

Landlord and Tenant Law Is Changing in 2023 and 2024

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Housing Law in Minnesota

<http://povertylaw.homestead.com/HousingLawinMinnesota.html>

Biography

<http://povertylaw.homestead.com/Biolarrymcdonough.html>

Links to New Housing Laws

Landlord and Tenant Laws

Minnesota Session Laws - 2023, Regular Session, Chapter 52, Senate F. No. 2909

<https://www.revisor.mn.gov/laws/2023/0/Session+Law/Chapter/52/>

Article 19 §§ 83-120

Various effective dates

Cannabis Laws

Minnesota Session Laws - 2023, Regular Session, Chapter 63, House F. No. 100

<https://www.revisor.mn.gov/laws/2023/0/Session+Law/Chapter/63/>

Article 1 §§ 9, 58, 74, and 75

Article 6 §§ 22, 54-56

Article 8 §§ 1-2

Various effective dates

Sober Houses

Minnesota Session Laws - 2023, Regular Session, Chapter 61, Senate F. No. 2934

<https://www.revisor.mn.gov/laws/2023/0/Session+Law/Chapter/61/>

Article 4 §§ 8, 14, 20, 26

No date listed, so effective August 1, 2023.

Evictions



Right to Counsel in Public Housing Breach Cases

2023 Minn. Laws Chapter 52, Article 19, § 89

Minn. Stat. § 504B.268 (new statute)

Similar to other Minnesota right to counsel statutes, such as guardianship.

Only applies to public housing breach of lease eviction actions and not rent eviction actions

Does not apply to other subsidized housing programs

Complaint notice

Court inquiry

Attorney qualifications

Compensation

Effective August 1, 2023

Right to Counsel in Public Housing Breach Cases

Sec. 89. [504B.268] RIGHT TO COUNSEL IN PUBLIC HOUSING; BREACH OF LEASE EVICTION ACTIONS.

Subdivision 1. Right to counsel. A defendant in public housing subject to an eviction action under sections 504B.281 to 504B.371 alleging breach of lease under section 504B.171 or 504B.285 who is financially unable to obtain counsel has the right to counsel appointed by the court. The complaint required by section 504B.321 shall include the notice on the first page of the complaint in bold 12-point type: "If financially unable to obtain counsel, the defendant has the right to a court-appointed attorney." At the initial hearing, the court shall ask the defendant if the defendant wants court-appointed counsel and shall explain what such appointed counsel can accomplish for the defendant.

Right to Counsel in Public Housing Breach Cases

Subd. 2. **Qualifications.** Counsel appointed by the court must (1) have a minimum of two years' experience handling public housing evictions; (2) have training in handling public housing evictions; or (3) be supervised by an attorney who meets the minimum qualifications under clause (1) or (2).

Subd. 3. **Compensation.** By January 15, 2024, and every year thereafter, the chief judge of the judicial district, after consultation with public housing attorneys, legal aid attorneys, and members of the private bar in the district, shall establish a compensation rate for attorney fees and costs associated with representation under subdivision 1. The compensation to be paid to an attorney for such service rendered to a defendant under this subdivision may not exceed \$5,000, exclusive of reimbursement for expenses reasonably incurred, unless payment in excess of that limit is certified by the chief judge of the district as necessary to provide fair compensation for services of an unusual character or duration.

EFFECTIVE DATE. This section is effective August 1, 2023.

Effective Date of Eviction Changes

2023 Minn. Laws Chapter 52, Article 19, § 116

EFFECTIVE DATE.

Sections 103 to 115 are effective January 1, 2024, and apply to actions filed on or after that date.

Combining Claims

2023 Minn. Laws Chapter 52, Article 19, § 103

Minn. Stat. § 504B.285, subdivision 5, is amended to read: Subd. 5.

Combining allegations. (a) An action for recovery of the premises may combine the allegation of nonpayment of rent and the allegation of material violation of the lease, which shall be heard as alternative grounds.

~~(b) In cases where rent is outstanding, a tenant is not required to pay into court the amount of rent in arrears, interest, and costs as required under section 504B.291 to defend against an allegation by the landlord that the tenant has committed a material violation of the lease. (c)~~ (b) If the landlord does not prevail in proving material violation of the lease, and the landlord has also alleged that rent is due, the tenant shall be permitted to present defenses to the court that the rent is not owing. The tenant shall be given up to seven days of additional time to pay any rent determined by the court to be due. ~~The court may order the tenant to pay rent and any costs determined to be due directly to the landlord or to be deposited with the court.~~

Redemption Guarantee

2023 Minn. Laws Chapter 52, Article 19, § 104

Minn. Stat. § 504B.291, subdivision 1, is amended to read:

Subdivision 1. Action to recover. (a)

Redemption may be made with a written guarantee from (1) a federal agency, state agency, or local unit of government, or (2) any other organization that qualifies for tax-exempt status under United States Code, title 26, section 501(c)(3), and that administers a government rental assistance program, has sufficient funds available, and guarantees funds will be provided to the landlord.

Complaint and Summons (and New Notice)

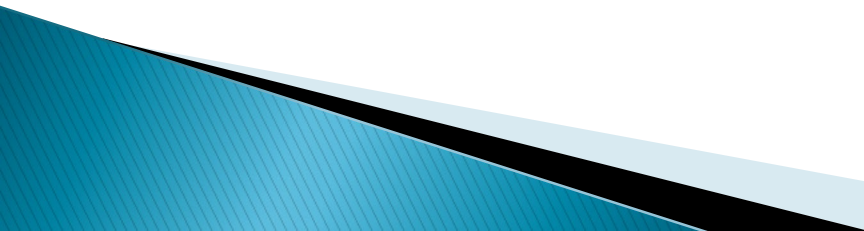
2023 Minn. Laws Chapter 52, Article 19, § 105

Minn. Stat. § 504B.321, is amended to read:

Subdivision 1. Procedure.

(a) To bring an eviction action, the person complaining shall file a complaint with the court, stating the full name and date of birth of the person against whom the complaint is made, unless it is not known, describing the premises of which possession is claimed, stating the facts which authorize the recovery of possession, and asking for recovery thereof.

(b) The lack of the full name and date of birth of the person against whom the complaint is made does not deprive the court of jurisdiction or make the complaint invalid.



Complaint and Summons (and New Notice)

~~(c) The court shall issue a summons, commanding the person against whom the complaint is made to appear before the court on a day and at a place stated in the summons.~~

~~(d)~~ (c) The appearance shall be not less than seven nor more than 14 days from the day of issuing the summons, except as provided by subdivision 2.

(d) If applicable, the person filing a complaint must attach a copy of the written notice described in subdivision 1a. The court shall dismiss an action without prejudice for failure to provide a notice as described in subdivision 1a and grant an expungement of the eviction case court file.

~~(e) A copy of the complaint shall be attached to the summons, which shall state that the copy is attached and that the original has been filed.~~

Complaint and Summons (and New Notice)

Subd. 1a. Written notice.

(a) Before bringing an eviction action alleging nonpayment of rent or other unpaid financial obligation in violation of the lease, a landlord must provide written notice to the residential tenant specifying the basis for future eviction action. The notice must include:

(1) the total amount due;

(2) a specific accounting of the amount of the total due from unpaid rent, late fees, and other charges under the lease;

(3) the name and address of the person authorized to receive rent and fees on behalf of the landlord;



Complaint and Summons (and New Notice)

(4) the following statement: "You have the right to seek legal help. If you can't afford a lawyer, free legal help may be available. Contact Legal Aid or visit www.LawHelpMN.org to know your rights and find your local Legal Aid office.";

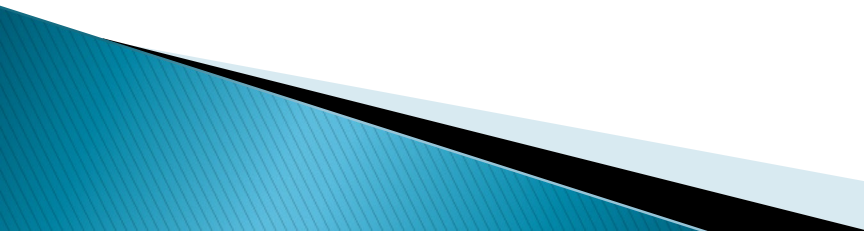
(5) the following statement: "To apply for financial help, contact your local county or Tribal social services office, apply online at MNBenefits.mn.gov or call the United Way toll-free information line by dialing 2-1-1 or 800-543-7709."; and

(6) the following statement: "Your landlord can file an eviction case if you do not pay the total amount due or move out within 14 days from the date of this notice. Some local governments may have an eviction notice period longer than 14 days."

Complaint and Summons (and New Notice)

(b) The landlord or an agent of the landlord must deliver the notice personally or by first class mail to the residential tenant at the address of the leased premises.

(c) If the residential tenant fails to correct the rent delinquency within 14 days of the delivery or mailing of the notice, or the number of days required by a local government rule or law if the notice period prior to an eviction required by the local government is longer than 14 days, or fails to vacate, then the landlord may bring an eviction action under subdivision 1 based on nonpayment of rent.



Complaint and Summons (and New Notice)

Subd. 1b. Notice constitutes verification of emergency.

(a) Receipt of the notice under subdivision 1a shall be deemed by a county or other agency requiring verification of emergency to qualify a tenant for assistance to be sufficient demonstration of an emergency situation under section 256D.06, subdivision 2, and Minnesota Rules, chapter 9500. For purposes of chapter 256J and Minnesota Rules, chapter 9500, a county agency verifies an emergency situation by receiving and reviewing a notice under this section.

(b) When it receives a copy of the notice required by this section, the county must not:

(1) require a tenant to provide additional verification of the emergency; or

(2) require additional verification that the landlord will accept the funds demanded in the notice required by this section to resolve the emergency.

Complaint and Summons (and New Notice)

Subd. 2. Expedited procedure.

(a) In an eviction action brought under section 504B.171 or on the basis that the ~~tenant is causing a nuisance or other illegal behavior that seriously endangers the safety of other residents, their property, or the landlord's property~~ residential tenant engages in behavior that seriously endangers the safety of other residents, or intentionally and seriously damages the property of the landlord or a tenant, the person filing the complaint shall file an affidavit stating specific facts and instances in support of why an expedited hearing is required.

...

(c) The appearance in an expedited hearing shall be not less than five days nor more than seven days from the date the summons is issued. The summons, in an expedited hearing, shall be served upon the residential tenant within 24 hours of issuance unless the court orders otherwise for good cause shown.

...

(e) The court may only consider allegations under paragraph (a) during an expedited hearing. The court may not consolidate claims heard under the expedited procedure with any additional claims, including but not limited to breach of lease, holding over under section 504B.285, or nonpayment of rent under section 504B.291.

Complaint and Summons (and New Notice)

Subd. 3. Contents of complaint.

The person bringing a complaint under this section must:

(1) attach the current written lease, if any, or most recent written lease in existence, and any relevant lease addenda;

(2) if alleging nonpayment of rent, attach a detailed, itemized accounting or statement listing the amounts;

(3) if alleging a breach of lease, identify the clause of the lease which is the basis of the allegation, the nature of the conduct constituting the alleged breach of lease, the dates on which the alleged conduct took place, and the clause granting the right to evict based on the alleged conduct;

Complaint and Summons (and New Notice)

(4) if alleging a violation of section 504B.171, specify the nature of the conduct constituting the alleged violation and the dates on which the alleged conduct took place;

(5) if alleging a violation of section 504B.285, subdivision 1, attach a copy of any notice to vacate or notice to quit; and

(6) state in the complaint whether the tenancy is affected by a federal or state housing subsidy program through project-based federal assistance payments; the Section 8 program, as defined in section 469.002, subdivision 24; the low-income housing tax credit program; or any other similar program, and include the name of the agency that administers the housing subsidy program.

Complaint and Summons (and New Notice)

Subd. 4. Summons.

The court shall issue a summons, commanding the person against whom the complaint is made to appear before the court on the day and at the place stated in the summons. A copy of the complaint must be attached to the summons. The summons must include, at a minimum:

(1) the full name of the person against whom the complaint is brought;

(2) the date, time, and location of the hearing;

(3) information about the methods for participating in the court appearance, including, if applicable, information for appearing by telephone or computer and contact information for the court regarding remote participation;

Complaint and Summons (and New Notice)

(4) the following statement: "You have the right to seek legal help or request a reasonable accommodation from the court for your hearing. Contact the court as soon as possible if you need an accommodation. If you can't afford a lawyer, free legal help may be available. Contact Legal Aid or visit www.LawHelpMN.org to know your rights and find your local Legal Aid office.";

(5) the following statement: "To apply for financial help, contact your local county or Tribal social services office, apply online at MNBenefits.mn.gov, or call the United Way toll-free information line by dialing 2-1-1 or 800-543-7709."; and

(6) notification that a copy of the complaint is attached and has been filed with the court.

Subd. 5. Defective filing or service.

The court must dismiss and expunge the record of any action if the person bringing the action fails to comply with this section.

Complaint and Summons (and New Notice)

2023 Minn. Laws Chapter 52, Article 19, § 97

Minn. Stat. § 504B.135, is amended to read:

504B.135 TERMINATING TENANCY AT WILL.

(a) A tenancy at will may be terminated by either party by giving notice in writing. The time of the notice must be at least as long as the interval between the time rent is due or three months, whichever is less.

~~(b) If a tenant neglects or refuses to pay rent due on a tenancy at will, the landlord may terminate the tenancy by giving the tenant 14 days notice to quit in writing.~~

2023 Minn. Laws Chapter 52, Article 19, § 102. EFFECTIVE DATE. Sections 97, 98, and 100 are effective January 1, 2024, and apply to leases entered into or renewed on or after January 1, 2024.

Effect on Existing Laws for Nonpayment of Rent Notices

- Minneapolis Code of Ord. 244.2060 (14-day notice for nonpayment of rent) and Brooklyn Center Code of Ord. 12-912D (30-day notice for nonpayment of rent and breach notice for affordable housing) still apply, notice content must comply with ordinance and new state law.
- Saint Louis Park Code of Ord. Chapter 8, Section 8-335 (7-day notice for nonpayment of rent) is overwritten as to time but notice content must comply with ordinance and new state law.
- Manufactured Home Parks: Minn. Stat. § 327C.09 (10-day notice for nonpayment of rent) is overwritten as to time and content, but notice must still be given to any party holding a security interest in the home.
- Public and Subsidized Housing: Federal regulatory content still applies but new state law content also must be included, with 30-day requirement under the CARES Act. See Residential Eviction Defense and Tenant Claims in Minnesota at VI.D1.
- Landlord with Federally Backed Mortgages: New state law content also must be included, with 30-day requirement under the CARES Act. See Residential Eviction Defense and Tenant Claims in Minnesota at VI.D1.

Unlawful Detention

2023 Minn. Laws Chapter 52, Article 19, § 22.

Minn. Stat. § 504B.301, is amended to read:

504B.301 EVICTION ACTION FOR UNLAWFUL DETENTION.

A person may be evicted if the person has unlawfully or forcibly occupied or taken possession of real property or unlawfully detains or retains possession of real property.

~~A seizure under section 609.5317, subdivision 1, for which there is not a defense under section 609.5317, subdivision 3, constitutes unlawful detention by the tenant.~~

[Minn. Stat. § 609.5317 was repealed in 2021.]

Notice Of Seizure Repealed

2023 Minn. Laws Chapter 52, Article 19, § 42.

...

(b) Minnesota Statutes 2022, section 504B.305, is repealed.

[Minn. Stat. § 504B.305 provided: NOTICE OF SEIZURE PROVISION. Landlords shall give written notice to tenants of the provision relating to seizures in section 504B.301. Failure to give such notice does not subject the landlord to criminal or civil liability and is not a defense under section 609.5317, subdivision 3.]

Service of Summons

2023 Minn. Laws Chapter 52, Article 19, § 106

Minn. Stat. § 504B.331, is amended to read:

504B.331 SUMMONS; HOW SERVED.

(a) The summons and complaint must be served at least seven days before the date of the court appearance specified in section 504B.321, in the manner provided for service of a summons in a civil action in district court. ~~It may be served by any person not named a party to the action.~~

(b) If the defendant cannot be found in the county, the summons and complaint may be served at least seven days before the date of the court appearance by:

(1) leaving a copy at the defendant's last usual place of abode with a person of suitable age and discretion residing there; or

(2) if the defendant had no place of abode, by leaving a copy at the property described in the complaint with a person of suitable age and discretion occupying the premises.

Service of Summons

(c) Failure of the sheriff to serve the defendant is prima facie proof that the defendant cannot be found in the county.

(d) Where the defendant cannot be found in the county, service of the summons and complaint may be made upon the defendant by posting the summons in a conspicuous place on the property for not less than one week if:

(1) the property described in the complaint is:

(i) nonresidential and no person actually occupies the property; or

(ii) residential and service has been attempted at least twice on different days, with at least one of the attempts having been made between the hours of 6:00 p.m. and 10:00 p.m.; and

Service of Summons

(2) the plaintiff or the plaintiff's attorney has signed and filed with the court an affidavit stating that:

(i) the defendant cannot be found, or that the plaintiff or the plaintiff's attorney believes that the defendant is not in the state; ~~and~~

(ii) a copy of the summons has been mailed to the defendant at the defendant's last known address if any is known to the plaintiff.; or

(iii) the plaintiff or plaintiff's attorney has communicated to the defendant that an eviction hearing has been scheduled, including the date, time, and place of the hearing specified in the summons, by at least one form of written communication the plaintiff regularly uses to communicate with the defendant that have a date and time stamp.

(e) If the defendant or the defendant's attorney does not appear in court on the date of the appearance, the trial shall proceed.

Pre-trial Procedure

2023 Minn. Laws Chapter 52, Article 19, § 107

Minn. Stat. § 504B.335, is amended to read:

504B.335 ANSWER; TRIAL.

(a) At the court appearance specified in the summons, the defendant may answer the complaint, ~~and the court shall hear and decide the action, unless it grants a continuance of the trial as provided in section 504B.341.~~ When scheduling a trial date, the court must select a date that allows for a fair, thorough, and timely adjudication of the merits of the case, including the complexity of the matter, the need for the parties to obtain discovery, the need for the parties to ensure the presence of witnesses, the opportunity for the defendant to seek legal counsel and raise affirmative defenses, and any extenuating factors enumerated under section 504B.171.

(b) Either party may demand a trial by jury.

Pre-trial Procedure

(c) The proceedings in the action are the same as in other civil actions, except as provided in sections 504B.281 to 504B.371.

(d) The court, in scheduling appearances and hearings under this section, shall give priority to any eviction brought under section 504B.171, or on the basis that the ~~defendant is a tenant and is causing a nuisance or seriously endangers the safety of other residents, their property, or the landlord's property~~ residential tenant engages in behavior that seriously endangers the safety of other residents, or intentionally and seriously damages the property of the landlord or a tenant.

Pre-trial Procedure

(e) The court may not require the defendant to pay any amount of money into court, post a bond, make a payment directly to a landlord, or by any other means post security for any purpose prior to final disposition of an action, except if the final disposition of the action may be delayed for more than ten days, the court may order the defendant to provide security in a form and amount that the court approves, based on the totality of the circumstances, provided that the amount of security may not include any amounts allegedly owed prior to the date of filing of the action and may not exceed the amount of the monthly or periodic rent that accrues during the pendency of the action. Nothing in this paragraph shall affect an appeal bond under section 504B.371, subdivision 3.

2023 Minn. Laws Chapter 52, Article 19, § 115

Minn. Stat. § 504B.341, is repealed. [continuances]

Judgments

2023 Minn. Laws Chapter 52, Article 19, § 108

Minn. Stat. § 504B.345, subdivision 1, is amended to read:

Subdivision 1. General.

...

(c) If the court or jury finds for the defendant, then the court:

(1) ~~the court~~ shall enter judgment for the defendant, tax the costs against the plaintiff, and issue execution in favor of the defendant; and

(2) ~~the court may~~ shall expunge the records relating to the action under the provisions of section 484.014 or under the court's inherent authority at the time judgment is entered or after that time upon motion of the defendant.

Judgments

(d) Except in actions brought: (1) under section 504B.291 ~~as required by section 609.5317, subdivision 1~~; (2) under section 504B.171; or (3) on the basis that the residential tenant is causing a nuisance or seriously endangers the safety of other residents, their property, or the landlord's property, upon a showing by the defendant that immediate restitution of the premises would work a substantial hardship upon the defendant or the defendant's family, engages in behavior that seriously endangers the safety of other residents, or intentionally and seriously damages the property of the landlord or a tenant, the court shall stay the writ of recovery of premises and order to vacate for a reasonable period, not to exceed seven days.

Motion to Vacate Judgment

2023 Minn. Laws Chapter 52, Article 19, § 109

Minn. Stat. § 504B.345, is amended by adding a subdivision to read:

Subd. 3. Motion to vacate judgment.

Any party may bring a motion to vacate a judgment in an eviction action. An order denying a motion to vacate a judgment is considered a judgment for purposes of appeal under section 504B.371.

Summons Content

2023 Minn. Laws Chapter 52, Article 19, § 110

Minn. Stat. § 504B.361, subdivision 1, is amended to read:

Subdivision 1. Summons and writ.

The state court administrator shall develop a uniform form for the summons and writ of recovery of premises and order to vacate. The summons shall conform to the requirements enumerated under section 504B.321, subdivision 3. The writ for recovery of premises and order to vacate must include:

(1) the following statement: "You have the right to seek legal help. If you can't afford a lawyer, free legal help may be available. Contact Legal Aid or visit www.LawHelpMN.org to know your rights and find your local Legal Aid office."; and

(2) the following statement: "To apply for financial help, contact your local county or Tribal social services office, apply online at MNBenefits.mn.gov, or call the United Way toll-free information line by dialing 2-1-1 or 800-543-7709."

Appeal Bonds

2023 Minn. Laws Chapter 52, Article 19, § 111

Minn. Stat. § 504B.371, subdivision 3, is amended to read:

Subd. 3. Appeal bond.

If the party appealing remains in possession of the property, that party must give a bond that provides that:

- (1) all costs of the appeal will be paid;
- (2) the party will comply with the court's order; and
- (3) all the regular rent and other damages due to the party excluded from possession during the pendency of the appeal will be paid as that rent accrues. The court may not require a bond including back rent, late fees, disputed charges, or any other amount in excess of the regular rent as it accrues each month.

Appeal Bonds

2023 Minn. Laws Chapter 52, Article 19, § 112

Minn. Stat. § 504B.371, subdivision 4, is amended to read:

Subd. 4. Stay pending appeal. After the appeal is taken, all further proceedings in the case are stayed, ~~except as provided in subdivision 7.~~

Appeal Bonds

2023 Minn. Laws Chapter 52, Article 19, § 113

Minn. Stat. § 504B.371, subdivision 5, is amended to read:

Subd. 5. Stay of writ issued before appeal.

(a) ~~Except as provided in subdivision 7,~~ If the court issues a writ for recovery of premises and order to vacate before an appeal is taken, the appealing party may request that the court stay further proceedings and execution of the writ for possession of premises and order to vacate, and the court shall grant a stay.

Appeal Bonds

2023 Minn. Laws Chapter 52, Article 19, § 114

Minn. Stat. § 504B.371, subdivision 7, is amended to read:

Subd. 7. Exception. Subdivisions 1, 4, and 6 do not apply in an action ~~on a lease, against a tenant holding over after the expiration of the term of the lease, or a termination of the lease by a notice to quit,~~ where the plaintiff has prevailed on a claim pursuant to section 504B.171, subdivision 2, if the plaintiff gives a bond conditioned to pay all costs and damages if on the appeal the judgment of restitution is reversed and a new trial ordered. In such a case, the court shall issue a writ for recovery of premises and order to vacate notwithstanding the notice of appeal, as if no appeal had been taken, and the appellate court shall issue all needful writs and processes to carry out any judgment which may be rendered in the court.

Expungement

2023 Minn. Laws Chapter 52, Article 19, § 120

EFFECTIVE DATE. Sections 117 to 119 are effective January 1, 2024.

2023 Minn. Laws Chapter 52, Article 19, § 117

Minn. Stat. § 484.014, subdivision 2, is amended to read:

Subd. 2. Discretionary expungement.

The court may order expungement of an eviction case court file ~~only upon motion of a defendant and decision by the court, if the court finds that the plaintiff's case is sufficiently without basis in fact or law, which may include lack of jurisdiction over the case, that~~ if the court finds the expungement is clearly in the interests of justice and those interests are not outweighed by the public's interest in knowing about the record.

Expungement

2023 Minn. Laws Chapter 52, Article 19, § 118

Minn. Stat. § 484.014, subdivision 3, is amended to read:

Subd. 3. Mandatory expungement. Except for clause (6), the court shall, without motion by any party, order expungement of an eviction case:

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

~~(1)~~ (i) the time for contract cancellation or foreclosure redemption has expired and the defendant vacated the property prior to commencement of the eviction action; or
~~(2)~~ (ii) the defendant was a tenant during the contract cancellation or foreclosure redemption period and did not receive a notice under section 504B.285, subdivision 1a, 1b, or 1c, to vacate on a date prior to commencement of the eviction case;

Expungement

(2) if the defendant prevailed on the merits;

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

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

(5) three years after the eviction was ordered; or

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



Eviction Records

2023 Minn. Laws Chapter 52, Article 19, § 119

Minn. Stat. § 504B.321, is amended by adding a subdivision to read:

Subd. 6. Nonpublic record. An eviction action is not accessible to the public until the court enters a final judgment, except that parties to the case and licensed attorneys assisting a party in the case, regardless of whether or not they are the attorney of record, shall have access to the eviction action file.

[Invalidated by *Order Regarding Minn. Stat. § 504B.321, Subd. 6 and the Rules of Public Access to Records of the Minnesota Judicial Branch*, No. ADM10-8050 (Minn. Aug. 8, 2023).]

Privacy

2023 Minn. Laws Chapter 52, Article 19, § 87

Minn. Stat. § 504B.211, subdivision 2, is amended to read:

Subd. 2. Entry by landlord. Except as provided in subdivision 4, a landlord may enter the premises rented by a residential tenant only for a reasonable business purpose and after making a good faith effort to give the residential tenant reasonable notice under the circumstances of not less than 24 hours in advance of the intent to enter. A residential tenant may permit a landlord to enter the rented premises with less than 24 hours notice if desired. The notice must specify a time or anticipated window of time of entry and the landlord may only enter between the hours of 8:00 a.m. and 8:00 p.m. unless the landlord and tenant agree to an earlier or later time. A residential tenant may not waive and the landlord may not require the residential tenant to waive the residential tenant's right to prior notice of entry under this section as a condition of entering into or maintaining the lease.

2023 Minn. Laws Chapter 52, Article 19, § 90. EFFECTIVE DATE. Sections 83 to 89 are effective January 1, 2024, and apply to leases signed on or after that date.

Privacy

2023 Minn. Laws Chapter 52, Article 19, § 88

Minn. Stat. § 504B.211, subdivision 6, is amended to read:

Subd. 6. Penalty. If a landlord ~~substantially~~ violates ~~subdivision 2~~ this section, the residential tenant is entitled to a penalty which may include a rent reduction up to full rescission of the lease, recovery of any damage deposit less any amount retained under section 504B.178, and up to a ~~\$100~~ \$500 civil penalty for each violation. ~~If a landlord violates subdivision 5, the residential tenant is entitled to up to a \$100 civil penalty for each violation~~ and reasonable attorney fees. A residential tenant ~~shall~~ may follow the procedures in sections 504B.381, 504B.385, and 504B.395 to 504B.471 to enforce the provisions of this section. A violation of this section by the landlord is a violation of section 504B.161.

2023 Minn. Laws Chapter 52, Article 19, § 90. EFFECTIVE DATE. Sections 83 to 89 are effective January 1, 2024, and apply to leases signed on or after that date.

Minimum Heat

2023 Minn. Laws Chapter 52, Article 19, § 91

Minn. Stat. § 504B.161, subdivision 1, is amended to read:

Subdivision 1. Requirements.

(a) In every lease or license of residential premises, the landlord or licensor covenants:

....

(3) to make the premises reasonably energy efficient by installing weatherstripping, caulking, storm windows, and storm doors when any such measure will result in energy procurement cost savings, based on current and projected average residential energy costs in Minnesota, that will exceed the cost of implementing that measure, including interest, amortized over the ten-year period following the incurring of the cost; ~~and~~

(4) to maintain the premises in compliance with the applicable health and safety laws of the state, and of the local units of government where the premises are located during the term of the lease or license, except when violation of the health and safety laws has been caused by the willful, malicious, or irresponsible conduct of the tenant or licensee or a person under the direction or control of the tenant or licensee; and

(5) to supply or furnish heat at a minimum temperature of 68 degrees Fahrenheit from October 1 through April 30, unless a utility company requires and instructs the heat to be reduced.

(b) The parties to a lease or license of residential premises may not waive or modify the covenants imposed by this section.

2023 Minn. Laws Chapter 52, Article 19, § 96. EFFECTIVE DATE. Sections 91 to 95 are effective January 1, 2024, and where applicable, apply to petitions filed on or after that date.

Crime-Free Leases

2023 Minn. Laws Chapter 52, Article 19, § 99

Minn. Stat. § 504B.171, is amended by adding a subdivision to read:

Subd. 2a. Limitation on crime-free lease provisions. A residential landlord may not impose a penalty on a residential tenant or terminate the lease of a residential tenant for the conduct of the residential tenant, household member, or guest occurring off of the premises or curtilage of the premises, unless (1) the conduct would constitute a crime of violence against another tenant, the tenant's guest, the landlord, or the landlord's employees, regardless of whether a charge was brought or a conviction obtained; or (2) the conduct results in a conviction of a crime of violence against a person unrelated to the premises. For purposes of this subdivision, crime of violence has the meaning given in section 624.712, subdivision 5, except that it does not include offenses under chapter 152.

EFFECTIVE DATE. This section is effective June 1, 2024.



Attorney's Fees

2023 Minn. Laws Chapter 52, Article 19, § 100

Minn. Stat. § 504B.172, is amended to read:

504B.172 RECOVERY OF ATTORNEY FEES. If a residential lease specifies an action, circumstances, or an extent to which a landlord, directly, or through additional rent, may recover attorney fees in an action between the landlord and tenant, the tenant is entitled to attorney fees if the tenant prevails in the same type of action, under the same circumstances, or is entitled to costs under section 549.02, and to the same extent as specified in the lease for the landlord.

2023 Minn. Laws Chapter 52, Article 19, § 102. EFFECTIVE DATE. Sections 97, 98, and 100 are effective January 1, 2024, and apply to leases entered into or renewed on or after January 1, 2024.

[Overruling *Equity Residential Holdings, LLC, v. Koenig*, No. A15-0001, 2015 WL 5312074 (Minn. Ct. App. Sept. 14, 2015) (unpublished) (dismissal without prejudice of an eviction action did not constitute prevailing.)]

Cannabis

2023 Minn. Laws Chapter 63, Article 6, § 54

Minn. Stat. § **484.014, subdivision 3, is amended to read:**

Subd. 3. Mandatory expungement. ... (b) If a tenant brings a motion for the expungement of an eviction, the court shall order the expungement of an eviction case that was commenced on the grounds of a violation of section 504B.171 or any other claim of breach regardless of when the original eviction was ordered, if the tenant could receive an automatic expungement under section 609A.055, or if the breach was based solely on the possession of marijuana or tetrahydrocannabinols.

[No effective date listed, so effective August 1, 2023.]

Cannabis

2023 Minn. Laws Chapter 63, Article 6, § 55

Minn. Stat. § 504B.171, subdivision 1, is amended to read:

Subdivision 1. Terms of covenant. (a) In every lease or license of residential premises, whether in writing or parol, the landlord or licensor and the tenant or licensee covenant that:

(1) neither will:

(i) ~~unlawfully~~ allow controlled substances in those premises or in the common area and curtilage of the premises in violation of any criminal provision of chapter 152;

...

(c) A landlord cannot prohibit a tenant from legally possessing, and a tenant cannot waive the right to legally possess, any cannabis products, lower-potency hemp edibles, or hemp-derived consumer products, or using any cannabinoid product or hemp-derived consumer product, other than consumption by combustion or vaporization of the product and inhalation of smoke, aerosol, or vapor from the product.

[No effective date listed, so effective August 1, 2023.]

Cannabis

Other Cannabis Laws

Personal Adult Use of Cannabis. 2023 Minn. Laws Chapter 63, Article 1, § 9.

Protections for Registry Program Participants. 2023 Minn. Laws Chapter 63, Article 1, § 58.

Protections for Registry Program or Tribal Medical Cannabis Program Participation. 2023 Minn. Laws Chapter 63, Article 6, § 22.

Nuisance Action. 2023 Minn. Laws Chapter 63, Article 1, § 74.

Multifamily Housing Buildings. 2023 Minn. Laws Chapter 63, Article 1, § 57, Subd. 1(b), (effective March 1, 2025).

Sober Houses. 2023 Minn. Laws Chapter 63, Article 6, § 56.

Scheduling of Marijuana. 2023 Minn. Laws Chapter 63, Article 8.

Cannabis in Public and Subsidized Housing Programs

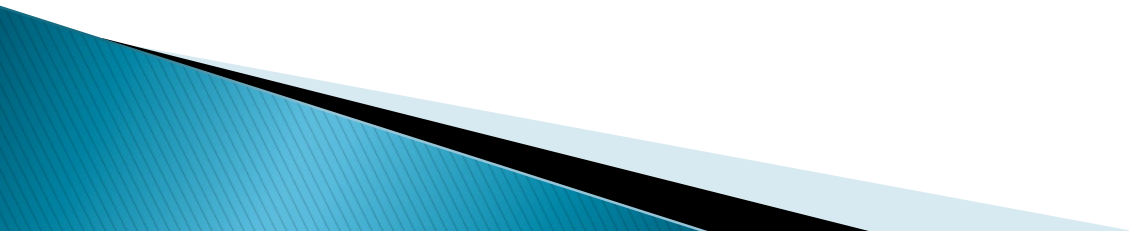
Most public and subsidized housing programs allow the landlord to terminate leases and subsidies and evict tenants for drug-related criminal activity and illegal drug use or pattern of illegal drug use that interferes with health, safety, or right to peaceful enjoyment of the premises by other residents. 42 U.S.C. § 1437d(1)(6), 1437f(o)(7)(D); 24 C.F.R. §§ 5.100, 5.858, 982.310(c)(1), 982.551(1), 982.553(b)(1), 966.4(1)(5), 966.4(f)(12).

Cannabis in Public and Subsidized Housing Programs

The question will be whether courts will evict tenants with legal use under Minnesota law and criminal use under Federal law. Some courts have said no to eviction. Lawrence R. McDonough, Residential Eviction Defense and Tenant Claims in Minnesota at VI.G.10.b.(3)(a0).

It may end up being an issue of preemption. Id. at I.A.5.

Other Landlord and Tenant Laws



Pet Declawing and Devocalization

2023 Minn. Laws Chapter 52, Article 19, § 83.

[504B.114] PET DECLAWING AND DEVOCALIZATION PROHIBITED.

Subdivision 1. Definitions.

(a) For purposes of this section, the following terms have the meanings given.

(b) "Animal" has the meaning given in section 343.20, subdivision 2.

(c) "Application for occupancy" means all phases of the process of applying for the right to occupy a real property, including but not limited to filling out applications, interviewing, and submitting references.

(d) "Claw" means a hardened keratinized modification of the epidermis or a hardened keratinized growth that extends from the end of the digits of certain mammals, birds, reptiles, and amphibians that is commonly referred to as a claw, talon, or nail.

(e) "Declawing" means performing, procuring, or arranging for any procedure, such as an onychectomy, tendonectomy, or phalangectomy, to remove or prevent the normal function of an animal's claw or claws.

(f) "Devocalizing" means performing, procuring, or arranging for any surgical procedure, such as a vocal cordectomy, to remove an animal's vocal cords or to prevent the normal function of an animal's vocal cords.

Pet Declawing and Devocalization

Subd. 2. Prohibitions.

A landlord who allows an animal on the premises shall not:

(1) advertise the availability of a real property for occupancy in a manner designed to discourage application for occupancy of that real property because an applicant's animal has not been declawed or devocalized;

(2) refuse to allow the occupancy of a real property, refuse to negotiate the occupancy of a real property, or otherwise make unavailable or deny to another person the occupancy of a real property because of that person's refusal to declaw or devocalize an animal; or

(3) require a tenant or occupant of real property to declaw or devocalize an animal allowed on the premises.

Any requirement or lease provision that violates this subdivision is void and unenforceable.

Pet Declawing and Devocalization

Subd. 3. Penalties.

(a) A city attorney, a county attorney, or the attorney general may bring an action in district court to obtain injunctive relief for a violation of this section and to enforce the civil penalties provided in this subdivision.

(b) In addition to any other penalty allowed by law, a violation of subdivision 2, clause (1), shall result in a civil penalty of not more than \$1,000 per advertisement, to be paid to the entity that is authorized to bring the action under this section.

(c) In addition to any other penalty allowed by law, a violation of subdivision 2, clause (2) or (3), shall result in a civil penalty of not more than \$1,000 per animal, to be paid to the entity that is authorized to bring the action under this section.

Fee Disclosure

2023 Minn. Laws Chapter 52, Article 19, § 84.

[504B.120] PROHIBITED FEES.

Subdivision 1. Disclosure of fees. A landlord must disclose all nonoptional fees in the lease agreement. The sum total of rent and all nonoptional fees must be described as the Total Monthly Payment and be listed on the first page of the lease. A unit advertised for a residential tenancy must disclose the nonoptional fees included with the total amount for rent in any advertisement or posting. In a lease agreement disclosure or unit advertisement, the landlord must disclose whether utilities are included or not included in the rent.

Subd. 2. Penalties. A landlord who violates this section is liable to the residential tenant for treble damages and the court may award the tenant reasonable attorney fees.

Security Deposits and Initial and Final Inspections

2023 Minn. Laws Chapter 52, Article 19, §§ 85-86.

Minn. Stat. § 504B.178, subdivision 4, is amended to read:

Subd. 4. Damages. Any landlord who fails to:

(1) provide a written statement within three weeks of termination of the tenancy;

(2) provide a written statement within five days of the date when the tenant leaves the building or dwelling due to the legal condemnation of the building or dwelling in which the tenant lives for reasons not due to willful, malicious, or irresponsible conduct of the tenant; ~~or~~

(3) transfer or return a deposit as required by subdivision 5; or

(4) provide the tenant with notice for an initial inspection and move-out inspection as required by section 504B.182, and complete an initial inspection and move-out inspection when requested by the tenant,

after receipt of the tenant's mailing address or delivery instructions, as required in subdivision 3, is liable to the tenant for damages in an amount equal to the portion of the deposit withheld by the landlord and interest thereon as provided in subdivision 2, as a penalty, in addition to the portion of the deposit wrongfully withheld by the landlord and interest thereon.

Security Deposits and Initial and Final Inspections

[504B.182] INITIAL AND FINAL INSPECTION REQUIRED.

Subdivision 1. Initial inspection.

(a) At the commencement of a residential tenancy, or within 14 days of a residential tenant occupying a unit, the landlord must notify the tenant of their option to request an initial inspection of the residential unit for the purposes of identifying existing deficiencies in the rental unit to avoid deductions for the security deposit of the tenant at a future date. If the tenant requests an inspection, the landlord and tenant shall schedule the inspection at a mutually acceptable date and time.

(b) In lieu of an initial inspection or move-out inspection under subdivision 2, when a tenant agrees, a landlord may provide written acknowledgment to the tenant of photos or videos of a rental unit and agree to the condition of the rental unit at the start or end of the tenancy.

Security Deposits and Initial and Final Inspections

Subd. 2. Move-out inspection.

Within a reasonable time after notification of either a landlord or residential tenant's intention to terminate the tenancy, or before the end of the lease term, the landlord shall notify the tenant in writing of the tenant's option to request a move-out inspection and of the tenant's right to be present at the inspection. At a reasonable time, but no earlier than five days before the termination or the end of the lease date, or day the tenant plans to vacate the unit, the landlord, or an agent of the landlord, shall, upon the request of the tenant, make a move-out inspection of the premises. The purpose of the move-out inspection shall be to allow the tenant an opportunity to remedy identified deficiencies, in a manner consistent with the rights and obligations of the parties under the rental agreement, in order to avoid deductions from the security deposit. If a tenant chooses not to request a move-out inspection, the duties of the landlord under this subdivision are discharged. If an inspection is requested, the parties shall attempt to schedule the inspection at a mutually acceptable date and time.

Security Deposits and Initial and Final Inspections

Subd. 3. Other requirements under law.

Nothing in this section changes the requirements or obligations under any other section of law, including but not limited to sections 504B.178, 504B.185, 504B.195, or 504B.271, 504B.375, and 504B.381.

Subd. 4. Waiver.

Except as allowed under subdivisions 1 and 2, when a tenant chooses not to request an initial or move-out inspection, or alternate inspection under subdivision 1, paragraph (b), any provision, whether oral or written, of any lease or other agreement, whereby any provision of this section is waived by a tenant, is contrary to public policy and void.

Lockout Actions

2023 Minn. Laws Chapter 52, Article 19, § 92.

Minn. Stat. §504B.375, subdivision 1, is amended to read:

...

(f) The court administrator may charge a filing fee in the amount set for complaints and counterclaims in conciliation court, subject to the filing of an inability to pay affidavit.

Emergency Tenant Remedies Actions

2023 Minn. Laws Chapter 52, Article 19, §§ 93-95.

Minn. Stat. § 504B.381, subdivision 1, is amended to read:
Subdivision 1. Petition.

A person authorized to bring an action under section 504B.395, subdivision 1, may petition the court for relief ~~in cases of emergency involving the loss of running water, hot water, heat, electricity, sanitary facilities, or other essential services or facilities that the landlord is responsible for providing.:~~

(1) when a unit of government has revoked a rental license, issued a condemnation order, issued a notice of intent to condemn, or otherwise deemed the property uninhabitable; or

Emergency Tenant Remedies Actions

(2) in cases of emergency involving the following services and facilities when the landlord is responsible for providing them:

(i) a serious infestation;

(ii) the loss of running water;

(iii) the loss of hot water;

(iv) the loss of heat;

(v) the loss of electricity;

(vi) the loss of sanitary facilities;

(vii) a nonfunctioning refrigerator;

(viii) if included in the lease, a nonfunctioning air conditioner;

(iv) if included in the lease, no functioning elevator;

(x) any conditions, services, or facilities that pose a serious and negative impact on health or safety; or

(xi) other essential services or facilities.

Emergency Tenant Remedies Actions

Subdivision 5, is amended to read:

Subd. 5. Relief; service of petition and order.

Provided proof that the petitioner has given the notice required in subdivision 4 to the landlord, if the court finds based on the petitioner's emergency ex parte motion for relief, affidavit, and other evidence presented that the landlord violated subdivision 1, then the court shall order that the landlord immediately begin to remedy the violation and may order relief as provided in section 504B.425. The court and petitioner shall serve the petition and order on the landlord personally or by mail as soon as practicable. The court shall include notice of a hearing and, at the hearing, shall consider evidence of alleged violations, defenses, compliance with the order, and any additional relief available under section 504B.425. The court and petitioner shall serve the notice of hearing on the ex parte petition and emergency order personally or by mail as soon as practicable.

Emergency Tenant Remedies Actions

Section 504B.381, is amended by adding a subdivision to read:

Subd. 8. Filing fee. The court administrator may charge a filing fee in the amount set for complaints and counterclaims in conciliation court, subject to the filing of an inability to pay affidavit.

Sec. 96. EFFECTIVE DATE. Sections 91 to 95 are effective January 1, 2024, and where applicable, apply to petitions filed on or after that date.

Early Lease Renewals

2023 Minn. Laws Chapter 52, Article 19, § 98.

[504B.144] EARLY RENEWAL OF LEASE.

A landlord must wait until six months from the expiration of the current lease before requiring a tenant to renew the lease, if the lease is for a period of time longer than ten months. Nothing prevents a landlord from waiting until closer to the expiration of a lease to ask a tenant to renew the lease. Any provision, whether oral or written, of any lease or other agreement whereby any provision of this section is waived by a tenant is contrary to public policy and void.

Termination of Lease Upon Infirmary of Tenant

2023 Minn. Laws Chapter 52, Article 19, § 101.

[504B.266] TERMINATION OF LEASE UPON INFIRMITY OF TENANT.
Subdivision 1. Definitions.

(a) For the purposes of this section, the following terms have the meanings given them.

(b) "Authorized representative" means a person acting as an attorney-in-fact under a power of attorney under section 523.24 or a court-appointed conservator or guardian under chapter 524.

(c) "Disability" means any condition or characteristic that is a physical, sensory, or mental impairment that materially limits at least one major life activity.

Termination of Lease Upon Infirmary of Tenant

(d) "Medical care facility" means:

(1) a nursing home, as defined in section 144A.01, subdivision 5;

(2) hospice care, as defined in section 144A.75, subdivision 8;

(3) residential hospice facility, as defined in section 144A.75, subdivision 13;

(4) boarding care home, as licensed under chapter 144 and regulated by the Department of Health under Minnesota Rules, chapter 4655;

(5) supervised living facility, as licensed under chapter 144;

(6) a facility providing assisted living, as defined in section 144G.08, subdivision 7;

(7) an accessible unit, as defined in section 363A.40, subdivision 1, paragraph (b);

(8) a state facility as defined in section 246.50, subdivision 3;

(9) a facility providing a foster care for adults program as defined in section 245A.02, subdivision 6c; or

(10) a facility providing intensive residential treatment services as defined in section 245I.23.

(e) "Medical professional" means:

(1) a physician who is currently licensed to practice medicine under section 147.02, subdivision 1;

(2) an advanced practice registered nurse, as defined in section 148.171, subdivision 3; or

(3) a mental health professional as defined in section 245I.04, subdivision 2.

Termination of Lease Upon Infirmary of Tenant

Subd. 2. Termination of lease upon infirmity of tenant.

(a) A tenant or the authorized representative of the tenant may terminate the lease prior to the expiration of the lease in the manner provided in subdivision 3 if the tenant has or, if there is more than one tenant, all the tenants have, been found by a medical professional to need to move into a medical care facility and:

(1) require assistance with instrumental activities of daily living or personal activities of daily living due to medical reasons or a disability;

(2) meet one of the nursing facility level of care criteria under section 144.0724, subdivision 11; or

(3) have a disability or functional impairment in three or more of the areas listed in section 245.462, subdivision 11a, so that self-sufficiency is markedly reduced because of a mental illness.

(b) When a tenant requires an accessible unit as defined in section 363A.40, subdivision 1, and the landlord can provide an accessible unit in the same complex where the tenant currently resides that is available within two months of the request, then the provisions of this section do not apply and the tenant may not terminate the lease.

Termination of Lease Upon Infirmary of Tenant

Subd. 3. Notice.

When the conditions in subdivision 2 have been met, the tenant or the tenant's authorized representative may terminate the lease by providing at least two months' written notice to be effective on the last day of a calendar month. The notice must be either hand-delivered or mailed by postage prepaid, first class United States mail. The notice must include: (1) a copy of the medical professional's written documentation of the infirmity; and (2) documentation showing that the tenant has been accepted as a resident or has a pending application at a location where the medical professional has indicated that the tenant needs to move. The termination of a lease under this section shall not relieve the eligible tenant from liability either for the payment of rent or other sums owed prior to or during the notice period, or for the payment of amounts necessary to restore the premises to their condition at the commencement of the tenancy, ordinary wear and tear excepted.

Termination of Lease Upon Infirmary of Tenant

Subd. 4. Waiver prohibited.

Any waiver of the rights of termination provided by this section, including lease provisions or other agreements that require a longer notice period than those provided for in this section, shall be void and unenforceable.

Subd. 5. Other laws.

Nothing in this section affects the rights or remedies available in this chapter or other law, including but not limited to chapter 363A.

EFFECTIVE DATE. This section is effective January 1, 2024, and applies to leases entered into or renewed on or after January 1, 2024. For the purposes of this section, estates at will shall be deemed to be renewed at the commencement of each rental period.

Other Rights and Obligations Discussed Earlier with Evictions

14-day Notice for Nonpayment of Rent - Slides 11-24

Privacy - Slides 44-45

Minimum Heat - Slide 46

Crime-free Leases - Slide 47

Attorney's Fees - Slide 48

Cannabis - Slides 49-53

Sober Houses

2023 Minn. Laws Chapter 61, Article 4, § 8.

Minn. Stat. § 254B.01, is amended by adding a subdivision to read:

Subd. 10. Sober home. A sober home is a cooperative living residence, a room and board residence, an apartment, or any other living accommodation that:

- (1) provides temporary housing to persons with substance use disorders;
- (2) stipulates that residents must abstain from using alcohol or other illicit drugs or substances not prescribed by a physician;
- (3) charges a fee for living there;
- (4) does not provide counseling or treatment services to residents;
- (5) promotes sustained recovery from substance use disorders; and
- (6) follows the sober living guidelines published by the federal Substance Abuse and Mental Health Services Administration.

[No effective date listed, so effective August 1, 2023.]

Sober Houses

2023 Minn. Laws Chapter 61, Article 4, § 14.

[254B.181] SOBER HOMES.

Subdivision 1. Requirements. All sober homes must comply with applicable state laws and regulations and local ordinances related to maximum occupancy, fire safety, and sanitation. In addition, all sober homes must:

- (1) maintain a supply of an opiate antagonist in the home and post information on proper use;
- (2) have written policies regarding access to all prescribed medications;
- (3) have written policies regarding evictions;
- (4) return all property and medications to a person discharged from the home and retain the items for a minimum of 60 days if the person did not collect them upon discharge. The owner must make an effort to contact persons listed as emergency contacts for the discharged person so that the items are returned;
- (5) document the names and contact information for persons to contact in case of an emergency or upon discharge and notification of a family member, or other emergency contact designated by the resident under certain circumstances, including but not limited to death due to an overdose;

...

Sober Houses

...

(6) maintain contact information for emergency resources in the community to address mental health and health emergencies;

(7) have policies on staff qualifications and prohibition against fraternization;

(8) have a policy on whether the use of medications for opioid use disorder is permissible;

(9) have a fee schedule and refund policy;

(10) have rules for residents;

(11) have policies that promote resident participation in treatment, self-help groups, or other recovery supports;

(12) have policies requiring abstinence from alcohol and illicit drugs;
and

(13) distribute the sober home bill of rights

Sober Houses

Subd. 2. Bill of rights. An individual living in a sober home has the right to:

(1) have access to an environment that supports recovery;

(2) have access to an environment that is safe and free from alcohol and other illicit drugs or substances;

(3) be free from physical and verbal abuse, neglect, financial exploitation, and all forms of maltreatment covered under the Vulnerable Adults Act, sections 626.557 to 626.5572;

(4) be treated with dignity and respect and to have personal property treated with respect;

(5) have personal, financial, and medical information kept private and to be advised of the sober home's policies and procedures regarding disclosure of such information;

(6) access, while living in the residence, to other community-based support services as needed;

...

Sober Houses

...

- (7) be referred to appropriate services upon leaving the residence, if necessary;
- (8) retain personal property that does not jeopardize safety or health;
- (9) assert these rights personally or have them asserted by the individual's representative or by anyone on behalf of the individual without retaliation;
- (10) be provided with the name, address, and telephone number of the ombudsman for mental health, substance use disorder, and developmental disabilities and information about the right to file a complaint;
- (11) be fully informed of these rights and responsibilities, as well as program policies and procedures; and
- (12) not be required to perform services for the residence that are not included in the usual expectations for all residents.

Sober Houses

Subd. 3. Complaints; ombudsman for mental health and developmental disabilities.

Any complaints about a sober home may be made to and reviewed or investigated by the ombudsman for mental health and developmental disabilities, pursuant to sections 245.91 and 245.94.

Subd. 4. Private right of action.

In addition to pursuing other remedies, an individual may bring an action to recover damages caused by a violation of this section.

[No effective date listed, so effective August 1, 2023.]

Sober Houses

2023 Minn. Laws Chapter 63, Article 6, § 56.

[504B.1715] COVENANTS; SOBER HOMES.

A sober housing program for people with substance use disorders may prohibit people in the program from the possession and use of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products.

Other Seminars

HOME Line presented monthly detailed seminars on the new housing laws. The slides shows and recordings are post here.

<https://homelinemn.org/9974/webinars-on-new-tenant-landlord-laws/>

Questions

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Housing Law in Minnesota

<http://povertylaw.homestead.com/HousingLawinMinnesota.html>