

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **166**

January 16, 2007

Authored by Lesch

The bill was read for the first time and referred to the Housing Policy and Finance and Public Health Finance Division

March 7, 2007

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Public Safety and Civil Justice

1.1 A bill for an act
1.2 relating to landlord and tenant; providing for uniform residential tenant reports;
1.3 amending Minnesota Statutes 2006, section 504B.173, subdivision 1; proposing
1.4 coding for new law in Minnesota Statutes, chapter 504B.

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

1.6 Section 1. Minnesota Statutes 2006, section 504B.173, subdivision 1, is amended to
1.7 read:

1.8 Subdivision 1. **Limit on number of applicant screening fees.** A landlord or the
1.9 landlord's agent may not charge an applicant a screening fee when the landlord knows or
1.10 should have known that no rental unit is available at that time or will be available within a
1.11 reasonable future time. A landlord may not charge an applicant a screening fee unless the
1.12 landlord uses a uniform residential tenant report under section 504B.243.

1.13 Sec. 2. **[504B.243] UNIFORM RESIDENTIAL TENANT REPORTS.**

1.14 Subdivision 1. **Application.** If a landlord requires, as a condition of tenancy, that a
1.15 residential tenant report be completed and charges an applicant a screening fee in order
1.16 to complete the report, the landlord is required to use a uniform residential tenant report
1.17 under this section. Upon completion of the uniform residential tenant report, the landlord
1.18 must furnish a certified copy of the report to the applicant, regardless of whether the
1.19 applicant is accepted as a tenant by the landlord or not.

1.20 Subd. 2. **Form; cost.** The attorney general shall develop a uniform residential tenant
1.21 report for use by residential tenant screening services and landlords. In adopting the form
1.22 under this subdivision, the attorney general is exempt from the requirements of chapter 14.
1.23 The applicant screening fee for a uniform residential tenant report may not exceed \$50.

2.1 Subd. 3. **Duration.** A uniform residential tenant report is valid for a period of 60
2.2 days from the date of application and must be accepted by any landlord that requires an
2.3 applicant screening fee in order to conduct a residential tenant report. A prospective
2.4 residential tenant who has provided a certified copy of a valid uniform residential tenant
2.5 report to a landlord may not be charged a fee, other than the refundable update fee
2.6 provided in subdivision 4, by the landlord in order to apply for tenancy.

2.7 Subd. 4. **Refundable update fee.** A landlord may charge a fee, not to exceed \$30,
2.8 to cover the actual cost of obtaining an update of a uniform residential tenant report. If
2.9 the updated information does not include any material negative changes with respect to
2.10 criteria used by the landlord for screening purposes, the update fee must be refunded to
2.11 the applicant.