one-eighth of the application deposit for the amount of bonding authority returned
32.22 between 91 and 180 days of receiving the allocation.

32.23 Sec. 37. Minnesota Statutes 2018, section 474A.131, subdivision 1, is amended to read:

32.24 Subdivision 1. **Notice of issue.** Each issuer ~~that issues bonds~~ with an allocation received
32.25 under this chapter shall provide a notice of issue to the department on forms provided by
32.26 the department stating:

32.27 (1) the date of issuance of the bonds;

32.28 (2) the title of the issue;

32.29 (3) the principal amount of the bonds;

32.30 (4) the type of qualified bonds under federal tax law;

33.1 (5) the dollar amount of the bonds issued that were subject to the annual volume cap;
33.2 and

33.3 (6) for entitlement issuers, whether the allocation is from current year entitlement
33.4 authority or is from carryforward authority.

33.5 For obligations that are issued as a part of a series of obligations, a notice must be
33.6 provided for each series. A penalty of one-half of the amount of the application deposit not
33.7 to exceed \$5,000 shall apply to any issue of obligations for which a notice of issue is not
33.8 provided to the department within five business days after issuance or before 4:30 p.m. on
33.9 the last business day in December, whichever occurs first. Within 30 days after receipt of
33.10 a notice of issue the department shall refund a portion of the application deposit equal to
33.11 one percent of the amount of the bonding authority actually issued if a one percent application
33.12 deposit was made, or equal to two percent of the amount of the bonding authority actually
33.13 issued if ~~a two percent~~ the applicable application deposit was made, less any penalty amount.

33.14 Sec. 38. Minnesota Statutes 2018, section 474A.131, subdivision 1b, is amended to read:

33.15 Subd. 1b. **Deadline for issuance of qualified bonds.** (a) If an issuer fails to notify the
33.16 department before 4:30 p.m. on the last business day in December of issuance of obligations
33.17 pursuant to an allocation received for any qualified bond project or issuance of an entitlement
33.18 allocation other than those involving residential rental bonds, the allocation is canceled and
33.19 the bonding authority is allocated to the Minnesota Housing Finance Agency for carryforward
33.20 by the commissioner under section 474A.091, subdivision 6.

33.21 (b) If an issuer for an allocation received for a residential rental project has not issued
33.22 the obligations before 4:30 p.m. on the last business day in December and the time period
33.23 for issuance of the obligations provided under section 474A.061, subdivision 2a, or section
33.24 474A.091, subdivision 2a, as applicable, has not expired, the bonding authority shall be
33.25 allocated to the Minnesota Housing Finance Agency for carryforward by the commissioner
33.26 under section 474A.091, subdivision 6; provided, however, that the allocation shall remain
33.27 reserved by the Minnesota Housing Finance Agency for the residential rental project
33.28 described in the original application and the Minnesota Housing Finance Agency will have
33.29 the fiduciary duty to issue the bonds as intended by the original issuer. In addition, any
33.30 obligations issued by the Minnesota Housing Finance Agency for a residential rental project
33.31 that is subject to this paragraph shall not be subject to the debt management policies of the
33.32 Minnesota Housing Finance Agency, as adopted and amended from time to time.

34.1 Sec. 39. Minnesota Statutes 2018, section 474A.131, subdivision 2, is amended to read:

34.2 Subd. 2. **Carryforward notice.** If an issuer intends to carry forward an allocation received
34.3 under this chapter, it must notify the department in writing before 4:30 p.m. on the last
34.4 business day in December. This notice requirement does not apply to the Minnesota Housing
34.5 Finance Agency for the carryforward of unallocated unified pool balances or for the
34.6 carryforward of allocations of residential rental project bonds pursuant to section 474A.131,
34.7 subdivision 1b.

34.8 Sec. 40. Minnesota Statutes 2018, section 474A.14, is amended to read:

34.9 **474A.14 NOTICE OF AVAILABLE AUTHORITY.**

34.10 The department shall provide at its official website a written notice of the amount of
34.11 bonding authority in the housing, small issue, and public facilities pools as soon after January
34.12 1 as possible. The department shall provide at its official website a written notice of the
34.13 amount of bonding authority available for allocation in the unified pool as soon after ~~August~~
34.14 July 1 as possible.

34.15 Sec. 41. Minnesota Statutes 2018, section 484.014, subdivision 2, is amended to read:

34.16 Subd. 2. **Discretionary expungement.** The court may order expungement of an eviction
34.17 case court file ~~only upon motion of a defendant and decision by the court, if the court finds~~
34.18 ~~that the plaintiff's case is sufficiently without basis in fact or law, which may include lack~~
34.19 ~~of jurisdiction over the case, that~~ if the court makes the following findings: (1) the eviction
34.20 case court file is no longer a reasonable predictor of future tenant behavior; and (2) the
34.21 expungement is clearly in the interests of justice and those interests are not outweighed by
34.22 the public's interest in knowing about the record.

34.23 Sec. 42. Minnesota Statutes 2018, section 484.014, subdivision 3, is amended to read:

34.24 Subd. 3. **Mandatory expungement.** The court shall order expungement of an eviction
34.25 case:

34.26 (1) commenced solely on the grounds provided in section 504B.285, subdivision 1,
34.27 clause (1), if the court finds that the defendant occupied real property that was subject to
34.28 contract for deed cancellation or mortgage foreclosure and:

34.29 ~~(1)~~ (i) the time for contract cancellation or foreclosure redemption has expired and the
34.30 defendant vacated the property prior to commencement of the eviction action; or

35.1 ~~(2)~~ (ii) the defendant was a tenant during the contract cancellation or foreclosure
 35.2 redemption period and did not receive a notice under section 504B.285, subdivision 1a, 1b,
 35.3 or 1c, to vacate on a date prior to commencement of the eviction case;

35.4 (2) if the defendant prevailed on the merits;

35.5 (3) if the court dismissed the plaintiff's complaint for any reason;

35.6 (4) if the parties to the action have agreed to an expungement;

35.7 (5) if the court finds an eviction was ordered at least three years prior to the date the
 35.8 expungement was filed; or

35.9 (6) upon motion of a defendant, if the case is settled and the defendant fulfills the terms
 35.10 of the settlement.

35.11 Sec. 43. Minnesota Statutes 2018, section 504B.111, is amended to read:

35.12 **504B.111 WRITTEN LEASE REQUIRED; PENALTY.**

35.13 A landlord of a residential building with 12 or more residential units must have a written
 35.14 lease for each unit rented to a residential tenant. The written lease must identify the specific
 35.15 unit the residential tenant will occupy before the residential tenant signs the lease.

35.16 Notwithstanding any other state law or city ordinance to the contrary, a landlord may ask
 35.17 for the tenant's full name and date of birth on the lease and application. A landlord who fails
 35.18 to provide a lease, as required under this section, is guilty of a petty misdemeanor.

35.19 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 35.20 applies to leases entered into or renewed on or after that date.

35.21 Sec. 44. **[504B.146] LEASE DURATION NOTICE.**

35.22 A written lease for a residential unit must identify the lease start date and lease end date.
 35.23 If the lease requires the tenant to move in or out of the residential unit on a date other than
 35.24 the first or last day of the month, the lease must indicate the amount of the prorated rent, if
 35.25 applicable. The information required by this section must be provided on the first page of
 35.26 the lease.

35.27 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 35.28 applies to leases entered into or renewed on or after that date.

36.1 Sec. 45. **[504B.147] TIME PERIOD FOR NOTICE TO QUIT OR RENT INCREASE.**

36.2 Subdivision 1. **Application.** This section applies to a residential lease that provides a
36.3 time period for the landlord to give a notice to quit the premises or a notice of a rent increase
36.4 that is different than the time period the tenant is required to give for a notice of intention
36.5 to quit the premises. For purposes of this section, "notice to quit" includes a notice of a
36.6 nonrenewal of a lease.

36.7 Subd. 2. **Tenant option to choose notice period.** The tenant may give a notice of an
36.8 intention to quit the premises using either:

36.9 (1) the time period provided in the lease for the tenant to give a notice of intention to
36.10 quit the premises; or

36.11 (2) the time period provided in the lease for the landlord to give a notice to quit the
36.12 premises or a notice of a rent increase.

36.13 Subd. 3. **Landlord notice requirements.** The landlord may not give a notice to quit the
36.14 premises or notice of a rent increase that is shorter than the time period the lease provides
36.15 for the tenant to give notice of an intention to quit the premises.

36.16 Subd. 4. **No waiver.** The requirements of this section may not be waived or modified
36.17 by the parties to a residential lease. Any provision, whether oral or written, of a lease or
36.18 other agreement by which any provision of this section is waived by a tenant is contrary to
36.19 public policy and void.

36.20 **EFFECTIVE DATE.** This section is effective the day following final enactment and
36.21 applies to leases entered into or renewed on or after that date.

36.22 Sec. 46. Minnesota Statutes 2018, section 504B.206, subdivision 3, is amended to read:

36.23 **Subd. 3. **Liability for rent; termination of tenancy.**** (a) A tenant who is a sole tenant
36.24 and is terminating a lease under subdivision 1 is responsible for the rent payment for the
36.25 full month in which the tenancy terminates. The tenant forfeits all claims for the return of
36.26 the security deposit under section 504B.178 and is relieved of any other contractual obligation
36.27 for payment of rent or any other charges for the remaining term of the lease, except as
36.28 provided in this section. In a sole tenancy, the tenancy terminates on the date specified in
36.29 the notice provided to the landlord as required under subdivision 1.

36.30 (b) In a tenancy with multiple tenants, one of whom is terminating the lease under
36.31 subdivision 1, any lease governing all tenants is terminated at the ~~latter~~ later of the end of
36.32 the month or the end of the rent interval in which one tenant terminates the lease under

37.1 subdivision 1. All tenants are responsible for the rent payment for the full month in which
37.2 the tenancy terminates. Upon termination, all tenants forfeit all claims for the return of the
37.3 security deposit under section 504B.178 and are relieved of any other contractual obligation
37.4 for payment of rent or any other charges for the remaining term of the lease, except as
37.5 provided in this section. Any tenant whose tenancy was terminated under this paragraph
37.6 may reapply to enter into a new lease with the landlord.

37.7 (c) This section does not affect a tenant's liability for delinquent, unpaid rent or other
37.8 amounts owed to the landlord before the lease was terminated by the tenant under this
37.9 section.

37.10 Sec. 47. Minnesota Statutes 2018, section 504B.321, is amended by adding a subdivision
37.11 to read:

37.12 Subd. 3. **Nonpublic record.** An eviction action is not accessible to the public until the
37.13 court enters a final judgment.

37.14 Sec. 48. **REPEALER.**

37.15 Minnesota Statutes 2018, section 327C.095, subdivision 8, is repealed."

37.16 Amend the title accordingly