

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 773

(SENATE AUTHORS: DZIEDZIC, Bigham and Hawj)

DATE	D-PG	OFFICIAL STATUS
02/08/2021	287	Introduction and first reading
		Referred to Civil Law and Data Practices Policy
02/22/2021	498	Authors added Bigham; Hawj

1.1 A bill for an act

1.2 relating to housing; prohibiting landlords from imposing certain fees; restricting

1.3 entry by a landlord and amending fees for improper entry; amending Minnesota

1.4 Statutes 2020, section 504B.211, subdivisions 2, 6; proposing coding for new law

1.5 in Minnesota Statutes, chapter 504B.

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

1.7 Section 1. **[504B.120] PROHIBITED FEES.**

1.8 Subdivision 1. **Prohibited fees.** Except for actual services rendered for an optional

1.9 service offered by the landlord, a landlord shall not charge a tenant any nonrefundable fee

1.10 in relation to a residential tenancy.

1.11 Subd. 2. **Penalties.** A landlord who violates this section is liable to the residential tenant

1.12 for each unenforceable fee for three times the amount of each fee imposed that was not for

1.13 an actual optional service or \$500, whichever is greater, and the court may award the tenant

1.14 reasonable attorney's fees.

1.15 **EFFECTIVE DATE.** This section applies to leases signed before, on, or after August

1.16 1, 2021.

1.17 Sec. 2. Minnesota Statutes 2020, section 504B.211, subdivision 2, is amended to read:

1.18 Subd. 2. **Entry by landlord.** Except as provided in subdivision 4, a landlord may enter

1.19 the premises rented by a residential tenant only for a reasonable business purpose and after

1.20 making a good faith effort to give the residential tenant reasonable notice under the

1.21 circumstances of not less than 24 hours in advance of the intent to enter. The notice must

1.22 specify a time of entry that does not exceed four hours and the landlord may only enter

2.1 between the hours of 8:00 a.m. and 8:00 p.m. A residential tenant may not waive and the
2.2 landlord may not require the residential tenant to waive the residential tenant's right to prior
2.3 notice of entry under this section as a condition of entering into or maintaining the lease.

2.4 Sec. 3. Minnesota Statutes 2020, section 504B.211, subdivision 6, is amended to read:

2.5 Subd. 6. **Penalty.** If a landlord ~~substantially~~ violates ~~subdivision 2~~ this section, the
2.6 residential tenant is entitled to a penalty which may include a rent reduction up to full
2.7 rescission of the lease, recovery of any damage deposit less any amount retained under
2.8 section 504B.178, and ~~up to a \$100 civil penalty for each violation. If a landlord violates~~
2.9 ~~subdivision 5, the residential tenant is entitled to up to a \$100 civil penalty for each violation~~
2.10 damages not less than an amount equal to one month's rent and reasonable attorney fees. A
2.11 residential tenant ~~shall~~ may follow the procedures in sections 504B.381, 504B.385, and
2.12 504B.395 to 504B.471 to enforce the provisions of this section. A violation of this section
2.13 by the landlord is a violation of section 504B.161.

2.14 **EFFECTIVE DATE.** This section applies to matters commenced on or after August
2.15 1, 2021.