

Subject Tenant Remedies for Construction Delays

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Overview

This section provides specific remedies in a situation where a landlord has rented a unit and either new construction or remodeling or additions are not completed and the tenant cannot move into the unit.

Summary

Section	Description
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1	New construction delays; tenant remedies.
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Subd. 1. Definitions. Provides a definition for new construction which includes additions, rehab, and modification along with the construction of new buildings.

Subd. 2. Requirements if landlord cannot deliver occupancy. Provides that a landlord must notify a tenant at least seven days prior to the start of the lease if the unit is not able to be inhabited and to offer the tenant (1) an equivalent unit to rent until the unit is ready, (2) an amount equivalent to the rent they would be paying so that the tenant can find other housing, or (3) the option to cancel the lease and have any money paid toward the housing returned. Tenants who wait for the unit can be reimbursed for security deposits and other costs related to finding alternative housing and may cancel the lease under option 3 if the unit is not available within 90 days.

Subd. 3. Waiver. Provides that any part of this section waived by a tenant in a written or oral agreement is void.

Subd. 4. Remedies. Allows tenants to sue for violations of this section under the tenant's remedies for unlawful exclusion and can file a complaint and be awarded damages and attorneys fees.

Effective date. Provides that this section would be effective on August 1, 2024, and apply to leases signed on or after that date.



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