

Subject Landlord and Tenant Law; Updates and Changes

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Overview

This bill amends various sections in chapter 504B to provide expanded awards for damages, including civil fines and treble damages, and allows for attorney fees and cost to be awarded, when a tenant sues to enforce remedies under the chapter or when a landlord violates various provisions of chapter 504B.

Summary

Section	Description
1	Housing-related neighborhood organization. Amends the definition in chapter 504B for a “housing-related neighborhood organization.”
2	Violation. Expands the definition of the term “violation” for chapter 504B to include a violation of any federal, state, or local law protecting tenants from discrimination or providing requirements for subsidized housing.
3	Abandonment. Creates a new definition for the terms “abandonment of tenancy” and “abandonment of personal property” in chapter 504B.
4	Distress for rent. Provides a remedy for the prohibited practice of distress for rent, which means seizing another’s personal property to pay their back rent. The new provisions prevent the practice from occurring even if it was in a lease or agreement and allows a tenant to get damages and attorney fees if the law is violated.
5	Written lease required; penalty. Provides damages and attorney fees if a landlord with a building of 12 or more units does not provide a written lease and identify the unit the tenant will rent.

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6	Copy of written lease to tenant. Provides damages and attorney fees if the landlord does not provide a copy of the lease to the tenant as required by the statute.
7	Prorated rent required. Provides damages and attorney fees if the landlord does not prorate the last month of rent if the move out day is before the end of the month.
8	Receipt for rent paid in cash. Provides damages and attorney fees if the landlord does not give a receipt as required by statute for rent that is paid using cash.
9	Rent liability; uninhabitable buildings. Provides that a tenant can get damages and attorney fees if a landlord does not let them surrender a rental that has become uninhabitable through no fault of their own.
10	Urban real estate; holding over. Provides damages and attorney fees when a landlord implies more than the period of rent payments for tenancy after the lease has expired.
11	Restriction on automatic renewal of leases. Provides a penalty when the landlord has an automatically renewing lease and the tenant is not given notice as required by law.
12	Limitation on lease and notice to tenant. Provides damages and attorney fees if a landlord rents a unit that is under foreclosure or contract for deed cancelation in violation of the provisions of the law.
13	Tenant abandonment of dwelling. Provides that a tenant's lease obligations cease when a new tenant begins a new tenancy for a unit. Requires a landlord to fill a vacancy if a tenant leaves before their lease is up. This section also provides the amount of rent a tenant can owe if the tenancy abandoned was a tenancy at will or a periodic tenancy.
14	Requirements. Updates, clarifies, and expands the covenants of habitability required by landlords for residential rental units.

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15	Tenant maintenance. Requires payment or reduction of rent if a tenant is required to keep up or maintain the residential rental, including lawn care.
16	Covenants are in addition. Provided the statutory covenants in chapter 504B for landlords and tenants are in addition to other remedies and requirements of the law.
17	Remedies. Provides remedies including damages, costs, attorney fees, and equitable relief when the landlord violates the statutory covenants provided in section 504B.161.
18	Enforcement. Allows a tenant to enforce the requirements of the statutory covenants in an eviction action or tenant remedy action.
19	Waiver prohibited. Moves the existing prohibition on a waiver of the statutory covenants to a new subdivision.
20	Remedies. Updates and expands remedies when a landlord violates the tenant screen fee laws.
21	Remedies. Provides that the requirements in statute for a prelease deposit cannot be waived and, if the landlord violates the law through a failure to return the prelease deposit as required, they are liable for damages and attorney fees.
22	Late fees. Provides that if a landlord violates the existing statutory requirements on late rent, the tenant can sue for damages and attorney fees.
23	Bad faith retention. Increases the cap for punitive damages and allows collection of attorney fees when a tenant has to sue to recover their damage deposit if it was withheld in bad faith.
24	Waiver. Requires the damage deposit statute to be liberally construed for the protection of tenants.

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25	Waiver prohibited. Provides remedies, including damages and attorney fees, if the landlord does not provide the required statutory notice on who the landlord of the property is and how to contact them.
26	Notice. Adds that when a local government does a building inspection and provides a notice of code violations, they also need to include a deadline to correct the violation, and that the landlord must fix the violation in that time allowed.
27	Remedies. Provides that a tenant can sue for damages and attorney fees if the landlord violates the section requiring repairs be made after an inspection by a local government.
28	Disclosure to tenant. Provides that all code violations from the last 12 months must be provided to tenants, prospective tenants, and a person looking to purchase the property.
29	Damages. Provides that a tenant can sue for damages and attorney fees if the landlord does not provide them with the notice of violations from local government inspections.
30	Remedies additional. Provides that failing to follow the requirements for local government inspections is a violation of the statutory covenant between the tenant and the landlord.
31	Action for rental of condemned residential premises. Clarifies when a landlord can accept rent related to condemnation and provides that violating that section of law is a violation of the covenants between tenants and landlords.
32	Residential tenant remedies. Changes the damages and attorney fees available for a tenant remedy when a landlord violates the rights under the law related to access police and emergency services.
33	Damages for ouster. Changes damages and allows attorney fees and the rescission of the lease if the landlord locks a tenant out.

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34	Pets in subsidized disability accessible rental housing unit. Provides damages and attorney fees if a landlord violates the provision in law that requires certain units to be allowed to have pets.
35	Remedies. Allows a family to recover damages when a landlord violates the provisions related to tenancies after the tenant dies.
36	Damages. Adds treble damages or \$1,000, and attorney fees to existing damage awards allowed for violations to existing law allowing tenants to retrieve their property.
37	Limitation on claim preclusion. Allows a tenant to raise a claim under chapter 504B in an action, even if they have not brought the claim earlier.
38	Damages. Provides for actual damages, a fine, and reasonable attorney fees when a landlord files an eviction as retaliation.
39	Restrictions on eviction due to familial status. Allows a tenant to sue for damages and attorney fees if the landlord violates the law that prevents eviction before one year due to a change in the familial status of the family.
40	Unlawful exclusion or removal. Provides that a tenant cannot waive the provision in the section of law related to a landlord constructively removing a tenant.
41	Noncompliance; fines and damages. Provides fines when a landlord has failed to comply with a court order.
42	Who may bring action. Conforming change related to the definition of housing-related neighborhood organization.
43	Landlord must be informed. Updates definitions based on changes in this bill.



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