

House Research Act Summary

CHAPTER: 229

SESSION: 1999 Regular Session

TOPIC: Landlord Tenant Law Recodification

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Overview

Minnesota Statutes traditionally divided most landlord tenant rights and duties between two chapters, 504 and 566. In the 1998 session the legislature passed a recodification bill to modernize the language in these statutes and to create one new chapter covering the landlord tenant issues that have previously been divided between two chapters. The 1998 act had a delayed effective date. This act repeals the new chapter proposed by the 1998 act and replaces it with another recodification chapter that combines chapters 504 and 566, with minimal language changes aside from adding headnotes. The 1998 repeal of chapters 504 and 566 remains in effect; all the contents of those chapters are completely accounted for by the proposed chapter 504B in this act.

Section

Article 1

Landlord and Tenant

- 1 **Definitions.** Provides definitions applicable to the new chapter on landlord tenant law.
- 2 **Distress for rent.** Derived from Minn. Stat. section 504.01.
- 3 **Written lease required; penalty.** Derived from section 504.012.
- 4 **Tenant to be given copy of lease.** Derived from section 504.015.
- 5 **Tenant may not deny title; exception.** Derived from section 504.03.
- 6 **Person in possession liable for rent; evidence.** Derived from section 504.04.
- 7 **Rent liability; uninhabitable buildings.** Derived from section 504.05.
- 8 **Terminating a tenancy at will.** Derived from section 504.06.
- 9 **Urban real estate; holding over.** Derived from section 504.07.
- 10 **Restriction on automatic renewals of leases.** Derived from section 504.21.

- 11 **Restriction on residential lease terms for buildings in financial distress.** Derived from section 504.201.
- 12 **Tenant must give cold weather notice before vacation of a building.** Derived from section 504.08.
- 13 **Covenants of landlord or licensor.** Derived from section 504.18.
- 14 **Unlawful destruction; damages.** Derived from sections 504.255 and 504.27.
- 15 **Covenant not to allow unlawful activities.** Derived from section 504.181.
- 16 **Interest on security deposits.** Derived from section 504.20.
- 17 **Landlord or agent disclosure.** Derived from section 504.22 but does not include subdivision 4a of that section, which is in section 36 of the bill.
- 18 **Inspection; notice.** Derived from section 566.19, subs. 1 and 2.
- 19 **Code violations records.** Derived from section 504.23.
- 20 **Disclosure required for outstanding inspection and condemnation orders.** Derived from sections 504.246 and 504.27.
- 21 **Action for rental of condemned residential premises.** Derived from sections 504.245 and 504.27.
- 22 **Residential tenant's right to seek police and emergency assistance.** Derived from section 504.215.
- 23 **Residential tenant right to privacy.** Derived from section 504.183.
- 24 **Emergency conditions; loss of essential services.** Derived from section 504.185.
- 25 **Unlawful termination of utilities.** Derived from sections 504.26 and 504.27.
- 26 **Intentional ouster and interruption of utilities; misdemeanor.** Derived from section 504.25 and 504.27.
- 27 **Damages for ouster.** Derived from section 504.255 and 504.27.
- 28 **Definitions.** Derived from section 504.29.
- 29 **Residential tenant reports; disclosure and corrections.** Derived from section 504.30.
- 30 **Tenant report; remedies.** Derived from section 504.31.
- 31 **Recording of notice of cancellation of leases.** Derived from section 504.09.
- 32 **Termination notice; federally subsidized housing.** Derived from section 504.32.
- 33 **Pets in subsidized handicapped accessible housing.** Derived from section 504.36.
- 34 **Termination of lease upon death of tenant.** Derived from section 504.28.
- 35 **Tenant's personal property remaining on premises.** Derived from sections 504.24 and 504.27.
- 36 **Attorney general's statement.** Derived from section 504.22, subd. 4a.
- 37 **Forcible entry and unlawful detainer prohibited.** Derived from section 566.01.
- 38 **Eviction actions.** Derived from section 566.03.
- 39 **Eviction action for nonpayment.** Derived from section 504.02 with various language changes.
- 40 **Eviction action for unlawful detention.** Derived from section 566.02.
- 41 **Notice of seizure provision.** Derived from section 566.021.
- 42 **No eviction action if tenant holds over for three years.** Derived from section 566.04 and case law.
- 43 **Restrictions on eviction due to familial status.** Derived from sections 504.265 and 504.27.

- 44 **Complaint and summons.** Derived from section 566.05.
- 45 **Expedited relief.** Derived from section 566.051.
- 46 **Summons; how served.** Derived from section 566.06.
- 47 **Answer; trial.** Derived from section 566.07.
- 48 **Continuance of trial.** Derived from section 566.08.
- 49 **Judgment; execution.** Derived from section 566.09.
- 50 **Failure of jury verdict.** Derived from section 566.10.
- 51 **Form of verdict.** Derived from section 566.15.
- 52 **Forms of summons and writ.** Derived from section 566.16.
- 53 **Execution of the writ of recovery of premises.** Derived from section 566.17.
- 54 **Appeals.** Derived from sections 566.11, 566.12, 566.13, and 566.14
- 55 **Unlawful exclusion or removal.** Derived from section 566.175.
- 56 **Emergency tenant remedies action.** Derived from section 566.205.
- 57 **Rent escrow action to remedy violations.** Derived from section 566.34.
- 58 **Violation of building repair orders.** Derived from section 566.35.
- 59 **Procedure.** Derived from sections 566.20 and 566.19, subds. 3 and 4.
- 60 **Summons.** Derived from section 566.21.
- 61 **Answer.** Derived from section 566.22.
- 62 **Defenses.** Derived from section 566. 23.
- 63 **Hearing.** Derived from section 566.24.
- 64 **Judgment.** Derived from section 566.25.
- 65 **Service of judgment.** Derived from section 566.26.
- 66 **Landlord's right to collect rent suspended.** Derived from section 566.27.
- 67 **Residential tenant may not be penalized for complaint.** Derived from section 566.28.
- 68 **Administrator.** Derived from section 566.29.
- 69 **Receivership revolving loan fund.** Derived from section 566.291.
- 70 **Removal of administrator.** Derived from section 566.30.
- 71 **Termination of administration.** Derived from section 566.31.
- 72 **Waiver not allowed.** Derived from section 566.32.
- 73 **Purpose to provide additional remedies.** Derived from section 566.33.
- 74 **Instruction to revisor.** Directs the revisor to codify any amendments made to chapters 504, 504A, or 566 by the 1999 legislative session in the new chapter 504B.
- 75 **Repealer.** Repeals chapter 504A, the 1998 recodification effort.
- 76 **Effective date.** July 1, 1999.

Article 2

Conforming Changes

This article consist of amendments to Minnesota Statutes outside the proposed landlord tenant chapter to change statutory and definition references to be consistent with the act.