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State of Minnesota

HOUSE OF REPRESENTATIVES

SPECIAL SESSION

H. F. No. 82

06/15/2020 Authored by Hassan; Gomez; Winkler; Xiong, J.; Davnie and others
The bill was read for the first time and referred to the Housing Finance and Policy Division
06/18/2020 Adoption of Report: Re-referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to housing; providing assistance to residential and commercial tenants in
1.3 areas of civil unrest.

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

1.5 Section 1. COMMERCIAL AND RESIDENTIAL LEASE ASSISTANCE;
1.6 PEACETIME EMERGENCY.

1.7 (a) A renewed or new commercial or residential lease must not require a rental amount
1.8 that is more than the amount of rent charged for the residential or commercial property on
1.9 or immediately before March 1, 2020, for entities that receive or are eligible to receive state
1.10 funding related to the civil unrest, including incumbent entities that are recipients of entity
1.11 grants or loans through the civil unrest immediate relief program or a person eligible for an
1.12 award determined by the emergency assistance special master panel in areas affected by
1.13 civil unrest during the peacetime emergency declared in Executive Order 20-64. To calculate
1.14 the amount of rent charged prior to March 1, 2020, the landlord may use either an average
1.15 of monthly rent charged for January, February, and March 2020, or, if rent was charged on
1.16 an annual basis, the last annual rent paid by the residential or commercial tenant prior to
1.17 March 1, 2020. A lessor of a commercial or residential property affected by this section
1.18 may increase rent on April 1 of each year in an amount equal to the percentage provided
1.19 by the commissioner of the Housing Finance Agency consistent with paragraph (b).

1.20 (b) By February 1 of each year, the commissioner of the Housing Finance Agency must
1.21 determine the percentage change in the Consumer Price Index for all urban consumers
1.22 (CPI-U) during the 12-month period ending in November of the previous year and publish

2.1 that percentage on the Housing Finance Agency website and make that information available  
2.2 upon request.

2.3 (c) A residential tenant may file an action against a landlord under Minnesota Statutes,  
2.4 section 504B.381, and if the court finds a violation of this section has occurred, the court  
2.5 must order equitable and monetary damages, if any, to the tenant. A residential tenant has  
2.6 an affirmative defense to an action brought under Minnesota Statutes, section 504B.285 or  
2.7 504B.291, if the landlord for the residential property has violated this section. In a tenant  
2.8 action to enforce this section under Minnesota Statutes, section 504B.381, or in an action  
2.9 brought by a commercial lessee to enforce this section, the court shall award a prevailing  
2.10 commercial or residential tenant reasonable attorney fees and costs.

2.11 **EFFECTIVE DATE.** This section is effective July 1, 2020, and applies to leases signed  
2.12 or renewed on or after that date, and expires April 1, 2024.