

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 339

(SENATE AUTHORS: HANN, Metzen and Clausen)

DATE	D-PG	OFFICIAL STATUS
01/26/2015	134	Introduction and first reading Referred to Judiciary
02/12/2015	282	Author added Metzen
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A bill for an act

1.1 relating to real property; creating an Office of Ombudsman for common interest
 1.2 communities; creating a common interest community court calendar program;
 1.3 providing for resolution of common interest community disputes; requiring
 1.4 alternative dispute resolution in certain cases; providing for recovery of attorney
 1.5 fees; increasing recording fees; appropriating money; amending Minnesota
 1.6 Statutes 2014, sections 357.18, subdivision 1; 508.82, subdivision 1; 508A.82,
 1.7 subdivision 1; 515B.3-106; 515B.4-116; proposing coding for new law in
 1.8 Minnesota Statutes, chapters 45; 484; 515B.
 1.9

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

ARTICLE 1

GENERAL

1.13 Section 1. **[45.0136] OFFICE OF OMBUDSMAN FOR COMMON INTEREST**
 1.14 **COMMUNITIES.**

1.15 Subdivision 1. **Creation.** The commissioner shall establish a common interest
 1.16 community ombudsman office with the powers and duties prescribed in this section. The
 1.17 commissioner shall appoint an ombudsman who is an attorney and has experience with
 1.18 chapter 515B (Minnesota Common Interest Ownership Act).

1.19 Subd. 2. **Duties.** The common interest community ombudsman shall:

1.20 (1) assist unit owners in understanding their rights and responsibilities under the
 1.21 laws governing common interest communities and their governing documents;

1.22 (2) assist common interest community associations and boards in carrying out their
 1.23 duties;

1.24 (3) answer inquiries from members of the public regarding common interest
 1.25 communities;

2.1 (4) when appropriate, investigate disputes arising under chapter 515B and governing
 2.2 documents, assist in resolving disputes, and provide advisory opinions regarding the
 2.3 rights and responsibilities of the parties; and

2.4 (5) provide referrals to public and private agencies offering dispute resolution
 2.5 services.

2.6 Sec. 2. **[484.016] COMMON INTEREST COMMUNITY CALENDAR**
 2.7 **PROGRAM.**

2.8 Subdivision 1. **Establishment; jurisdiction.** (a) A program is established in the
 2.9 Second and Fourth Judicial Districts to hear and determine matters related to disputes
 2.10 involving rights, duties, or liabilities of unit owners and associations under chapter 515B
 2.11 (Minnesota Common Interest Ownership Act) and governing documents of a common
 2.12 interest community or association.

2.13 (b) Outside the Second and Fourth Judicial Districts, a district court may establish
 2.14 the program described in paragraph (a) in counties that it specifies in the district.

2.15 Subd. 2. **Referee.** (a) The chief judge of district court may appoint a referee for the
 2.16 common interest community calendar program. The referee must be learned in the law.
 2.17 The referee must be compensated according to the same scale used for other referees in
 2.18 the district court. Section 484.70, subdivision 6, applies to the program.

2.19 (b) The common interest community program referee shall:

2.20 (1) hear and report all matters within the jurisdiction of the program and as may be
 2.21 directed to the referee by the chief judge; and

2.22 (2) recommend findings of fact, conclusions of law, temporary and interim orders,
 2.23 and final orders for judgment.

2.24 Recommended orders and findings of the referee are subject to confirmation by a judge.

2.25 Subd. 3. **Transmittal of court file; confirmation.** Upon the conclusion of the
 2.26 hearing in each case, the referee shall transmit the court file and the referee's recommended
 2.27 findings and orders in writing to a district court judge. The recommended findings and
 2.28 orders of the referee become the findings and orders of the court when confirmed by the
 2.29 district court judge. The order of the court is proof of the confirmation.

2.30 Subd. 4. **Review of referee orders.** Review of a recommended order or finding
 2.31 of the referee by a district court judge may be had by notice served and filed within ten
 2.32 days of effective notice of the recommended order or finding. The notice of review
 2.33 must specify the grounds for the review and the specific provisions of the recommended
 2.34 findings or orders disputed. Upon receipt of the notice of review, the district court judge
 2.35 shall set a time and place for the review hearing.

3.1 Subd. 5. Procedures; filing fee. (a) The chief judge of the district must establish
3.2 simplified procedures for implementation of the program, including designation of a
3.3 location for the hearings. The chief judge may also appoint other staff as necessary for the
3.4 program.

3.5 (b) The filing fee for actions governed by this section is the same as the filing fee for
3.6 conciliation court actions under section 357.022.

3.7 Sec. 3. Minnesota Statutes 2014, section 515B.3-106, is amended to read:

3.8 **515B.3-106 BYLAWS; ANNUAL REPORT.**

3.9 (a) A common interest community shall have bylaws which comply with this
3.10 chapter and the statute under which the association is incorporated. The bylaws and
3.11 any amendments may be recorded, but need not be recorded to be effective unless so
3.12 provided in the bylaws.

3.13 (b) The bylaws shall provide that, in addition to any statutory requirements:

3.14 (1) A meeting of the members shall be held at least once each year, and a specified
3.15 officer of the association shall give notice of the meeting as provided in section 515B.3-108.

3.16 (2) An annual report shall be prepared by the association and a copy of the report
3.17 shall be provided to each unit owner at or prior to the annual meeting.

3.18 (c) The annual report shall contain at a minimum:

3.19 (1) a statement of any capital expenditures in excess of two percent of the current
3.20 budget or \$5,000, whichever is greater, approved by the association for the current fiscal
3.21 year or succeeding two fiscal years;

3.22 (2) a statement of the association's total replacement reserves, the components of
3.23 the common interest community for which the reserves are set aside, and the amounts of
3.24 the reserves, if any, that the board has allocated for the replacement of each of those
3.25 components;

3.26 (3) a copy of the statement of revenues and expenses for the association's last fiscal
3.27 year, and a balance sheet as of the end of said fiscal year;

3.28 (4) a statement of the status of any pending litigation or judgments to which the
3.29 association is a party;

3.30 (5) a detailed description of the insurance coverage provided by the association
3.31 including a statement as to which, if any, of the items referred to in section 515B.3-113,
3.32 subsection (b), are insured by the association; and

3.33 (6) a statement of the total past due assessments on all units, current as of not more
3.34 than 60 days prior to the date of the meeting.

3.35 (d) The annual report must be accompanied by:

4.1 (1) a description of a dispute resolution procedure established by the association
4.2 under section 515B.3-122 or, if a procedure is not established, a description of the meet
4.3 and confer process under section 515B.3-123; and

4.4 (2) a summary of the alternative dispute resolution requirements of section
4.5 515B.3-124 that includes the following statement: "Failure of a unit owner to comply
4.6 with the alternative dispute resolution requirements of Minnesota Statutes, section
4.7 515B.3-124, may result in the loss of the right to sue the association or another unit owner
4.8 for enforcement of applicable law or governing documents."

4.9 **Sec. 4. [515B.3-122] DISPUTE RESOLUTION PROCEDURE.**

4.10 (a) This section applies to a dispute between an association and a unit owner
4.11 involving their rights, duties, or liabilities under this chapter or under the governing
4.12 documents of the common interest community or association. This section supplements,
4.13 and does not replace, section 515B.3-124, relating to alternative dispute resolution as
4.14 a prerequisite to an enforcement action.

4.15 (b) An association shall establish a fair, reasonable, and expeditious procedure
4.16 for resolving a dispute within the scope of this section. In developing a procedure, an
4.17 association shall make maximum, reasonable use of available local dispute resolution
4.18 programs involving a neutral third party, including community dispute resolution
4.19 programs under chapter 494 and other low-cost mediation programs such as those listed
4.20 on the Internet Web sites of the Department of Consumer Affairs and the United States
4.21 Department of Housing and Urban Development. If an association does not establish
4.22 a procedure for resolving a dispute within the scope of this section, the process under
4.23 section 515B.3-123 applies.

4.24 (c) At a minimum, a procedure established under this section must satisfy the
4.25 following requirements:

4.26 (1) the procedure may be requested in writing by either party to the dispute;

4.27 (2) the procedure must provide for prompt deadlines and state the maximum time
4.28 for the association to act on a request for the procedure;

4.29 (3) if the procedure is requested by a unit owner, the association must participate;

4.30 (4) if the procedure is requested by the association, the unit owner may elect not
4.31 to participate;

4.32 (5) if the unit owner participates but the dispute is resolved other than by agreement
4.33 of the unit owner, the unit owner may appeal to the association's board;

4.34 (6) a resolution of a dispute agreed to and signed by the parties binds the parties and
4.35 is judicially enforceable;

- 5.1 (7) the procedure must include a means by which the unit owner and the association
5.2 may explain their positions; and
- 5.3 (8) a unit owner may not be charged a fee to participate in the procedure.

5.4 **Sec. 5. [515B.3-123] MEET AND CONFER PROCESS.**

5.5 (a) This section applies if an association does not otherwise establish a fair,
5.6 reasonable, and expeditious dispute resolution procedure under section 515B.3-122. Either
5.7 party to a dispute within the scope of section 515B.3-122 may request in writing that the
5.8 other party meet and confer in an effort to resolve the dispute. A unit owner may refuse a
5.9 request to meet and confer. The association may not refuse a request to meet and confer.

5.10 (b) The board shall designate a member of the board to meet and confer. The parties
5.11 shall meet promptly at a mutually convenient time and place, explain their positions to
5.12 each other, and confer in good faith in an effort to resolve the dispute.

5.13 (c) A resolution of the dispute agreed to and signed by the parties, including the
5.14 board designee acting on behalf of the association, binds the parties and is judicially
5.15 enforceable if the resolution is consistent with the authority granted by the board to its
5.16 designee or is ratified by the board.

5.17 (d) A unit owner may not be charged a fee to participate in the process.

5.18 **Sec. 6. [515B.3-124] ALTERNATIVE DISPUTE RESOLUTION REQUIRED.**

5.19 (a) For purposes of this section:

5.20 (1) "alternative dispute resolution" means mediation, arbitration, conciliation, or
5.21 other nonjudicial procedure that involves a neutral party in the decision-making process.
5.22 The form of alternative dispute resolution chosen under this section may be binding or
5.23 nonbinding with the consent of the parties; and

5.24 (2) "enforcement action" means a civil action or proceeding, other than a
5.25 cross-complaint, involving rights, duties, or liabilities under this chapter or the governing
5.26 documents of a common interest community or association.

5.27 (b) An association or unit owner may not commence an enforcement action in
5.28 district court unless the parties have endeavored to submit their dispute to alternative
5.29 dispute resolution under this section. This section applies only to an enforcement
5.30 action that is solely for declaratory or injunctive relief, or for that relief in conjunction
5.31 with a claim for monetary damages not in excess of the jurisdictional limits under
5.32 section 491A.01. Except as otherwise provided by law, this section does not apply to an
5.33 assessment dispute that does not involve an assessment for a fine or to an action to enforce
5.34 an agreement under section 515B.3-122 or 515B.3-123.

6.1 (c) A party to a dispute may initiate the process required by this section by serving
6.2 on the other parties to the dispute a request for resolution. The request for resolution
6.3 must include:

6.4 (1) a brief description of the dispute;

6.5 (2) a request for alternative dispute resolution;

6.6 (3) a notice that the party receiving the request for resolution is required to respond
6.7 within 30 days of receipt or the request will be deemed rejected; and

6.8 (4) if the party on whom the request is served is a unit owner, a copy of this section.

6.9 Service of the request for resolution may be by personal delivery, first-class mail, express
6.10 mail, facsimile transmission, or other means reasonably calculated to provide the party on
6.11 whom the request is served actual notice of the request. A party on whom a request for
6.12 resolution is served has 30 days following service to accept or reject the request. If a party
6.13 does not accept the request within that period, the request is deemed rejected by the party.

6.14 (d) If the party on whom a request for resolution is served accepts the request, the
6.15 parties shall complete the alternative dispute resolution within 90 days after the party
6.16 initiating the request receives the acceptance, unless this period is extended by written
6.17 stipulation signed by all parties. The costs of the alternative dispute resolution must
6.18 be borne by the parties.

6.19 (e) The statute of limitations for commencing an enforcement action is tolled during
6.20 the following periods:

6.21 (1) the period provided in subsection (c) for response to a request for resolution; and

6.22 (2) if the request for resolution is accepted, the period provided by subsection (d) for
6.23 completion of alternative dispute resolution, including any extension of time stipulated to
6.24 by the parties.

6.25 (f) A party commencing an enforcement action shall include and file with the initial
6.26 pleading a certificate stating that one or more of the following conditions is satisfied:

6.27 (1) alternative dispute resolution has been completed in compliance with this section
6.28 or a request for resolution was rejected by the other party;

6.29 (2) one of the other parties to the dispute did not accept the terms offered for
6.30 alternative dispute resolution; or

6.31 (3) preliminary or temporary injunctive relief is necessary or there is an immediate
6.32 threat of irreparable harm.

6.33 Failure to file a certificate is grounds for dismissal unless the court finds that dismissal of
6.34 the action for failure to comply with this section would result in substantial prejudice to
6.35 one of the parties.

7.1 (g) In an enforcement action in which fees and costs may be awarded pursuant
 7.2 to section 515B.4-116, the court, in determining the amount of the award, may
 7.3 consider whether a party's refusal to participate in alternative dispute resolution before
 7.4 commencement of the action was reasonable.

7.5 Sec. 7. Minnesota Statutes 2014, section 515B.4-116, is amended to read:

7.6 **515B.4-116 RIGHTS OF ACTION; ATTORNEY'S FEES.**

7.7 (a) In addition to any other rights to recover damages, attorney's fees, costs or
 7.8 expenses, whether authorized by this chapter or otherwise, if a declarant, an association, or
 7.9 any other person violates any provision of this chapter, or any provision of the declaration,
 7.10 bylaws, or rules and regulations any person or class of persons adversely affected by the
 7.11 failure to comply has a claim for appropriate relief. The association shall have standing to
 7.12 pursue claims on behalf of the unit owners of two or more units.

7.13 (b) The court may award reasonable attorney's fees and costs of litigation to the
 7.14 prevailing party. The court shall award reasonable attorney fees and costs to the prevailing
 7.15 party in an action to enforce an agreement under section 515B.3-122 or 515B.3-123 or
 7.16 to a unit owner who is the prevailing party in an action arising out of the failure of an
 7.17 association to comply with section 515B.3-107, subsection (a). Punitive damages may be
 7.18 awarded for a willful failure to comply.

7.19 (c) The remedies provided for under this chapter are not exclusive and do not
 7.20 abrogate any remedies under other statutes or the common law, notwithstanding whether
 7.21 those remedies are referred to in this chapter.

7.22 **ARTICLE 2**

7.23 **FEES AND APPROPRIATIONS**

7.24 Section 1. Minnesota Statutes 2014, section 357.18, subdivision 1, is amended to read:

7.25 Subdivision 1. **County recorder fees.** (a) The fees to be charged by the county
 7.26 recorder shall be and not exceed the following:

7.27 (1) for indexing and recording any deed or other instrument a fee of \$46; \$10.50
 7.28 shall be paid to the state treasury and credited to the general fund; \$10 shall be deposited
 7.29 in the technology fund pursuant to subdivision 4; and \$25.50 shall be deposited in the
 7.30 county general fund;

7.31 (2) for documents containing multiple assignments, partial releases or satisfactions a
 7.32 fee of \$46; if the document cites more than four recorded instruments, an additional fee of
 7.33 \$10 for each additional instrument cited over the first four citations;

8.1 (3) for certified copies of any records or papers, \$10;

8.2 (4) for a noncertified copy of any instrument or writing on file or recorded in the
8.3 office of the county recorder, or any specified page or part of it, an amount as determined
8.4 by the county board for each page or fraction of a page specified. If computer or microfilm
8.5 printers are used to reproduce the instrument or writing, a like amount per image;

8.6 (5) for an abstract of title, the fees shall be determined by resolution of the county
8.7 board duly adopted upon the recommendation of the county recorder, and the fees shall
8.8 not exceed \$10 for every entry, \$100 for abstract certificate, \$1 per page for each exhibit
8.9 included within an abstract as a part of an abstract entry, and \$5 per name for each
8.10 required name search certification;

8.11 (6) for a copy of an official plat filed pursuant to section 505.08, the fee shall be \$10
8.12 and an additional \$5 shall be charged for the certification of each plat;

8.13 (7) for filing an amended floor plan in accordance with chapter 515, an amended
8.14 condominium plat in accordance with chapter 515A, or a common interest community
8.15 plat or amendment complying with section 515B.2-110, subsection (c), the fee shall be 50
8.16 cents per apartment or unit with a minimum fee of ~~\$56~~ \$.....;

8.17 (8) for a copy of a floor plan filed pursuant to chapter 515, a copy of a condominium
8.18 plat filed in accordance with chapter 515A, or a copy of a common interest community
8.19 plat complying with section 515B.2-110, subsection (c), the fee shall be \$1 for each page
8.20 of the floor plan, condominium plat or common interest community plat with a minimum
8.21 fee of ~~\$10~~ \$.....;

8.22 (9) for recording any plat, a fee of \$56, of which \$10.50 must be paid to the state
8.23 treasury and credited to the general fund, \$10 must be deposited in the technology fund
8.24 pursuant to subdivision 4, and \$35.50 must be deposited in the county general fund; and

8.25 (10) for a noncertified copy of any document submitted for recording, if the original
8.26 document is accompanied by a copy or duplicate original, \$2. Upon receipt of the copy
8.27 or duplicate original and payment of the fee, a county recorder shall return it marked
8.28 "copy" or "duplicate," showing the recording date and, if available, the document number
8.29 assigned to the original.

8.30 (b) Of the fee collected under paragraph (a), clauses (7) and (8), the county recorder
8.31 must pay \$..... to the commissioner of management and budget to be deposited in the
8.32 special revenue fund, which is appropriated to the commissioner of commerce for the
8.33 common interest community ombudsman office under section 45.0136.

8.34 Sec. 2. Minnesota Statutes 2014, section 508.82, subdivision 1, is amended to read:

9.1 Subdivision 1. **Standard documents.** The fees to be charged by the registrar of
9.2 titles shall be and not exceed the following:

9.3 (1) of the fees provided herein, \$1.50 of the fees collected under clauses (2), (3), (4),
9.4 (11), (13), (15), (17), and (18) for filing or memorializing shall be paid to the state treasury
9.5 pursuant to section 508.75 and credited to the general fund;

9.6 (2) for registering a first certificate of title, including issuing a copy of it, \$46.

9.7 Pursuant to clause (1), distribution of this fee is as follows:

9.8 (i) \$10.50 shall be paid to the state treasury and credited to the general fund;

9.9 (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18,
9.10 subdivision 4; and

9.11 (iii) \$25.50 shall be deposited in the county general fund;

9.12 (3) for registering each instrument transferring the fee simple title for which a new
9.13 certificate of title is issued and for the registration of the new certificate of title, including
9.14 a copy of it, \$46. Pursuant to clause (1), distribution of this fee is as follows:

9.15 (i) \$12 shall be paid to the state treasury and credited to the general fund;

9.16 (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18,
9.17 subdivision 4; and

9.18 (iii) \$24 shall be deposited in the county general fund;

9.19 (4) for the entry of each memorial on a certificate, \$46. For multiple certificate
9.20 entries, \$20 thereafter. Pursuant to clause (1), distribution of this fee is as follows:

9.21 (i) \$12 shall be paid to the state treasury and credited to the general fund;

9.22 (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18,
9.23 subdivision 4;

9.24 (iii) \$24 shall be deposited in the county general fund; and

9.25 (iv) \$20 shall be deposited in the county general fund for each multiple entry used;

9.26 (5) for issuing each residue certificate and each additional new certificate, \$40;

9.27 (6) for exchange certificates, \$20 for each certificate canceled and \$20 for each
9.28 new certificate issued;

9.29 (7) for each certificate showing condition of the register, \$50;

9.30 (8) for any certified copy of any instrument or writing on file or recorded in the
9.31 registrar of titles' office, \$10;

9.32 (9) for a noncertified copy of any certificate of title, other than the copies issued
9.33 under clauses (2) and (3), any instrument or writing on file or recorded in the office of
9.34 the registrar of titles, or any specified page or part of it, an amount as determined by the
9.35 county board for each page or fraction of a page specified. If computer or microfilm
9.36 printers are used to reproduce the instrument or writing, a like amount per image;

10.1 (10) for a noncertified copy of any document submitted for recording, if the original
10.2 document is accompanied by a copy or duplicate original, \$2. Upon receipt of the copy
10.3 or duplicate original and payment of the fee, a registrar of titles shall return it marked
10.4 "copy" or "duplicate," showing the recording date and, if available, the document number
10.5 assigned to the original;

10.6 (11) for filing two copies of any plat, other than a CIC plat complying with section
10.7 515B.2-110, paragraph (c), in the office of the registrar, \$56. Pursuant to clause (1),
10.8 distribution of this fee is as follows:

10.9 (i) \$12 shall be paid to the state treasury and credited to the general fund;

10.10 (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18,
10.11 subdivision 4; and

10.12 (iii) \$34 shall be deposited in the county general fund;

10.13 (12) for any other service under this chapter, such fee as the court shall determine;

10.14 (13) for filing any document affecting two or more units in a condominium governed
10.15 by chapter 515, \$46 for the first certificate upon which the document is registered, and for
10.16 multiple certificate entries, \$20 for each additional certificate upon which the document
10.17 is registered. For purposes of this paragraph, an amendment to the declaration of a
10.18 condominium governed by chapter 515 and a related amendment to the condominium
10.19 floor plans shall be considered a single document, and the filing fee shall be \$56 for the
10.20 first certificate upon which the document is registered, and for multiple certificate entries,
10.21 \$20 for each additional certificate upon which the document is registered. Pursuant to
10.22 clause (1), distribution of this fee is as follows:

10.23 (i) \$12 shall be paid to the state treasury and credited to the general fund;

10.24 (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18,
10.25 subdivision 4;

10.26 (iii) \$24 shall be deposited in the county general fund for amendment to a declaration;

10.27 (iv) \$20 shall be deposited in the county general fund for each multiple entry used; and

10.28 (v) \$34 shall be deposited in the county general fund for an amended floor plan;

10.29 (14) for issuance of a CICCT pursuant to section 508.351, \$40;

10.30 (15) for filing a common interest community declaration and a CIC plat complying
10.31 with section 515B.2-110, paragraph (c); an amendment to a common interest community
10.32 declaration and a related amendment to a CIC plat complying with section 515B.2-110,
10.33 paragraph (c); or a supplemental declaration and a related supplemental CIC plat
10.34 complying with section 515B.2-110, paragraph (c), each of which related documents shall
10.35 be considered a single document, the filing fee shall be ~~\$56~~ \$..... for the first certificate
10.36 upon which the document is registered, and for multiple certificate entries, \$20 for each

11.1 additional certificate upon which the document is registered. For filing any other document
 11.2 affecting two or more units in a common interest community, the filing fee shall be \$46
 11.3 for the first certificate upon which the document is registered, and for multiple certificate
 11.4 entries, \$20 for each additional certificate upon which the document is registered. The
 11.5 same fees shall apply to filing any document affecting two or more units or other parcels
 11.6 subject to a master declaration. Pursuant to clause (1), distribution of this fee is as follows:

11.7 (i) \$12 shall be paid to the state treasury and credited to the general fund, and
 11.8 \$..... shall be paid to the state treasury and deposited in the special revenue fund, which
 11.9 is appropriated to the commissioner of commerce for the common interest community
 11.10 ombudsman office under section 45.0136;

11.11 (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18,
 11.12 subdivision 4;

11.13 (iii) \$24 shall be deposited in the county general fund for the filing of an amendment
 11.14 complying with section 515B.2-110, subsection (c);

11.15 (iv) \$20 shall be deposited in the county general fund for each multiple entry used; and

11.16 (v) \$34 shall be deposited in the county general fund for the filing of a condominium
 11.17 or CIC plat or amendment;

11.18 (16) for a copy of a condominium floor plan filed in accordance with chapter 515,
 11.19 or a copy of a common interest community plat complying with section 515B.2-110,
 11.20 subsection (c), the fee shall be \$1 for each page of the floor plan or common interest
 11.21 community plat with a minimum fee of ~~\$10~~ \$.....;

11.22 (17) for the filing of a certified copy of a plat of the survey pursuant to section
 11.23 508.23 or 508.671, \$46. Pursuant to clause (1), distribution of this fee is as follows:

11.24 (i) \$12 shall be paid to the state treasury and credited to the general fund;

11.25 (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18,
 11.26 subdivision 4; and

11.27 (iii) \$24 shall be deposited in the county general fund;

11.28 (18) for filing a registered land survey in triplicate in accordance with section
 11.29 508.47, subdivision 4, \$56. Pursuant to clause (1), distribution of this fee is as follows:

11.30 (i) \$12 shall be paid to the state treasury and credited to the general fund;

11.31 (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18,
 11.32 subdivision 4; and

11.33 (iii) \$34 shall be deposited in the county general fund; and

11.34 (19) for furnishing a certified copy of a registered land survey in accordance with
 11.35 section 508.47, subdivision 4, \$15.

12.1 Sec. 3. Minnesota Statutes 2014, section 508A.82, subdivision 1, is amended to read:

12.2 Subdivision 1. **Standard documents.** The fees to be charged by the registrar of
12.3 titles shall be and not exceed the following:

12.4 (1) of the fees provided herein, \$1.50 of the fees collected under clauses (2), (3),
12.5 (5), (12), (14), (16), and (19) for filing or memorializing shall be paid to the state treasury
12.6 pursuant to section 508.75 and credited to the general fund;

12.7 (2) for registering a first CPT, including issuing a copy of it, \$46. Pursuant to clause
12.8 (1), distribution of the fee is as follows:

12.9 (i) \$10.50 shall be paid to the state treasury and credited to the general fund;

12.10 (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18,
12.11 subdivision 4; and

12.12 (iii) \$25.50 shall be deposited in the county general fund;

12.13 (3) for registering each instrument transferring the fee simple title for which a
12.14 new CPT is issued and for the registration of the new CPT, including a copy of it, \$46.

12.15 Pursuant to clause (1), distribution of the fee is as follows:

12.16 (i) \$12 shall be paid to the state treasury and credited to the general fund;

12.17 (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18,
12.18 subdivision 4; and

12.19 (iii) \$24 shall be deposited in the county general fund;

12.20 (4) for issuance of a CICCT pursuant to section 508A.351, \$40;

12.21 (5) for the entry of each memorial on a CPT, \$46; for multiple certificate entries, \$20
12.22 thereafter. Pursuant to clause (1), distribution of the fee is as follows:

12.23 (i) \$12 shall be paid to the state treasury and credited to the general fund;

12.24 (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18,
12.25 subdivision 4;

12.26 (iii) \$24 shall be deposited in the county general fund; and

12.27 (iv) \$20 shall be deposited in the county general fund for each multiple entry used;

12.28 (6) for issuing each residue CPT, \$40;

12.29 (7) for exchange CPTs or combined certificates of title, \$20 for each CPT and
12.30 certificate of title canceled and \$20 for each new CPT or combined certificate of title issued;

12.31 (8) for each CPT showing condition of the register, \$50;

12.32 (9) for any certified copy of any instrument or writing on file or recorded in the
12.33 registrar of titles' office, \$10;

12.34 (10) for a noncertified copy of any CPT, other than the copies issued under clauses
12.35 (2) and (3), any instrument or writing on file or recorded in the office of the registrar of
12.36 titles, or any specified page or part of it, an amount as determined by the county board for

13.1 each page or fraction of a page specified. If computer or microfilm printers are used to
 13.2 reproduce the instrument or writing, a like amount per image;

13.3 (11) for a noncertified copy of any document submitted for recording, if the original
 13.4 document is accompanied by a copy or duplicate original, \$2. Upon receipt of the copy
 13.5 or duplicate original and payment of the fee, a registrar of titles shall return it marked
 13.6 "copy" or "duplicate," showing the recording date and, if available, the document number
 13.7 assigned to the original;

13.8 (12) for filing two copies of any plat in the office of the registrar, \$56. Pursuant to
 13.9 clause (1), distribution of the fee is as follows:

13.10 (i) \$12 shall be paid to the state treasury and credited to the general fund;

13.11 (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18,
 13.12 subdivision 4; and

13.13 (iii) \$34 shall be deposited in the county general fund;

13.14 (13) for any other service under sections 508A.01 to 508A.85, the fee the court
 13.15 shall determine;

13.16 (14) for filing an amendment to a declaration in accordance with chapter 515, \$46
 13.17 for each certificate upon which the document is registered and for multiple certificate
 13.18 entries, \$20 thereafter; \$56 for an amended floor plan filed in accordance with chapter
 13.19 515. Pursuant to clause (1), distribution of the fee is as follows:

13.20 (i) \$12 shall be paid to the state treasury and credited to the general fund;

13.21 (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18,
 13.22 subdivision 4;

13.23 (iii) \$24 shall be deposited in the county general fund for amendment to a declaration;

13.24 (iv) \$20 shall be deposited in the county general fund for each multiple entry used; and

13.25 (v) \$34 shall be deposited in the county general fund for an amended floor plan;

13.26 (15) for issuance of a CICCT pursuant to section 508.351, \$40;

13.27 (16) for filing an amendment to a common interest community declaration, including
 13.28 a supplemental declaration, and plat or amendment complying with section 515B.2-110,
 13.29 subsection (c), and issuing a CICCT if required, ~~\$46~~ \$..... for each certificate upon which
 13.30 the document is registered and for multiple certificate entries, \$20 thereafter; ~~\$56~~ \$.....
 13.31 for the filing of the condominium or common interest community plat or amendment. See
 13.32 section 515B.1-116 for special requirement relating to a common interest community.

13.33 Pursuant to clause (1), distribution of the fee is as follows:

13.34 (i) \$12 shall be paid to the state treasury and credited to the general fund, and

13.35 \$..... shall be paid to the state treasury and deposited in the special revenue fund, which

14.1 is appropriated to the commissioner of commerce for the common interest community
14.2 ombudsman office under section 45.0136;

14.3 (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18,
14.4 subdivision 4;

14.5 (iii) \$24 shall be deposited in the county general fund for the filing of an amendment
14.6 complying with section 515B.2-110, subsection (c);

14.7 (iv) \$20 shall be deposited in the county general fund for each multiple entry used; and

14.8 (v) \$34 shall be deposited in the county general fund for the filing of a condominium
14.9 or CIC plat or amendment;

14.10 (17) for a copy of a condominium floor plan filed in accordance with chapter 515,
14.11 or a copy of a common interest community plat complying with section 515B.2-110,
14.12 subsection (c), the fee shall be \$1 for each page of the floor plan, or common interest
14.13 community plat with a minimum fee of ~~\$10~~ \$.....;

14.14 (18) in counties in which the compensation of the examiner of titles is paid in the same
14.15 manner as the compensation of other county employees, for each parcel of land contained
14.16 in the application for a CPT, as the number of parcels is determined by the examiner, a fee
14.17 which is reasonable and which reflects the actual cost to the county, established by the
14.18 board of county commissioners of the county in which the land is located;

14.19 (19) for filing a registered land survey in triplicate in accordance with section
14.20 508A.47, subdivision 4, \$56. Pursuant to clause (1), distribution of the fee is as follows:

14.21 (i) \$12 shall be paid to the state treasury and credited to the general fund;

14.22 (ii) \$10 shall be deposited in the technology fund pursuant to section 357.18,
14.23 subdivision 4; and

14.24 (iii) \$34 shall be deposited in the county general fund; and

14.25 (20) for furnishing a certified copy of a registered land survey in accordance with
14.26 section 508A.47, subdivision 4, \$15.

APPENDIX
Article locations in 15-1313

ARTICLE 1	GENERAL	Page.Ln 1.11
ARTICLE 2	FEES AND APPROPRIATIONS	Page.Ln 7.22