

1.1 A bill for an act
1.2 relating to real property; amending the mortgage foreclosure process to allow for
1.3 online sales and private selling officers; amending Minnesota Statutes 2024,
1.4 sections 580.032, subdivisions 6, 7; 580.04; 580.041, subdivisions 2, 2a; 580.042,
1.5 subdivision 3; 580.06; 580.09; 580.11; 580.12; 580.14; 580.19; 580.23, subdivision
1.6 1; 580.30, subdivision 2; 582.031; 582.032, subdivisions 4, 5, 7, 9; 582.041,
1.7 subdivision 2; 582.042, subdivisions 3, 4; 582.25; Minnesota Statutes 2025
1.8 Supplement, sections 580.07, subdivisions 1, 2; 580.10, by adding a subdivision;
1.9 580.24; 582.03, subdivisions 1, 2; proposing coding for new law in Minnesota
1.10 Statutes, chapter 580.

1.11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.12 Section 1. Minnesota Statutes 2024, section 580.032, subdivision 6, is amended to read:

1.13 Subd. 6. **Remedies.** If notice of the sale is not mailed in accordance with subdivision 4
1.14 to a person with a properly recorded request for notice, the person requesting notice has a
1.15 cause of action against the person foreclosing the mortgage for money damages for the
1.16 lesser of: (1) the equity in the mortgaged premises that would have been available to the
1.17 person if the person had redeemed; or (2) the value of the person's redeemable interest. The
1.18 value of a lienholder's redeemable interest is the amount due on and secured by the lien.
1.19 The person requesting notice has the burden of proving that the notice of the sale was not
1.20 mailed in accordance with subdivision 4 and that the person requesting notice had a valid
1.21 redeemable interest in the mortgaged premises, had measurable damages, had the financial
1.22 ability to redeem, and did not have actual notice of the sale at least 60 days before expiration
1.23 of the mortgagor's period of redemption. An action for damages resulting from failure to
1.24 mail notice must be brought within two years of the date of the ~~sheriff's~~ mortgage foreclosure
1.25 sale.

2.1 Sec. 2. Minnesota Statutes 2024, section 580.032, subdivision 7, is amended to read:

2.2 Subd. 7. **Exception to damage claim.** Notwithstanding subdivision 6, if notice was not
2.3 mailed in accordance with subdivision 4 to a person requesting notice, the requester has no
2.4 cause of action against the person foreclosing the mortgage if at least 60 days before the
2.5 mortgagor's period of redemption expires, a copy of the sheriff's certificate of sale is mailed
2.6 in the manner provided in this section to the person requesting notice.

2.7 Sec. 3. Minnesota Statutes 2024, section 580.04, is amended to read:

2.8 **580.04 REQUISITES OF NOTICE.**

2.9 (a) Each notice shall specify or contain:

2.10 (1) the name of the mortgagor, the mortgagee, each assignee of the mortgage, if any,
2.11 and the original or maximum principal amount secured by the mortgage;

2.12 (2) the date of the mortgage, and when and where recorded, except where the mortgage
2.13 is upon registered land, in which case the notice shall state that fact, and when and where
2.14 registered;

2.15 (3) the amount claimed to be due on the mortgage on the date of the notice;

2.16 (4) a description of the mortgaged premises, conforming substantially to that contained
2.17 in the mortgage, and the commonly used street address of the mortgaged premises;

2.18 (5) the information about the sale including:

2.19 (i) the time and place of sale;

2.20 (ii) if the sale is to take place online, the website where the sale will be held; and

2.21 (iii) if the sale will be held by a private selling officer described in section 580.055, the
2.22 name and contact phone number of the private selling officer;

2.23 (6) the time allowed by law for redemption by the mortgagor, the mortgagor's personal
2.24 representatives or assigns; and

2.25 (7) for mortgaged premises described in section 582.032, subdivision 1, the following
2.26 statement in capital letters: "THE TIME ALLOWED BY LAW FOR REDEMPTION BY
2.27 THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR
2.28 ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED
2.29 UNDER MINNESOTA STATUTES, SECTION 582.032, DETERMINING, AMONG
2.30 OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A

3.1 RESIDENTIAL DWELLING OF LESS THAN FIVE UNITS, ARE NOT PROPERTY
3.2 USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED."

3.3 (b) If the real estate is an owner-occupied, single-family dwelling, the notice must also
3.4 specify the date on or before which the mortgagor must vacate the property if the mortgage
3.5 is not reinstated under section 580.30 or the property redeemed under section 580.23. The
3.6 notice must state that the time to vacate the property is 11:59 p.m. on the specified date.

3.7 Sec. 4. Minnesota Statutes 2024, section 580.041, subdivision 2, is amended to read:

3.8 Subd. 2. **Content of foreclosure advice notice.** The foreclosure advice notice required
3.9 by this section must appear substantially as follows:

3.10 "Help For Homeowners in Foreclosure

3.11 The attorney preparing this foreclosure is:

3.12 (Attorney name, address,
3.13 phone)

3.14 It is being prepared for:

3.15

3.16 (Lender name, loss mitigation phone number)

3.17 AS OF [insert date], this lender says that you owe \$[insert dollar amount] to bring your
3.18 mortgage up to date (or "reinstate" your mortgage). You must pay this amount, plus
3.19 interest and other costs, to keep your house from going through a ~~sheriff's~~ mortgage
3.20 foreclosure sale. The ~~sheriff's~~ mortgage foreclosure sale is scheduled for [insert date] at
3.21 [insert time] at [insert place].

3.22 Mortgage foreclosure is a complex process. People may contact you with advice and
3.23 offers to help "save" your home.

3.24 **Remember:** It is important that you learn as much as you can about foreclosure and
3.25 your situation. Find out about all your options before you make any agreements with
3.26 anyone about the foreclosure of your home.

3.27 **Getting Help**

3.28 As soon as possible, you should contact your lender at the above number to talk about
3.29 things you might be able to do to prevent foreclosure. You should also consider contacting
3.30 the foreclosure prevention counselor in your area. A foreclosure prevention counselor
3.31 can answer your questions, offer free advice, and help you create a plan which makes
3.32 sense for your situation.

4.1 Contact the Minnesota Home Ownership Center at 651-659-9336 or 866-462-6466 or
4.2 www.hocmn.org or contact the United States Department of Housing and Urban
4.3 Development at 1-800-569-4287 or www.hud.gov to get the phone number and location
4.4 of the nearest certified counseling organization. Call today. The longer you wait, the
4.5 fewer options you may have for a desirable result."

4.6 Sec. 5. Minnesota Statutes 2024, section 580.041, subdivision 2a, is amended to read:

4.7 Subd. 2a. **Content of notice of redemption rights.** The notice of redemption rights
4.8 required by this section must appear substantially as follows:

4.9 **"What Happens After the Foreclosure Sale**

4.10 After the sheriff's mortgage foreclosure sale, you have the right to "redeem." Redeem means
4.11 that you pay the amount bid for your house at the sheriff's mortgage foreclosure sale, plus
4.12 interest and costs, to keep your house. You can keep living in your home for a period of
4.13 time after the foreclosure sale. This is called a "redemption period." The redemption period
4.14 is [insert number of months] months after the sheriff's mortgage foreclosure sale.

4.15 At the end of the redemption period, if you do not redeem or sell, you will have to leave
4.16 your home. If you do not leave, the person or company that bid on your home at the sheriff's
4.17 mortgage foreclosure sale has the right to file an eviction against you in court.

4.18 **Be Careful of Foreclosure Scams**

4.19 Be careful! After the foreclosure sale, people may approach you to buy your house or
4.20 ask you to transfer your house to them for little or no money.

4.21 Before you give up the rights to your house or sign any documents (including a deed),
4.22 be sure you know how much the house sold for at the sheriff's mortgage foreclosure sale
4.23 and decide if you can save the house by paying the amount of the bid, plus interest and
4.24 costs.

4.25 **How to Find Out How Much Your House Sold For at the Foreclosure Sale**

4.26 The amount you need to pay to redeem your house may be less than the amount you
4.27 owed on the mortgage before the sale. You can learn what this amount is (and who the
4.28 winning bidder at the sale was) by attending the sheriff's mortgage foreclosure sale or by
4.29 contacting the sheriff's office after the sale.

4.30 **You Can Also Sell Your House**

4.31 During the redemption period, if you sell your home, you must sell it for enough to pay
4.32 off the winning bidder from the sheriff's mortgage foreclosure sale and pay interest, fees,

5.1 and other claims against the property. If there is any money left from the sale of the house
5.2 after all these debts are paid, you can keep the money. You can also enter into a "short sale."
5.3 A short sale is an agreement in which the lender agrees to accept less than the full amount
5.4 you owe on the mortgage.

5.5 **Get More Information and Advice**

5.6 For more information and advice, contact an attorney or a mortgage foreclosure
5.7 prevention counselor. You can find a mortgage foreclosure prevention counselor by
5.8 contacting the Minnesota Home Ownership Center at 651-659-9336 or 866-462-6466 or
5.9 www.hocmn.org or contact the United States Department of Housing and Urban Development
5.10 at 1-800-569-4287 or www.hud.gov to get the phone number and location of the nearest
5.11 certified counseling organization."

5.12 Sec. 6. Minnesota Statutes 2024, section 580.042, subdivision 3, is amended to read:

5.13 Subd. 3. **Content of notice.** The notice required by this section must appear substantially
5.14 as follows.

5.15 **"Foreclosure: Advice to Tenants**

5.16 You are renting in a property that is in foreclosure. Minnesota law requires that we send
5.17 you this notice about the foreclosure process. Please read it carefully.

5.18 **The mortgage foreclosure does not change the terms of your lease. You and your**
5.19 **landlord must continue to follow the terms of your lease, including the rights and**
5.20 **responsibilities of you and your landlord. You must keep paying rent unless you have**
5.21 **a legal reason to withhold it. Your landlord must keep the property repaired. Utilities**
5.22 **must be paid under the terms of your lease or under state law.**

5.23 **Moving out of the property early might be a violation of your lease.** The date of the
5.24 sheriff's mortgage foreclosure sale is in the attached foreclosure notice. In most cases you
5.25 do not need to move from the property before the sheriff's mortgage foreclosure sale. Read
5.26 your lease to see if it says anything about foreclosure and about the rights you may have if
5.27 the property is in foreclosure. If you have a month-to-month lease, the foreclosure notice
5.28 does not change the rules for ending your lease. You and your landlord must still give legal
5.29 notice to end your lease.

5.30 In most cases, your landlord has six months after the date of the sheriff's mortgage
5.31 foreclosure sale to pay off the mortgage. This is called the "redemption period." Read the
5.32 attached foreclosure notice to determine the length of the redemption period. You cannot
5.33 be asked to move during the redemption period except for lease violations or if your lease

6.1 expires during the redemption period. If your landlord stops the foreclosure, you may not
6.2 have to move from the property. If your landlord does not stop the foreclosure, there will
6.3 be a new owner of the property at the end of the redemption period.

6.4 The new owner may have the legal right to ask you to move even if your lease is not
6.5 over. But, the new owner must still give you a written notice stating that the new owner
6.6 wants you to move.

6.7 Do not wait to get information about foreclosure. Mortgage foreclosure is a complicated
6.8 process. It is important you learn about your rights as a renter when there is a mortgage
6.9 foreclosure. You may have fewer options if you wait too long. There are government agencies
6.10 and nonprofit organizations that you may contact for helpful information about the foreclosure
6.11 process. For the name and telephone number of an organization near you, please call the
6.12 legal aid office or bar association office in your county. You also can find information on
6.13 tenant rights at HOME Line at (866) 866-3546 and Law Help Minnesota at
6.14 <http://www.LawHelpMN.org>. The state of Minnesota does not guarantee the advice of these
6.15 agencies and organizations."

6.16 Sec. 7. Minnesota Statutes 2024, section 580.06, is amended to read:

6.17 **580.06 SALE, HOW AND BY WHOM MADE.**

6.18 The sale shall be made by the sheriff ~~or~~, the sheriff's deputy, or the private selling officer
6.19 appointed by the mortgagee as provided in section 580.065, at public venue to the highest
6.20 bidder, in the county in which the premises to be sold, or some part thereof, are situated,
6.21 between 9:00 a.m. and 4:00 p.m. or online as provided in section 580.31.

6.22 Sec. 8. **[580.065] PRIVATE SELLING OFFICER APPOINTMENT.**

6.23 (a) The mortgagee may, in its sole discretion, appoint a private selling officer to conduct
6.24 the sale of the property at a public venue within the county in which the premises to be sold
6.25 is situated or online. A private selling officer is a person or entity licensed as a real estate
6.26 broker or salesperson under chapter 82 or an auctioneer under chapter 330, and in good
6.27 standing.

6.28 (b) If the mortgagee elects to appoint a private selling officer to conduct the sale, the
6.29 mortgagee is solely responsible for any fees or costs due to the private selling officer for
6.30 services rendered. No fees or costs associated with the private selling officer may, through
6.31 any mechanism, be passed to the mortgagor.

7.1 (c) If a private selling officer is appointed as provided by this section, all tasks necessary
7.2 to effectuate the foreclosure sale will remain with the sheriff or sheriff's deputy aside from
7.3 the conducting of the sale, which shall be undertaken by the private selling officer duly
7.4 appointed under this section.

7.5 (d) Upon completion of a foreclosure sale by the private selling officer, the private selling
7.6 officer shall provide to the sheriff of the county in which the property is situated:

7.7 (1) address of the property sold;

7.8 (2) time and place of the sale;

7.9 (3) price at which the property was sold;

7.10 (4) name of the purchaser and vesting information;

7.11 (5) contact information for the purchaser including phone number and mailing address;

7.12 (6) purchase funds collected from the buyer; and

7.13 (7) copy of the certificate of sale provided to the purchaser.

7.14 Sec. 9. Minnesota Statutes 2025 Supplement, section 580.07, subdivision 1, is amended
7.15 to read:

7.16 Subdivision 1. **Postponement by mortgagee.** (a) The sale may be postponed, from time
7.17 to time, by the party conducting the foreclosure. The party requesting the postponement
7.18 must, at the party's expense:

7.19 (1) publish, only once, a notice of the postponement and the rescheduled date of the sale,
7.20 if known, as soon as practicable, in the newspaper in which the notice under section 580.03
7.21 was published; and

7.22 (2) send by first class mail to the occupant, postmarked within three business days of
7.23 the postponed sale, notice:

7.24 (i) of the postponement; and

7.25 (ii) if known, of the rescheduled date of the sale and the date on or before which the
7.26 mortgagor must vacate the property if the sheriff's mortgage foreclosure sale is not further
7.27 postponed, the mortgage is not reinstated under section 580.30, the property is not redeemed
7.28 under section 580.23, or the redemption period is not reduced under section 582.032. The
7.29 notice must state that the time to vacate the property is 11:59 p.m. on the specified date.

8.1 (b) If the rescheduled date of the sale is not known at the time of the initial publication
8.2 and notice to the occupant of postponement, the foreclosing party must, at its expense if
8.3 and when a new date of sale is scheduled:

8.4 (1) publish, only once, notice of the rescheduled date of the sale, as soon as practicable,
8.5 in the newspaper in which the notice under section 580.03 and the notice of postponement
8.6 under paragraph (a) was published; and

8.7 (2) send by first class mail to the occupant, postmarked within ten days of the rescheduled
8.8 sale, notice:

8.9 (i) of the date of the rescheduled sale; and

8.10 (ii) of the date on or before which the mortgagor must vacate the property if the mortgage
8.11 is not reinstated under section 580.30 or the property redeemed under section 580.23. The
8.12 notice must state that the time to vacate the property is 11:59 p.m. on the specified date.

8.13 (c) The right of a mortgagee to postpone a foreclosure sale under this section applies to
8.14 a foreclosure by action taken under chapter 581.

8.15 (d) If the sale is to take place online as contemplated in section 280.31, in addition to
8.16 the above required publication, the rescheduled date of sale must also be published on the
8.17 website where the sale takes place.

8.18 Sec. 10. Minnesota Statutes 2025 Supplement, section 580.07, subdivision 2, is amended
8.19 to read:

8.20 Subd. 2. **Postponement by mortgagor or owner.** (a) If all or a part of the property to
8.21 be sold is classified as homestead under section 273.124 and contains one to four dwelling
8.22 units, the mortgagor or owner may, in the manner provided in this subdivision, postpone
8.23 the sale to the first date that is not a Saturday, Sunday, or legal holiday and is:

8.24 (1) five months after the originally scheduled date of sale if the original redemption
8.25 period was six months under section 580.23, subdivision 1; or

8.26 (2) 11 months after the originally scheduled date of sale if the original redemption period
8.27 was 12 months under section 580.23, subdivision 2. To postpone a foreclosure sale pursuant
8.28 to this subdivision, at any time after the first publication of the notice of mortgage foreclosure
8.29 sale under section 580.03 but at least 15 days prior to the scheduled sale date specified in
8.30 that notice, the mortgagor shall: (i) execute a sworn affidavit in the form set forth in
8.31 subdivision 3, (ii) record the affidavit in the office of each county recorder and registrar of
8.32 titles where the mortgage was recorded, and (iii) file with the sheriff person conducting the

9.1 sale and deliver to the attorney foreclosing the mortgage a copy of the recorded affidavit,
9.2 showing the date and office in which the affidavit was recorded. Recording of the affidavit
9.3 and postponement of the foreclosure sale pursuant to this subdivision shall automatically
9.4 reduce the mortgagor's redemption period under section 580.23 to five weeks. The
9.5 postponement of a foreclosure sale pursuant to this subdivision does not require any change
9.6 in the contents of the notice of sale, service of the notice of sale if the occupant was served
9.7 with the notice of sale prior to postponement under this subdivision, or publication of the
9.8 notice of sale if publication was commenced prior to postponement under this subdivision,
9.9 notwithstanding the service and publication time periods specified in section 580.03, but
9.10 the sheriff's certificate of sale shall indicate the actual date of the foreclosure sale and the
9.11 actual length of the mortgagor's redemption period. No notice of postponement need be
9.12 published. An affidavit complying with subdivision 3 shall be prima facie evidence of the
9.13 facts stated therein, and shall be entitled to be recorded. The right to postpone a foreclosure
9.14 sale pursuant to this subdivision may be exercised only once, regardless whether the
9.15 mortgagor reinstates the mortgage prior to the postponed mortgage foreclosure sale.

9.16 (b) If the automatic stay under United States Code, title 11, section 362, applies to the
9.17 mortgage foreclosure after a mortgagor or owner requests postponement of the sheriff's
9.18 mortgage foreclosure sale under this section, then when the automatic stay is no longer
9.19 applicable, the mortgagor's or owner's election to shorten the redemption period to five
9.20 weeks under this section remains applicable to the mortgage foreclosure.

9.21 (c) Except for the circumstances set forth in paragraph (b), this section does not reduce
9.22 the mortgagor's redemption period under section 580.23 for any subsequent foreclosure of
9.23 the mortgage.

9.24 (d) The right of a mortgagor or owner to postpone a foreclosure sale under this section
9.25 applies to a foreclosure by action taken under chapter 581.

9.26 Sec. 11. Minnesota Statutes 2024, section 580.09, is amended to read:

9.27 **580.09 FORECLOSURE OF INSTALLMENT; SALE; PROCEEDS;**
9.28 **REDEMPTION.**

9.29 Where a mortgage is given to secure the payment of money by installments, each
9.30 installment, either for principal or interest, or both, as is due at any time, may be taken and
9.31 deemed to be a separate and independent mortgage, and such mortgage for each such
9.32 installment may be foreclosed by advertisement or by action, in the same manner and with
9.33 like effect as if a separate mortgage were given for each of such installments, and such
9.34 foreclosure may be made and sale had subject to the installments yet to become due upon

10.1 the mortgage; and a redemption from any such sale shall have the like effect as if the sale
10.2 for such installment had been made upon an independent subsequent mortgage; provided
10.3 in such cases the attorney's fee on the foreclosure so made shall not exceed the amount
10.4 permitted by law in case of a mortgage securing the amount of the debt then due on such
10.5 foreclosure. The proceeds of the sale shall be applied first in payment of the costs of the
10.6 foreclosure sale, and of the installment due, with interest thereon, taxes and insurance
10.7 premiums paid, if any, and then towards the payment of the residue of the sum secured by
10.8 such mortgage, and not due and payable at the time of such sale; and, if such residue does
10.9 not bear interest, such application shall be made with rebate of the legal interest for the time
10.10 during which the residue shall not be due and payable; and the surplus, if any, shall be paid
10.11 to the subsequent lienors, if any, in the order of their priority, and then to the owner of the
10.12 equity of redemption, the owner's legal representatives or assigns. In case of redemption
10.13 from any sale herein authorized, at the option of the redemptioner, the whole amount
10.14 remaining unpaid on the mortgage, with interest and other items, if any, which have become
10.15 part of the amount secured by the lien of the mortgage, may be included in the amount paid
10.16 on redemption and, in such event, the redemption so made shall have like effect as if the
10.17 foreclosure sale had been made for the entire amount secured by the mortgage, including
10.18 such additional items.

10.19 Before any sale herein authorized, the holder of the mortgage shall file with the sheriff
10.20 or sale officer a verified itemized statement in writing showing the entire amount remaining
10.21 unpaid on the mortgage, including taxes and insurance premiums paid and other items which
10.22 have become part of the amount secured, and the rate of interest to accrue on same, which
10.23 statement shall be subject to public inspection and shall be read by the sheriff or sale officer
10.24 at the sale, immediately after reading the notice of sale. The certificate of sale shall set forth
10.25 correctly, in addition to the amount of sale, the remaining amount still unpaid on and secured
10.26 by the mortgage, subject to which the sale is made, and the rate of interest to accrue on
10.27 same. If, during the time to redeem from the sale, any additional or other item, other than
10.28 interest at the rate so stated in the certificate, shall attach to such amount subject to which
10.29 the sale was made, or any change shall occur in such amount or the rate of interest thereon,
10.30 the facts with respect thereto shall be set forth by affidavit, made and recorded, and a copy
10.31 furnished the sheriff or sale officer, in accordance with the provisions of section 582.03,
10.32 and the provisions of that section shall apply thereto.

11.1 Sec. 12. Minnesota Statutes 2025 Supplement, section 580.10, is amended by adding a
11.2 subdivision to read:

11.3 Subd. 6. **Private selling officer sale.** If a private selling officer conducted the sale, all
11.4 sale proceeds and surplus funds shall be paid over to the sheriff of the county in which the
11.5 property resides and handled in accordance with this section.

11.6 Sec. 13. Minnesota Statutes 2024, section 580.11, is amended to read:

11.7 **580.11 MORTGAGEE OR ASSIGNEE MAY PURCHASE.**

11.8 The mortgagee, the mortgagee's assignee, or the legal representative of either or both,
11.9 may submit a maximum bid in advance and fairly and in good faith purchase the premises
11.10 so advertised, or any part thereof, at such sale.

11.11 Sec. 14. Minnesota Statutes 2024, section 580.12, is amended to read:

11.12 **580.12 CERTIFICATE OF SALE; RECORD; EFFECT.**

11.13 When any sale of real property is made under a power of sale contained in any mortgage,
11.14 the officer shall make and deliver to the purchaser a certificate, executed in the same manner
11.15 as a conveyance, containing:

11.16 (1) a description of the mortgage;

11.17 (2) a description of the property sold;

11.18 (3) the price paid for each parcel sold;

11.19 (4) the time and place of the sale, and the name of the purchaser;

11.20 (5) the interest rate in effect on the date of the sheriff's mortgage foreclosure sale; and

11.21 (6) the time allowed by law for redemption, provided that if the redemption period stated
11.22 in the certificate is five weeks and a longer redemption period was stated in the published
11.23 notice of foreclosure sale, a certified copy of the court order entered under section 582.032,
11.24 authorizing reduction of the redemption period to five weeks, must be attached to the
11.25 certificate.

11.26 A certificate which states a five-week redemption period must be recorded within ten
11.27 days after the sale; any other certificate must be recorded within 20 days after the sale.

11.28 When so recorded, upon expiration of the time for redemption, the certificate shall operate
11.29 as a conveyance to the purchaser or the purchaser's assignee of all the right, title, and interest
11.30 of the mortgagor in and to the premises named therein at the date of such mortgage, without

12.1 any other conveyance. A certificate must not contain a time allowed for redemption that is
12.2 less than the time specified by section 580.23, 582.032, or 582.32, whichever applies.

12.3 Sec. 15. Minnesota Statutes 2024, section 580.14, is amended to read:

12.4 **580.14 EXECUTION AFTER EXPIRATION OF TERM.**

12.5 ~~Where~~ If the sale is to be conducted by the sheriff or a deputy of the sheriff and the term
12.6 of office of the sheriff or deputy who made the sale expires within 20 days thereafter, and
12.7 before executing the certificate required by law, that sheriff or deputy may execute and
12.8 acknowledge the same in like manner and with like effect as if the term had not expired.

12.9 Sec. 16. Minnesota Statutes 2024, section 580.19, is amended to read:

12.10 **580.19 CERTIFICATE AS EVIDENCE.**

12.11 Every ~~sheriff's~~ certificate of sale made under a power to sell contained in a mortgage
12.12 shall be prima facie evidence that all the requirements of law in that behalf have been
12.13 complied with, and prima facie evidence of title in fee thereunder in the purchaser at such
12.14 sale, the purchaser's heirs or assigns, after the time for redemption therefrom has expired.

12.15 Sec. 17. Minnesota Statutes 2024, section 580.23, subdivision 1, is amended to read:

12.16 Subdivision 1. **Six-month redemption period.** (a) When lands have been sold in
12.17 conformity with the preceding sections of this chapter, the mortgagor, the mortgagor's
12.18 personal representatives or assigns, within six months after such sale, except as otherwise
12.19 provided in subdivision 2 or section 582.032 or 582.32, may redeem such lands, as hereinafter
12.20 provided, by paying the sum of money for which the same were sold, with interest from the
12.21 time of sale at the rate provided to be paid on the mortgage debt as stated in the certificate
12.22 of sale and, if no rate be provided in the certificate of sale, at the rate of six percent per
12.23 annum, together with any further sums which may be payable as provided in sections 582.03
12.24 and 582.031.

12.25 (b) Delivery of funds and documents for redemption must be made at the normal place
12.26 of business of the recipient, on days other than Sunday, Saturday, and legal holidays, between
12.27 the hours of 9:00 a.m. and 4:00 p.m.

12.28 (c) Regardless of the length of the redemption period, the sheriff may accept a specific
12.29 sum less than the full amount due for redemption by the mortgagor upon receipt by the
12.30 sheriff, prior to expiration of the redemption period, of written confirmation from the holder
12.31 of the ~~sheriff's~~ certificate of sale or the attorney for the holder of the ~~sheriff's~~ certificate of

13.1 sale that the holder of the sheriff's certificate of sale has agreed to accept a specific sum less
13.2 than the full amount due for redemption.

13.3 Sec. 18. Minnesota Statutes 2025 Supplement, section 580.24, is amended to read:

13.4 **580.24 REDEMPTION BY CREDITOR.**

13.5 (a) If no redemption is made by the mortgagor, the mortgagor's personal representatives
13.6 or assigns, the most senior creditor having a legal or equitable lien upon the mortgaged
13.7 premises, or some part of it, subsequent to the foreclosed mortgage, may redeem within 14
13.8 days after the expiration of the redemption period determined under section 580.23 or
13.9 582.032, whichever is applicable; and each subsequent creditor having a lien may redeem,
13.10 in the order of priority of their respective liens, within 14 days after the time allowed the
13.11 prior lienholder by paying the amount required under this section. However, no creditor is
13.12 entitled to redeem unless, one week or more prior to the expiration of the period allowed
13.13 for redemption by the mortgagor, the creditor:

13.14 (1) records with each county recorder and registrar of titles where the foreclosed mortgage
13.15 is recorded a notice of the creditor's intention to redeem;

13.16 (2) records with each county recorder and registrar of titles where the notice of the
13.17 creditor's intention to redeem is recorded all documents necessary to create the lien on the
13.18 mortgaged premises and to evidence the creditor's ownership of the lien, including a copy
13.19 of any money judgment necessary to create the lien; and

13.20 (3) after complying with clauses (1) and (2), delivers to the sheriff ~~who conducted the~~
13.21 ~~foreclosure sale or the sheriff's successor in office~~ of the county in which the premises was
13.22 sold at foreclosure sale a copy of each of the documents required to be recorded under
13.23 clauses (1) and (2), with the office, date and time of filing for record stated on the first page
13.24 of each document.

13.25 The sheriff shall maintain for public inspection all documents delivered to the sheriff
13.26 and shall note the date of delivery on each document. The sheriff may charge a fee of \$100
13.27 for the documents delivered to the sheriff relating to each lien. The sheriff shall maintain
13.28 copies of documents delivered to the sheriff for a period of six months after the end of the
13.29 mortgagor's redemption period.

13.30 (b) Saturdays, Sundays, legal holidays, and the first day following the expiration of the
13.31 prior redemption period must be included in computing the 14-day redemption period. When
13.32 the last day of the period falls on Saturday, Sunday, or a legal holiday, that day must be
13.33 omitted from the computation. The order of redemption by judgment creditors subsequent

14.1 to the foreclosed mortgage shall be determined by the order in which their judgments were
14.2 entered as memorials on the certificate of title for the foreclosed premises or docketed in
14.3 the office of the district court administrator if the property is not registered under chapter
14.4 508 or 508A, regardless of the homestead status of the property. All mechanic's lienholders
14.5 who have coordinate liens shall have one combined 14-day period to redeem.

14.6 (c) The amount required to redeem from the holder of the ~~sheriff's~~ certificate of sale is
14.7 the amount required under section 580.23. The amount required to redeem from a creditor
14.8 holding a certificate of redemption is:

14.9 (1) the amount paid to redeem as shown on the certificate of redemption; plus

14.10 (2) interest on that amount to the date of redemption at the rates stated on the certificate
14.11 of sale and the affidavit provided by section 580.25, clause (3), or six percent if no rate is
14.12 otherwise stated; plus

14.13 (3) the amount claimed due on the creditor's lien, as shown on the affidavit under section
14.14 580.25, clause (3).

14.15 (d) If the sheriff determines there is a dispute or question of validity about a redemption,
14.16 the sheriff may accept the amount required to redeem, together with documents in support
14.17 of the redemption, from one or more creditors competing for or claiming a right to redeem,
14.18 without executing and delivering a certificate of redemption, and the sheriff may commence
14.19 an action under section 580.28 at no cost to the sheriff. A creditor subject to a dispute or
14.20 question of validity about a redemption may submit the matter for adjudication of the court
14.21 under section 580.28. If the sheriff does not execute and deliver a certificate of redemption
14.22 under this section, all further junior creditor redemption periods are stayed until determined
14.23 by the court, and all junior creditors who have recorded notices of intent to redeem should
14.24 be included in the action under section 580.28. The amount required to redeem may be paid
14.25 to the holder of the ~~sheriff's~~ certificate of sale or the certificate of redemption, as the case
14.26 may be, or to the sheriff for the holder.

14.27 Sec. 19. Minnesota Statutes 2024, section 580.30, subdivision 2, is amended to read:

14.28 Subd. 2. **Request by sheriff or sale officer.** Upon written request by the sheriff or sale
14.29 officer, the holder of the mortgage or the holder's legal representative shall provide to the
14.30 requesting sheriff or sale officer within seven days of the date of the request by the sheriff
14.31 or sale officer to the foreclosing attorney: (1) the current payoff amount, showing outstanding
14.32 principal, interest, and a daily interest accrual amount, (2) an itemized schedule of the current
14.33 amounts necessary to reinstate the mortgage, and (3) the identity of the person or entity

15.1 with authority to act on behalf of the holder of the mortgage or the holder's legal
15.2 representative. If the holder of the mortgage or the holder's legal representative fails to
15.3 respond to the sheriff's or sale officer's request within seven days of the date of the request,
15.4 the sheriff or sale officer shall postpone the sheriff's mortgage foreclosure sale and the
15.5 sheriff or sale officer shall announce at the sheriff's mortgage foreclosure sale the
15.6 postponement of the sale. The postponement does not need to be published. If the request
15.7 by the sheriff or sale officer is made seven days or less before the sheriff's mortgage
15.8 foreclosure sale, the holder of the mortgage or the holder's representative shall make a good
15.9 faith effort to respond to the sheriff or sale officer before the sheriff's mortgage foreclosure
15.10 sale, but the sheriff or sale officer may conduct the sheriff's mortgage foreclosure sale
15.11 without a response from the holder of the mortgage or the holder's legal representative.

15.12 Sec. 20. **[580.31] ONLINE SALES FOR FORECLOSURE BY ADVERTISEMENT.**

15.13 (a) The officer making a mortgage foreclosure sale under this chapter may conduct the
15.14 sale online in accordance with this section.

15.15 (b) The officer making the mortgage foreclosure sale may engage a third-party online
15.16 sale provider to assist with performance of the online sale. Any third-party online sale
15.17 provider engaged by an officer making the sale must be acquired through a process that
15.18 confirms that the provider meets the requirements set forth in this section.

15.19 (c) For the purposes of this section, "third-party online sale provider" means any sale
15.20 platform or services provider engaged by the officer making the sale to assist with conducting
15.21 the sale online in accordance with state law.

15.22 (d) The officer making the mortgage foreclosure sale may charge an additional fee not
15.23 to exceed \$350 as a reasonable expense of the sale for costs associated with conducting the
15.24 sale online. The third-party online sale provider may not charge any additional fee or buyer's
15.25 premium for providing services in connection with the sale.

15.26 (e) If the officer making the mortgage foreclosure sale elects to conduct the sale both
15.27 online and in person, all bids accepted during the sale shall be simultaneously announced
15.28 at the in-person sale and visible to the public online at the time the bids are placed. Any
15.29 maximum bid amounts provided by bidders ahead of the sale shall not be visible to the
15.30 public until the bid is placed.

15.31 (f) There shall be no fee charged to the public to view properties for sale online or to
15.32 participate in any sale in person or online.

16.1 (g) Any third-party online sale provider may collect sale funds at the time of the mortgage
16.2 foreclosure sale. The third-party provider must provide all sale funds to the sale officer
16.3 within two business days after the conclusion of the sale.

16.4 (h) The officer making the sale shall require a person seeking to bid electronically online
16.5 to complete a registration process that includes providing information relevant to properly
16.6 identify the bidder, contact the bidder, and complete the sale of the property as determined
16.7 by the officer making the sale. The information must include:

16.8 (1) if the person registering to bid online is an individual, the information required shall
16.9 include the individual's name, electronic mail address, and telephone number; or

16.10 (2) if the person registering to bid online is an entity, the information required shall
16.11 include the entity's legal name, name of an individual contact person for the entity, electronic
16.12 mail address, and telephone number.

16.13 The officer making the sale online shall require all bidders who wish to participate in bidding
16.14 online to have their identity verified through an identification verification process before a
16.15 bid can be placed online, which may include verification through a government issued ID,
16.16 biometric verification, or other method of verification as determined by the officer conducting
16.17 the sale. If a bidder's identity cannot be verified through the verification process, then such
16.18 bidder may be prohibited from participating in the online sale.

16.19 (i) The purchaser at an online mortgage foreclosure sale shall submit to the officer
16.20 conducting the sale the information required by this paragraph, and pay the full balance.
16.21 The purchaser shall provide all required information to be checked against the federal Office
16.22 for Foreign Assets Control sanction list by the officer conducting the sale prior to finalizing
16.23 the purchase of the property. The officer conducting the sale shall check the winning
16.24 purchaser against the sanction list before the certificate of sale is provided, including the
16.25 individual's name, physical mailing address, electronic mail address and any other information
16.26 requested by the person conducting the sale in order to adequately identify and contact the
16.27 purchaser or entity's legal name, trade name if different from its legal name, state and date
16.28 of formation, mailing address, proof of business registration with the state of Minnesota,
16.29 the name of an individual contact person for the entity, and electronic mail address and
16.30 telephone number for that individual. The officer making the sale may require a sale deposit
16.31 prior to allowing any bidder to participate in the online mortgage foreclosure sale. The
16.32 purchaser must pay the full winning bid amount due for the purchase to the officer making
16.33 the sale within 24 hours after the end of the sale, unless otherwise set forth by the officer
16.34 making the sale, in the form designated by the officer making the sale. If the purchaser fails

17.1 to provide the required information or purchase funds within the time periods designated
17.2 herein, the purchaser is in default and the officer making the sale may deem the sale
17.3 incomplete, proceed with postponing and rescheduling the sale in accordance with section
17.4 580.07 and the sale deposit, if any, shall be forfeited by the purchaser and applied to the
17.5 costs of the foreclosure.

17.6 (j) Any officer conducting a sale online must maintain evidence of satisfactory internal
17.7 informational security controls that meet industry standards and are maintained by the
17.8 platform used to conduct online sales. Such evidence of satisfactory internal controls
17.9 regarding data security may be in the form of an annual Systems and Organization Controls
17.10 2 Report certification, with the ability to test and report on the design effectiveness and
17.11 operating effectiveness of the platform's controls, or another form ensuring performance
17.12 and security requirements are met.

17.13 (k) The officer conducting the mortgage foreclosure sale and any third-party online sale
17.14 provider may engage in activities to promote and market the sale to encourage and facilitate
17.15 bidding, including listing the property on real estate websites and conduct email campaigns.
17.16 The officer conducting the sale or the third-party online sale provider is solely responsible
17.17 for paying all fees or expenses incurred in connection with such activities.

17.18 (l) For mortgage foreclosure sales occurring only online, the sale must be open for
17.19 bidding for a minimum of 24 hours and bidding shall be open to everyone for the entire
17.20 duration of the bidding period.

17.21 Sec. 21. Minnesota Statutes 2025 Supplement, section 582.03, subdivision 1, is amended
17.22 to read:

17.23 Subdivision 1. **Allowable costs collectable upon redemption.** The holder of any ~~sheriff's~~
17.24 certificate of sale, from a foreclosure by advertisement or action of a mortgage or lien or
17.25 execution, or the holder of any certificate of redemption as a junior creditor during the
17.26 period of redemption, may pay and claim the following on redemption: any taxes or
17.27 assessments on which any penalty would otherwise accrue, and any costs of a hazard
17.28 insurance policy for the holder's interest in the mortgaged premises incurred for the period
17.29 of holding the ~~sheriff's~~ certificate, any costs incurred when an order to reduce a mortgagor's
17.30 redemption period under section 582.032 is entered, including costs and disbursements
17.31 awarded under section 582.032, subdivision 9, any fees paid to the county recorder, registrar
17.32 of titles, ~~or sheriff,~~ or selling officer to obtain or record the certificates of sale or redemption
17.33 or notices of intention to redeem, any reasonable fees paid to licensed real estate brokers
17.34 for broker price opinions or to licensed appraisers for appraisals, any deed tax paid to file

18.1 a certificate of redemption, reasonable attorney fees incurred after the foreclosure sale not
18.2 to exceed one-half of the amount authorized by section 582.01, any costs incurred under
18.3 section 582.031 or section 580.31, and any interest or installment of principal upon any
18.4 prior or superior mortgage, lien, or contract for deed in default or that becomes due during
18.5 the period of redemption. In all such cases, the costs so paid and claimed due, with interest
18.6 from the date of payment at the rate stated in the certificate of sale or at six percent if no
18.7 rate is stated, shall be a part of the sum required to be paid to redeem from such sale. No
18.8 other costs, fees, interest, or other amount may be added to the amount necessary to redeem.

18.9 Sec. 22. Minnesota Statutes 2025 Supplement, section 582.03, subdivision 2, is amended
18.10 to read:

18.11 Subd. 2. **Affidavit of allowable costs.** Any payments made and claimed due under
18.12 subdivision 1 shall be proved by the affidavit of the holder of the ~~sheriff's~~ certificate of sale
18.13 or its agent or attorney, itemizing each of the allowable costs and the date of payment and
18.14 describing the premises. The affidavit must be filed with the sheriff of the county in which
18.15 the sale was held at any time prior to expiration of the mortgagor's redemption period. Upon
18.16 written request by the sheriff, the holder of the ~~sheriff's~~ certificate of sale or certificate of
18.17 redemption shall provide an affidavit of allowable costs to the sheriff within seven days of
18.18 the date of the request by the sheriff. If the mortgagor does not redeem within seven days
18.19 after the affidavit is filed, the holder of the ~~sheriff's~~ certificate of sale may file a supplemental
18.20 affidavit if additional allowable costs are incurred during the redemption period. If the
18.21 holder of the ~~sheriff's~~ certificate of sale or certificate of redemption fails to respond to the
18.22 sheriff's request within seven days, the sheriff may calculate a redemption amount pursuant
18.23 to section 580.23, subdivision 1, and issue a certificate of redemption for that amount. If
18.24 the time allowed to redeem is less than seven days from the expiration of the redemption
18.25 period, the sheriff shall make a reasonable effort to request the affidavit of allowable costs
18.26 in writing from the holder of the ~~sheriff's~~ certificate of sale, its agent, or attorney before
18.27 issuing a certificate of redemption. If the affidavit of allowable costs is not provided more
18.28 than one business day before the expiration of the redemption period, at any time one
18.29 business day or less before the expiration of the redemption period, the sheriff may calculate
18.30 a redemption amount pursuant to section 580.23, subdivision 1, and issue a certificate of
18.31 redemption for that amount. The amount calculated by the sheriff, absent malfeasance by
18.32 the sheriff, binds the holder of the ~~sheriff's~~ certificate of sale even if the amount calculated
18.33 by the sheriff is less than the actual amount due.

19.1 Sec. 23. Minnesota Statutes 2024, section 582.031, is amended to read:

19.2 **582.031 LIMITED RIGHT OF ENTRY; DUTY TO ENTER AND PROTECT**
19.3 **PREMISES.**

19.4 Subdivision 1. **Right of entry.** (a) If premises described in a mortgage or ~~sheriff's~~
19.5 certificate of sale are vacant or unoccupied, the holder of the mortgage or ~~sheriff's~~ certificate
19.6 of sale or the holder's agents and contractors may enter upon the premises to protect the
19.7 premises from waste and trespass, until the holder of the mortgage or ~~sheriff's~~ certificate of
19.8 sale receives notice that the premises are occupied. The holder of the mortgage or ~~sheriff's~~
19.9 certificate of sale does not become a mortgagee in possession by taking actions authorized
19.10 or required under this section. An affidavit of the sheriff, the building or housing regulatory
19.11 authority of a municipality in which the property is located, the holder of the mortgage or
19.12 ~~sheriff's~~ certificate of sale, or a person acting on behalf of the holder, describing the premises
19.13 and stating that the same are vacant or unoccupied, is prima facie evidence of the facts stated
19.14 in the affidavit and is entitled to be recorded in the office of the county recorder or the
19.15 registrar of titles in the county where the premises are located, if it contains a legal description
19.16 of the premises.

19.17 (b) If the holder of a ~~sheriff's~~ certificate of sale knows that there is prima facie evidence
19.18 of abandonment of the property, as described in section 582.032, subdivision 7, clauses (1)
19.19 to (6), the holder or the holder's agents:

19.20 (1) shall enter the premises and make reasonable periodic inspections, install or change
19.21 the locks on all doors, install locks on all windows that do not have locks, and ensure that
19.22 any existing window locks are functioning properly; and

19.23 (2) may, to protect the premises from waste, trespass, or falling below minimum
19.24 community standards for public safety and sanitation, enter the premises and board windows,
19.25 doors, and other openings; install and operate an alarm system; and otherwise prevent or
19.26 minimize damage to the premises from the elements, vandalism, trespass, or other illegal
19.27 activity.

19.28 (c) Upon an installation or change of locks as required by this section, the holder of a
19.29 ~~sheriff's~~ certificate of sale must deliver a key to the premises to the mortgagor or any person
19.30 lawfully claiming through the mortgagor, upon request.

19.31 Subd. 2. **Authorized actions.** The holder of the mortgage or ~~sheriff's~~ certificate of sale
19.32 may take the following actions to protect the premises from waste, trespass, or from falling
19.33 below minimum community standards for public safety and sanitation: make reasonable
19.34 periodic inspections; install or change locks on doors and windows; board windows, doors,

20.1 and other openings; install and operate an alarm system; and otherwise prevent or minimize
20.2 damage to the premises from the elements, vandalism, trespass, or other illegal activities.
20.3 If the holder of the mortgage or ~~sheriff's~~ certificate of sale installs or changes locks under
20.4 this section, a key to the premises must be promptly delivered to the mortgagor or any person
20.5 lawfully claiming through the mortgagor, upon request.

20.6 Subd. 3. **Costs.** All costs incurred by the holder of the mortgage or ~~sheriff's~~ certificate
20.7 of sale to protect the premises from waste or trespass or from falling below minimum
20.8 community standards for public safety and sanitation may be added to the principal balance
20.9 of the mortgage or the costs allowable upon redemption. The costs may bear interest to the
20.10 extent provided in the mortgage and may be added to the redemption price if the costs are
20.11 incurred after a foreclosure sale. If the costs are incurred after a foreclosure sale, the holder
20.12 of any ~~sheriff's~~ certificate of sale or certificate of redemption must comply with the provisions
20.13 of section 582.03. The provisions of this section are in addition to, and do not limit or
20.14 replace, any other rights or remedies available to holders of mortgages and ~~sheriff's~~
20.15 certificates of sale, at law or under the applicable mortgage agreements.

20.16 Sec. 24. Minnesota Statutes 2024, section 582.032, subdivision 4, is amended to read:

20.17 Subd. 4. **Summons and complaint.** In a foreclosure by advertisement, the party
20.18 foreclosing a mortgage or holding the ~~sheriff's~~ certificate of sale or the political subdivision
20.19 in which the mortgaged premises are located may initiate a proceeding in district court to
20.20 reduce the mortgagor's redemption period under this section. The proceeding must be
20.21 initiated by the filing of a complaint, naming the mortgagor, or the mortgagor's personal
20.22 representatives or assigns of record, as defendant, in district court for the county in which
20.23 the mortgaged premises are located. If the proceeding is initiated by a political subdivision,
20.24 the party foreclosing the mortgage or holding the ~~sheriff's~~ certificate of sale must also be
20.25 named as a defendant, and the summons and complaint shall be delivered by certified mail
20.26 to the foreclosing attorney. If the proceeding is commenced after the foreclosure sale, the
20.27 holders of junior liens and interests entitled to notice under subdivision 3 must also be named
20.28 as defendants. The complaint must identify the mortgaged premises by legal description
20.29 and must identify the mortgage by the names of the mortgagor and mortgagee, and any
20.30 assignee of the mortgagee; the date of its making; and pertinent recording information. The
20.31 complaint must allege that the mortgaged premises are:

20.32 (1) ten acres or less in size;

20.33 (2) improved with a residential dwelling consisting of less than five units, which is not
20.34 a model home or a dwelling under construction;

21.1 (3) not property used in agricultural production; and

21.2 (4) abandoned.

21.3 The complaint must request an order reducing the mortgagor's redemption period to five
21.4 weeks. When the complaint has been filed, the court shall issue a summons commanding
21.5 the person or persons named in the complaint to appear before the court on a day and at a
21.6 place stated in the summons. The appearance date shall be not less than 15 nor more than
21.7 25 days from the date of the issuing of the summons. A copy of the filed complaint must
21.8 be attached to the summons.

21.9 Sec. 25. Minnesota Statutes 2024, section 582.032, subdivision 5, is amended to read:

21.10 Subd. 5. **Order to show cause.** In a foreclosure by action, the plaintiff or the holder of
21.11 the ~~sheriff's~~ certificate of sale may make a motion to reduce the mortgagor's redemption
21.12 period under this section. The political subdivision in which the mortgaged premises are
21.13 located may intervene in the action and make a motion to reduce the redemption period.
21.14 The motion must conform generally to the pleading requirements provided in subdivision
21.15 4. For purposes of the motion, the court has continuing jurisdiction over the parties and the
21.16 mortgaged premises through the expiration of the redemption period. When the motion has
21.17 been filed, the court shall issue an order to show cause commanding the parties it considers
21.18 appropriate to appear before the court on a day and at a place stated in the order. The
21.19 appearance date may not be less than 15 nor more than 25 days after the date of the order
21.20 to show cause. A copy of the motion must be attached to the order to show cause.

21.21 Sec. 26. Minnesota Statutes 2024, section 582.032, subdivision 7, is amended to read:

21.22 Subd. 7. **Hearing; evidence; order.** At the hearing on the summons and complaint or
21.23 order to show cause, the court shall enter an order reducing the mortgagor's redemption
21.24 period as provided in subdivision 2 or 3, as applicable, if evidence is presented supporting
21.25 the allegations in the complaint or motion and no appearance is made to oppose the relief
21.26 sought. An affidavit by the sheriff or a deputy sheriff of the county in which the mortgaged
21.27 premises are located, or of a building inspector, zoning administrator, housing official, or
21.28 other municipal or county official having jurisdiction over the mortgaged premises, stating
21.29 that the mortgaged premises are not actually occupied and further setting forth any of the
21.30 following supporting facts, is prima facie evidence of abandonment:

21.31 (1) windows or entrances to the premises are boarded up or closed off, or multiple
21.32 window panes are broken and unrepaired;

22.1 (2) doors to the premises are smashed through, broken off, unhinged, or continuously
22.2 unlocked;

22.3 (3) gas, electric, or water service to the premises has been terminated;

22.4 (4) rubbish, trash, or debris has accumulated on the mortgaged premises;

22.5 (5) the police or sheriff's office has received at least two reports of trespassers on the
22.6 premises, or of vandalism or other illegal acts being committed on the premises; or

22.7 (6) the premises are deteriorating and are either below or are in imminent danger of
22.8 falling below minimum community standards for public safety and sanitation.

22.9 An affidavit of the party foreclosing the mortgage or holding the ~~sheriff's~~ certificate of
22.10 sale, or one of their agents or contractors, stating any of the above supporting facts, and that
22.11 the affiant has changed locks on the mortgaged premises under section 582.031 and that
22.12 for a period of ten days no party having a legal possessory right has requested entrance to
22.13 the premises, is also prima facie evidence of abandonment. Either affidavit described above,
22.14 or an affidavit from any other person having knowledge, may state facts supporting any
22.15 other allegations in the complaint or motion and is prima facie evidence of the same. Written
22.16 statements of the mortgagor, the mortgagor's personal representatives or assigns, including
22.17 documents of conveyance, which indicate a clear intent to abandon the premises, are
22.18 conclusive evidence of abandonment. In the absence of affidavits or written statements, or
22.19 if rebuttal evidence is offered by the defendant or a party lawfully claiming through the
22.20 defendant, the court may consider any competent evidence, including oral testimony,
22.21 concerning any allegation in the complaint or motion. A defendant's failure to appear at the
22.22 hearing after service of process in compliance with subdivision 6 is conclusive evidence of
22.23 abandonment by the defendant, subject to vacation under Rule 60.02 of the Minnesota Rules
22.24 of Civil Procedure. An order entered under this section must contain a legal description of
22.25 the mortgaged premises.

22.26 Sec. 27. Minnesota Statutes 2024, section 582.032, subdivision 9, is amended to read:

22.27 Subd. 9. **Costs.** Upon motion of a political subdivision that initiated a proceeding under
22.28 subdivision 4 or intervened under subdivision 5, if an order is entered to reduce the
22.29 redemption period to five weeks, the court shall award costs and disbursements to the
22.30 political subdivision. The party foreclosing the mortgage or holding the ~~sheriff's~~ certificate
22.31 of sale is liable for an award under this subdivision but may recover these amounts upon
22.32 reinstatement or redemption as provided in section 580.30, subdivision 1, or 582.03,
22.33 subdivision 1.

23.1 Sec. 28. Minnesota Statutes 2024, section 582.041, subdivision 2, is amended to read:

23.2 Subd. 2. **Homestead designation notice.** (a) The following notice must be served with
23.3 the foreclosure notice of property containing a homestead that is served on the person in
23.4 possession of the real property under section 580.03. The notice is not to be published. The
23.5 notice must be in 10-point capitalized letters.

23.6 "IF PART OF THE PROPERTY TO BE SOLD CONTAINS YOUR HOUSE, YOU
23.7 MAY DESIGNATE AN AREA AS A HOMESTEAD TO BE SOLD AND REDEEMED
23.8 SEPARATELY.

23.9 YOU MAY DESIGNATE THE HOUSE YOU OCCUPY AND ANY AMOUNT OF
23.10 THE PROPERTY AS A HOMESTEAD. THE DESIGNATED HOMESTEAD PROPERTY
23.11 MUST CONFORM TO THE LOCAL ZONING ORDINANCES AND BE COMPACT
23.12 SO THAT IT DOES NOT UNREASONABLY REDUCE THE VALUE OF THE
23.13 REMAINING PROPERTY.

23.14 YOU MUST PROVIDE THE PERSON FORECLOSING ON THE PROPERTY, THE
23.15 SHERIFF, THE PRIVATE SELLING OFFICER (IF APPOINTED), AND THE COUNTY
23.16 RECORDER WITH A COPY OF THE LEGAL DESCRIPTION OF THE HOMESTEAD
23.17 YOU HAVE DESIGNATED BY TEN BUSINESS DAYS BEFORE THE DATE THE
23.18 PROPERTY IS TO BE SOLD."

23.19 (b) The following notice must be served with the summons and complaint in an action
23.20 to foreclose a mortgage of property containing a homestead under chapter 581. The notice
23.21 must be in 10-point capitalized letters and is not to be published with the summons if the
23.22 summons is published.

23.23 "IF PART OF THE PROPERTY TO BE SOLD CONTAINS YOUR HOUSE, YOU
23.24 MAY DESIGNATE AN AREA AS A HOMESTEAD TO BE SOLD AND REDEEMED
23.25 SEPARATELY.

23.26 YOU MAY DESIGNATE THE HOUSE YOU OCCUPY AND ANY AMOUNT OF
23.27 THE PROPERTY AS A HOMESTEAD. THE DESIGNATED HOMESTEAD PROPERTY
23.28 MUST CONFORM TO THE LOCAL ZONING ORDINANCES AND BE COMPACT
23.29 SO THAT IT DOES NOT UNREASONABLY REDUCE THE VALUE OF THE
23.30 REMAINING PROPERTY.

23.31 YOU MUST PROVIDE THE COURT WITH A LEGAL DESCRIPTION OF THE
23.32 HOMESTEAD YOU HAVE DESIGNATED."

24.1 Sec. 29. Minnesota Statutes 2024, section 582.042, subdivision 3, is amended to read:

24.2 Subd. 3. **Designation of separate tracts.** The person being foreclosed must designate
24.3 by legal description each of the tracts to be sold separately. The tracts designated must be
24.4 previously recorded as separate tracts. Each of the separate tracts must conform to local
24.5 zoning ordinances, must have an entrance by direct access to a public road or by permanent
24.6 easement, and must not unreasonably affect the value of the remaining property. The person
24.7 being foreclosed must serve a copy of the legal descriptions of the tracts to be sold separately
24.8 on the foreclosing mortgagee, the sheriff, the private selling officer, if appointed, and the
24.9 county recorder or registrar of titles by ten business days before the sale is scheduled, or
24.10 for a foreclosure by action under chapter 581, a copy of the legal descriptions of the tracts
24.11 to be sold separately must be provided to the court.

24.12 Sec. 30. Minnesota Statutes 2024, section 582.042, subdivision 4, is amended to read:

24.13 Subd. 4. **Sale of property.** If the sheriff or private selling officer receives a designation
24.14 of separate tracts under subdivision 3, or is ordered by the court, the sheriff or private selling
24.15 officer must offer and sell the tracts separately.

24.16 Sec. 31. Minnesota Statutes 2024, section 582.25, is amended to read:

24.17 **582.25 MORTGAGES; VALIDATING FORECLOSURE SALES.**

24.18 Every mortgage foreclosure sale by advertisement in this state under power of sale
24.19 contained in any mortgage duly executed and recorded in the office of the county recorder
24.20 or registered with the registrar of titles of the proper county of this state, together with the
24.21 record of such foreclosure sale, is, after expiration of the period specified in section 582.27,
24.22 hereby legalized and made valid and effective to all intents and purposes, as against any or
24.23 all of the following objections:

24.24 (1) that the power of attorney, recorded or filed in the proper office provided for by
24.25 section 580.05:

24.26 (i) did not definitely describe and identify the mortgage;

24.27 (ii) did not definitely describe and identify the mortgage, but instead described another
24.28 mortgage between the same parties;

24.29 (iii) did not have the corporate seal affixed thereto, if executed by a corporation;

24.30 (iv) had not been executed and recorded or filed prior to sale, or had been executed prior
24.31 to, but not recorded or filed until after such sale;

25.1 (v) was executed subsequent to the date of the printed notice of sale or subsequent to
25.2 the date of the first publication of such notice;

25.3 (2) that no power of attorney to foreclose such mortgage as provided in section 580.05,
25.4 was ever given, or recorded, or registered;

25.5 (3) that the notice of sale:

25.6 (i) was published only three, four or five times, or that it was published six times but
25.7 not for six weeks prior to the date of sale;

25.8 (ii) properly described the property to be sold in one or more of the publications thereof
25.9 but failed to do so in the other publications thereof, the correct description having been
25.10 contained in the copy of said notice served on the occupant of the premises;

25.11 (iii) correctly stated the date of the month and hour and place of sale but named a day
25.12 of the week which did not fall on the date given for such sale, or failed to state or state
25.13 correctly the year of such sale;

25.14 (iv) correctly described the real estate but omitted the county and state in which said
25.15 real estate is located;

25.16 (v) correctly described the land by government subdivision, township and range, but
25.17 described it as being in a county other than that in which said mortgage foreclosure
25.18 proceedings were pending, and other than that in which said government subdivision was
25.19 actually located;

25.20 (vi) did not state the amount due or failed to state the correct amount due or claimed to
25.21 be due;

25.22 (vii) incorrectly stated the municipal status of the place where the sale was to occur;

25.23 (viii) in one or more of the publications thereof, or in the notice served on the occupant
25.24 or occupants designated either a place or a time of sale other than that stated in the certificate
25.25 of sale;

25.26 (ix) failed to state the names of one or more of the assignees of the mortgage and
25.27 described the subscriber thereof as mortgagee instead of assignee;

25.28 (x) failed to state or incorrectly stated the name of the mortgagor, the mortgagee, or
25.29 assignee of mortgagee;

25.30 (xi) was not served upon persons whose possession of the mortgaged premises was
25.31 otherwise than by their personal presence thereon, if a return or affidavit was recorded or

26.1 filed as a part of the foreclosure record that at a date at least four weeks prior to the sale the
26.2 mortgaged premises were vacant and unoccupied;

26.3 (xii) was not served upon all of the parties in possession of the mortgaged premises,
26.4 provided it was served upon one or more of such parties;

26.5 (xiii) was not served upon the persons in possession of the mortgaged premises, if, at
26.6 least two weeks before the sale was actually made, a copy of the notice was served upon
26.7 the owner in the manner provided by law for service upon the occupants, or the owner
26.8 received actual notice of the proposed sale;

26.9 (xiv) gave the correct description at length, and an incorrect description by abbreviation
26.10 or figures set off by the parentheses, or vice versa;

26.11 (xv) was served personally upon the occupants of the premises as such, but said service
26.12 was less than four weeks prior to the appointed time of sale;

26.13 (xvi) did not state the original principal amount secured, or failed to state the correct
26.14 original principal amount secured;

26.15 (4) that distinct and separate parcels of land were sold together as one parcel and to one
26.16 bidder for one bid for the whole as one parcel;

26.17 (5) that no authenticated copy of the order appointing, or letters issued to a foreign
26.18 representative of the estate of the mortgagee or assignee, was properly filed or recorded,
26.19 provided such order or letters have been filed or recorded in the proper office prior to one
26.20 year after the last day of the redemption period of the mortgagor, the mortgagor's personal
26.21 representatives or assigns;

26.22 (6) that a holder of a mortgage was a representative appointed by a court of competent
26.23 jurisdiction in another state or county in which before the foreclosure sale an authenticated
26.24 copy of the representative's letters or other record of authority were filed for record in the
26.25 office of the county recorder of the proper county but no certificate was filed and recorded
26.26 therewith showing that said letters or other record of authority were still in force;

26.27 (7)(i) that said mortgage was assigned by a decree of a court exercising probate
26.28 jurisdiction in which decree the mortgage was not specifically or sufficiently described;

26.29 (ii) that the mortgage foreclosed had been assigned by the final decree of the court
26.30 exercising probate jurisdiction to the heirs, devisees, or legatees of the deceased mortgagee,
26.31 or the mortgagee's assigns, and subsequent thereto and before the representative of the estate
26.32 had been discharged by order of the court, the representative had assigned the mortgage to
26.33 one of the heirs, devisees, or legatees named in such final decree, and such assignment

27.1 placed on record and the foreclosure proceedings conducted in the name of such assignee
27.2 and without any assignment of the mortgage from the heirs, devisees, or legatees named in
27.3 such final decree, and the mortgaged premises bid in at the sale by such assignee, and the
27.4 sheriff's certificate of sale, with accompanying affidavits recorded in the office of the county
27.5 recorder of the proper county;

27.6 (iii) that a mortgage owned by joint tenants or tenants in common was foreclosed by
27.7 only one tenant;

27.8 (8) that the sheriff's certificate of sale or the accompanying affidavits and return of
27.9 service were not executed, filed or recorded within 20 days after the date of sale, but have
27.10 been executed and filed or recorded prior to the last day of the redemption period of the
27.11 mortgagor, the mortgagor's personal representatives or assigns;

27.12 (9) that the year, or the month, or the day, or the hour of the sale is omitted or incorrectly
27.13 or insufficiently stated in the notice of sale or the sheriff's certificate of sale;

27.14 (10)(i) that prior to the foreclosure no registration tax was paid on the mortgage, provided
27.15 such tax had been paid prior to one year after the last day of the redemption period of the
27.16 mortgagor, the mortgagor's personal representatives or assigns;

27.17 (ii) that an insufficient registration tax has been paid on the mortgage;

27.18 (11) that the date of the mortgage or any assignment thereof or the date, the month, the
27.19 day, hour, book, and page, or document number of the record or filing of the mortgage or
27.20 any assignment thereof, in the office of the county recorder or registrar of titles is omitted
27.21 or incorrectly or insufficiently stated in the notice of sale or in any of the foreclosure papers,
27.22 affidavits or instruments;

27.23 (12) that the notice of mortgage foreclosure sale or sheriff's certificate of sale designated
27.24 the place of sale as the office of a county official located in the court house of the county
27.25 when such office was not located in such court house;

27.26 (13) that no notice of the pendency of the proceedings to enforce or foreclose the
27.27 mortgage as provided in section 508.57, was filed with the registrar of titles or no memorial
27.28 thereof was entered on the register at the time of or prior to the commencement of such
27.29 proceedings; or that when required by section 508.57, the notice of mortgage foreclosure
27.30 sale failed to state the fact of registration;

27.31 (14) that the power of attorney to foreclose or the notice of sale was signed by the person
27.32 who was the representative of an estate, but failed to state or correctly state the person's
27.33 representative capacity;

28.1 (15) that the complete description of the property foreclosed was not set forth in the
28.2 sheriff's certificate of sale, if said certificate correctly refers to the mortgage by book and
28.3 page numbers or document number and date of filing and the premises are accurately
28.4 described in the printed notice of sale annexed to said foreclosure sale record containing
28.5 said sheriff's certificate of sale;

28.6 (16) that the date of recording of the mortgage was improperly stated in the sheriff's
28.7 certificate of mortgage foreclosure sale, the mortgage being otherwise properly described
28.8 in said sheriff's certificate of mortgage foreclosure sale and said certificate of mortgage
28.9 foreclosure sale further referring to the printed notice of mortgage foreclosure sale attached
28.10 to said sheriff's certificate of mortgage foreclosure sale in which printed notice the mortgage
28.11 and its recording was properly described;

28.12 (17) that prior to the first publication of the notice of sale in foreclosure of a mortgage
28.13 by advertisement, an action or proceeding had been instituted for the foreclosure of said
28.14 mortgage or the recovery of the debt secured thereby and such action or proceeding had not
28.15 been discontinued;

28.16 (18) that at the time and place of sale the sheriff or selling officer considered and accepted
28.17 a bid submitted prior to the date of the sale by the owner of the mortgage and sold the
28.18 mortgaged premises for the amount of such bid, no other bid having been submitted, and
28.19 no one representing the owner of the mortgage being present at the time and place of sale;

28.20 (19) that such sale was postponed by the sheriff or selling officer to a date or time
28.21 subsequent to the one specified in the notice of sale but there was no publication or posting
28.22 of a notice of such postponement;

28.23 (20) that there was not recorded with letters or other record of authority issued to a
28.24 representative appointed by a court of competent jurisdiction in another state or county, a
28.25 certificate that said letters or other record of authority were still in force and effect;

28.26 (21) that the sheriff's or selling officer's affidavit of sale correctly stated in words the
28.27 sum for which said premises were bid in and purchased by the mortgagee, but incorrectly
28.28 stated the same in figures immediately following the correct amount in words;

28.29 (22) that the notice of pendency of the foreclosure as required by section 580.032 was
28.30 not filed for record before the first date of publication of the foreclosure notice, but was
28.31 filed before the date of sale;

28.32 (23) that the servicer did not comply with the requirements of section 582.043;

29.1 (24) that notice for any postponement of the ~~sheriff's~~ mortgage foreclosure sale by the
29.2 party conducting the foreclosure was not timely or properly mailed or published; and

29.3 (25) that the publication of the notice of sale did not comply with section 580.033.

29.4 Sec. 32. **EFFECTIVE DATE.**

29.5 Sections 1 to 31 are effective on August 1, 2026, and apply to foreclosures with a notice
29.6 of pendency under Minnesota Statutes, chapter 580, or a lis pendens for a foreclosure under
29.7 Minnesota Statutes, chapter 581, recorded on or after that date.