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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **2542**

03/14/2019 Authored by Hausman  
The bill was read for the first time and referred to the Committee on Ways and Means  
05/02/2019 Adoption of Report: Placed on the General Register as Amended  
Read for the Second Time

1.1 A bill for an act

1.2 relating to housing; modifying the Minnesota Bond Allocation Act relating to

1.3 housing bonds; modifying manufactured home park lot rentals and sales; modifying

1.4 Housing Finance Agency tax credit allocations; allowing for expungement of

1.5 certain eviction cases; mandating certain terms in residential lease agreements;

1.6 classifying certain eviction data; expanding housing improvement areas; amending

1.7 Minnesota Statutes 2018, sections 326B.815, subdivision 1; 327.31, by adding a

1.8 subdivision; 327B.041; 327C.01, by adding a subdivision; 327C.095, subdivisions

1.9 1, 2, 3, 4, 6, 7, 9, 11, 12, 13, by adding a subdivision; 428A.11, subdivisions 4, 6;

1.10 462A.05, by adding a subdivision; 462A.2035, subdivisions 1a, 1b; 462A.222,

1.11 subdivision 3; 474A.02, by adding subdivisions; 474A.03, subdivision 1; 474A.04,

1.12 subdivision 1a; 474A.061, subdivisions 1, 2a, 2b, 2c, 4, by adding subdivisions;

1.13 474A.062; 474A.091, subdivisions 1, 2, 3, 5, by adding a subdivision; 474A.131,

1.14 subdivisions 1, 1b; 474A.14; 474A.21; 484.014, subdivisions 2, 3; 504B.111;

1.15 504B.206, subdivision 3; 504B.321, by adding a subdivision; proposing coding

1.16 for new law in Minnesota Statutes, chapters 327; 504B; repealing Minnesota

1.17 Statutes 2018, section 327C.095, subdivision 8.

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

1.19 Section 1. Minnesota Statutes 2018, section 326B.815, subdivision 1, is amended to read:

1.20 Subdivision 1. **Fees.** (a) For the purposes of calculating fees under section 326B.092,

1.21 an initial or renewed residential contractor, residential remodeler, or residential roofer license

1.22 is a business license. Notwithstanding section 326B.092, the licensing fee for manufactured

1.23 home installers under section 327B.041 is ~~\$300~~ \$180 for a three-year period.

1.24 (b) All initial and renewal licenses, except for manufactured home installer licenses,

1.25 shall be effective for two years and shall expire on March 31 of the year after the year in

1.26 which the application is made.

1.27 (c) The commissioner shall in a manner determined by the commissioner, without the

1.28 need for any rulemaking under chapter 14, phase in the renewal of residential contractor,

2.1 residential remodeler, and residential roofer licenses from one year to two years. By June  
2.2 30, 2011, all renewed residential contractor, residential remodeler, and residential roofer  
2.3 licenses shall be two-year licenses.

2.4 Sec. 2. Minnesota Statutes 2018, section 327.31, is amended by adding a subdivision to  
2.5 read:

2.6 Subd. 23. **Modular home.** For the purposes of this section, "modular home" means a  
2.7 single-family dwelling constructed in accordance with applicable standards adopted in  
2.8 Minnesota Rules, chapter 1360 or 1361, and attached to a foundation designed to the State  
2.9 Building Code.

2.10 Sec. 3. **[327.335] PLACEMENT OF MODULAR HOMES.**

2.11 A modular home may be placed in a manufactured home park as defined in section  
2.12 327.14, subdivision 3. A modular home placed in a manufactured home park is a  
2.13 manufactured home for purposes of chapters 327C and 504B and all rights, obligations, and  
2.14 duties under those chapters apply. A modular home may not be placed in a manufactured  
2.15 home park without prior written approval of the park owner. Nothing in this section shall  
2.16 be construed to inhibit the application of zoning, subdivision, architectural, or esthetic  
2.17 requirements pursuant to chapters 394 and 462 that otherwise apply to manufactured homes  
2.18 and manufactured home parks. A modular home placed in a manufactured home park under  
2.19 this section shall be assessed and taxed as a manufactured home.

2.20 Sec. 4. Minnesota Statutes 2018, section 327B.041, is amended to read:

2.21 **327B.041 MANUFACTURED HOME INSTALLERS.**

2.22 (a) Manufactured home installers are subject to all of the fees in section 326B.092 and  
2.23 the requirements of sections 326B.802 to 326B.885, except for the following:

2.24 (1) manufactured home installers are not subject to the continuing education requirements  
2.25 of sections 326B.0981, 326B.099, and 326B.821, but are subject to the continuing education  
2.26 requirements established in rules adopted under section 327B.10;

2.27 (2) the examination requirement of section 326B.83, subdivision 3, for manufactured  
2.28 home installers shall be satisfied by successful completion of a written examination  
2.29 administered and developed specifically for the examination of manufactured home installers.  
2.30 The examination must be administered and developed by the commissioner. The  
2.31 commissioner and the state building official shall seek advice on the grading, monitoring,  
2.32 and updating of examinations from the Minnesota Manufactured Housing Association;

3.1 (3) a local government unit may not place a surcharge on a license fee, and may not  
3.2 charge a separate fee to installers;

3.3 (4) a dealer or distributor who does not install or repair manufactured homes is exempt  
3.4 from licensure under sections 326B.802 to 326B.885;

3.5 (5) the exemption under section 326B.805, subdivision 6, clause (5), does not apply;  
3.6 and

3.7 (6) manufactured home installers are not subject to the contractor recovery fund in  
3.8 section 326B.89.

3.9 (b) The commissioner may waive all or part of the requirements for licensure as a  
3.10 manufactured home installer for any individual who holds an unexpired license or certificate  
3.11 issued by any other state or other United States jurisdiction if the licensing requirements of  
3.12 that jurisdiction meet or exceed the corresponding licensing requirements of the department  
3.13 and the individual complies with section 326B.092, subdivisions 1 and 3 to 7. ~~For the~~  
3.14 ~~purposes of calculating fees under section 326B.092, licensure as a manufactured home~~  
3.15 ~~installer is a business license.~~

3.16 Sec. 5. Minnesota Statutes 2018, section 327C.01, is amended by adding a subdivision to  
3.17 read:

3.18 Subd. 8a. **Representative acting on behalf of residents.** "Representative acting on  
3.19 behalf of residents" means a representative who is authorized to represent residents in the  
3.20 purchase of property for the purposes of this chapter, and has gained that authorization by  
3.21 obtaining the signature of support from at least one resident who is a signatory to the home's  
3.22 lot lease agreement as defined by section 327C.01, subdivision 9, from at least 51 percent  
3.23 of the occupied homes in a manufactured home park. The signature of a resident who is a  
3.24 signatory to the home's lot lease agreement asserting that they are a resident of that  
3.25 manufactured home park shall be presumptive evidence of the claim and shall be exclusive  
3.26 to only one representative acting on behalf of residents.

3.27 Sec. 6. Minnesota Statutes 2018, section 327C.095, subdivision 1, is amended to read:

3.28 Subdivision 1. **Conversion of use; minimum notice.** (a) At least ~~nine~~ 12 months before  
3.29 the conversion of all or a portion of a manufactured home park to another use, or before  
3.30 closure of a manufactured home park or cessation of use of the land as a manufactured home  
3.31 park, the park owner must prepare a closure statement and provide a copy to the  
3.32 commissioners of health and the housing finance agency, the local planning agency, and a

4.1 resident of each manufactured home where the residential use is being converted. The  
4.2 closure statement must include the following language in a font no smaller than 14 point:  
4.3 "YOU MAY BE ENTITLED TO COMPENSATION FROM THE MINNESOTA  
4.4 MANUFACTURED HOME RELOCATION TRUST FUND ADMINISTERED BY THE  
4.5 MINNESOTA HOUSING FINANCE AGENCY." A resident may not be required to vacate  
4.6 until ~~60~~ 90 days after the conclusion of the public hearing required under subdivision 4. If  
4.7 a lot is available in another section of the park that will continue to be operated as a park,  
4.8 the park owner must allow the resident to relocate the home to that lot unless the home,  
4.9 because of its size or local ordinance, is not compatible with that lot.

4.10 (b) Closure statements issued more than 24 months prior to the park closure must contain  
4.11 a closure date. If the closure does not take place within 24 months and the original statement  
4.12 does not contain a closure date, the statement must be reissued to the commissioners of  
4.13 health and the Housing Finance Agency, the local planning agency, and a resident of each  
4.14 manufactured home where the residential use is being converted.

4.15 Sec. 7. Minnesota Statutes 2018, section 327C.095, subdivision 2, is amended to read:

4.16 Subd. 2. **Notice of hearing; proposed change in land use.** If the planned conversion  
4.17 or cessation of operation requires a variance or zoning change, the ~~municipality~~ local  
4.18 government authority must mail a notice at least ten days before the hearing to a resident  
4.19 of each manufactured home in the park stating the time, place, and purpose of the public  
4.20 hearing. The park owner shall provide the ~~municipality~~ local government authority with a  
4.21 list of the names and addresses of at least one resident of each manufactured home in the  
4.22 park at the time application is made for a variance or zoning change.

4.23 Sec. 8. Minnesota Statutes 2018, section 327C.095, subdivision 3, is amended to read:

4.24 Subd. 3. **Closure statement.** Upon receipt of the closure statement from the park owner,  
4.25 the local planning agency shall submit the closure statement to the governing body of the  
4.26 ~~municipality~~ local government authority and request the governing body to schedule a public  
4.27 hearing. The ~~municipality~~ local government authority must mail a notice at least ten days  
4.28 before the hearing to a resident of each manufactured home in the park stating the time,  
4.29 place, and purpose of the public hearing. The park owner shall provide the ~~municipality~~  
4.30 local government authority with a list of the names and addresses of at least one resident  
4.31 of each manufactured home in the park at the time the closure statement is submitted to the  
4.32 local planning agency.

5.1 Sec. 9. Minnesota Statutes 2018, section 327C.095, subdivision 4, is amended to read:

5.2 Subd. 4. **Public hearing; relocation compensation; neutral third party.** (a) The  
5.3 governing body of the affected ~~municipality~~ local government authority shall hold a public  
5.4 hearing to review the closure statement and any impact that the park closing may have on  
5.5 the displaced residents and the park owner. At the time of, and in the notice for, the public  
5.6 hearing, displaced residents must be informed that they may be eligible for payments from  
5.7 the Minnesota manufactured home relocation trust fund under section 462A.35 as  
5.8 compensation for reasonable relocation costs under subdivision 13, paragraphs (a) and (e).

5.9 (b) The governing body of the ~~municipality~~ local government authority may also require  
5.10 that other parties, including the ~~municipality~~ local government authority, but excluding the  
5.11 park owner or its purchaser, involved in the park closing provide additional compensation  
5.12 to residents to mitigate the adverse financial impact of the park closing upon the residents.

5.13 (c) At the public hearing, the ~~municipality~~ local government authority shall appoint a  
5.14 neutral third party, to be agreed upon by both the manufactured home park owner and  
5.15 manufactured home owners, whose hourly cost must be reasonable and paid from the  
5.16 Minnesota manufactured home relocation trust fund. The neutral third party shall act as a  
5.17 paymaster and arbitrator, with decision-making authority to resolve any questions or disputes  
5.18 regarding any contributions or disbursements to and from the Minnesota manufactured  
5.19 home relocation trust fund by either the manufactured home park owner or the manufactured  
5.20 home owners. If the parties cannot agree on a neutral third party, the ~~municipality will~~ local  
5.21 government authority shall make a determination.

5.22 (d) At the public hearing, the governing body of the local government authority shall  
5.23 determine if any ordinance was in effect on May 26, 2007, that would provide compensation  
5.24 to displaced residents and provide this information to the third party neutral to determine  
5.25 the applicable amount of compensation under subdivision 13, paragraph (f).

5.26 Sec. 10. Minnesota Statutes 2018, section 327C.095, subdivision 6, is amended to read:

5.27 Subd. 6. **Intent to convert use of park at time of purchase.** (a) Before the execution  
5.28 of an agreement to purchase a manufactured home park, the purchaser must notify the park  
5.29 owner, in writing, if the purchaser intends to close the manufactured home park or convert  
5.30 it to another use within one year of the execution of the agreement. If so, the park owner  
5.31 shall provide a resident of each manufactured home with a 45-day written notice of the  
5.32 purchaser's intent to close the park or convert it to another use and may not enter into a  
5.33 purchase agreement for the sale of the park other than with a representative acting on behalf  
5.34 of residents, until the 45 days have expired. The notice must state that the park owner will

6.1 promptly provide information on the cash price and the terms and conditions of the  
6.2 purchaser's offer to residents requesting the information. The notice must be sent by first  
6.3 class mail to a resident of each manufactured home in the park and made available in  
6.4 alternative formats or translations if requested by a resident and the request is a reasonable  
6.5 accommodation due to a disability of an adult resident or because there is not an adult  
6.6 resident who is able to speak the language the notice is provided in. The notice period begins  
6.7 on the postmark date affixed to the notice and ends 45 days after it begins. During the notice  
6.8 period required in this subdivision, the owners of at least 51 percent of the manufactured  
6.9 homes in the park or a nonprofit organization which has the written permission of the owners  
6.10 of at least 51 percent of the manufactured homes in the park to represent them in the  
6.11 acquisition of the park a representative acting on behalf of residents shall have the right to  
6.12 make an offer to meet the cash price and execute an agreement to purchase the park for the  
6.13 purposes of keeping the park as a manufactured housing community to agree to material  
6.14 terms and conditions set forth in the purchaser's offer and to execute an agreement to purchase  
6.15 the park for the purposes of keeping the park as a manufactured housing community. The  
6.16 park owner must accept the offer if it meets in good faith negotiate a purchase agreement  
6.17 meeting the cash price and the same terms and conditions set forth in the purchaser's offer  
6.18 except that the seller is not obligated to provide owner financing. For purposes of this  
6.19 section, cash price means the cash price offer or equivalent cash offer as defined in section  
6.20 500.245, subdivision 1, paragraph (d). The purchase agreement must permit the representative  
6.21 a commercially reasonable due diligence period with access by the representative to all  
6.22 information reasonably necessary to make an informed decision regarding the purchase.  
6.23 The representative may be required to enter into a confidentiality agreement regarding the  
6.24 information.

6.25 (b) A representative acting on behalf of residents must provide ten percent of the offer  
6.26 price as earnest money upon gaining the required number of signatures to represent the  
6.27 residents in the purchase of a manufactured home park. The earnest money is refundable  
6.28 after six months; however, the earnest money may become nonrefundable if the representative  
6.29 acting on behalf of residents is unable to complete the purchase, and the original purchaser  
6.30 withdraws the offer during the 45-day period in paragraph (a), and the manufactured home  
6.31 park is sold to another purchaser for a lower price within six months of the notice to residents  
6.32 in paragraph (a), then the park owner will be compensated from the earnest money for the  
6.33 difference between the offer made by the original purchaser and the actual lower purchase  
6.34 price.

7.1 (c) In the event of a sale to a representative acting on behalf of residents, the  
7.2 representative must certify to the commissioner of commerce that the property will be  
7.3 preserved as a manufactured home park for ten years from the date of the sale.

7.4 Sec. 11. Minnesota Statutes 2018, section 327C.095, subdivision 7, is amended to read:

7.5 Subd. 7. ~~Intent to convert~~ **Conversion of use of park after purchase.** If the purchaser  
7.6 ~~residents~~ of a manufactured home park ~~decides to convert the park to another use within~~  
7.7 ~~one year after the purchase of the park, the purchaser must offer the park for purchase by~~  
7.8 ~~the residents of the park~~ have not been provided the written notice of intent to close the park  
7.9 required by subdivision 6, the purchaser may not provide residents with the notice required  
7.10 by subdivision 1 until 12 months after the date of purchase. For purposes of this subdivision,  
7.11 the date of purchase is the date of the transfer of the title to the purchaser. ~~The purchaser~~  
7.12 ~~must provide a resident of each manufactured home with a written notice of the intent to~~  
7.13 ~~close the park and all of the owners of at least 51 percent of the manufactured homes in the~~  
7.14 ~~park or a nonprofit organization which has the written permission of the owners of at least~~  
7.15 ~~51 percent of the manufactured homes in the park to represent them in the acquisition of~~  
7.16 ~~the park shall have 45 days to execute an agreement for the purchase of the park at a cash~~  
7.17 ~~price equal to the original purchase price paid by the purchaser plus any documented expenses~~  
7.18 ~~relating to the acquisition and improvement of the park property, together with any increase~~  
7.19 ~~in value due to appreciation of the park. The purchaser must execute the purchase agreement~~  
7.20 ~~at the price specified in this subdivision and pay the cash price within 90 days of the date~~  
7.21 ~~of the purchase agreement. The notice must be sent by first class mail to a resident of each~~  
7.22 ~~manufactured home in the park. The notice period begins on the postmark date affixed to~~  
7.23 ~~the notice and ends 45 days after it begins.~~

7.24 Sec. 12. Minnesota Statutes 2018, section 327C.095, subdivision 9, is amended to read:

7.25 Subd. 9. **Effect of noncompliance.** If a manufactured home park is finally sold or  
7.26 converted to another use in violation of subdivision 6 or 7, the residents ~~do not have any~~  
7.27 ~~continuing right to purchase the park as a result of that sale or conversion. A violation of~~  
7.28 ~~subdivision 6 or 7 is subject to~~ have a right to any remedy provided in section 8.31, except  
7.29 ~~that relief shall be limited so that questions of marketability of title shall not be affected.~~

7.30 Sec. 13. Minnesota Statutes 2018, section 327C.095, subdivision 11, is amended to read:

7.31 Subd. 11. **Affidavit of compliance.** After a park is sold, a ~~park owner or other person~~  
7.32 ~~with personal knowledge~~ bona fide purchaser acting in good faith may record an affidavit  
7.33 with the county recorder or registrar of titles in the county in which the park is located

8.1 certifying compliance with subdivision 6 ~~or 7~~ or that ~~subdivisions~~ subdivision 6 and 7 are  
8.2 is not applicable. The affidavit may be used as ~~proof of the facts stated in the affidavit~~. A  
8.3 ~~person acquiring an interest in a park or a title insurer or attorney who prepares, furnishes,~~  
8.4 ~~or examines evidence of title may rely on the truth and accuracy of statements made in the~~  
8.5 ~~affidavit and is not required to inquire further as to the park owner's compliance with~~  
8.6 ~~subdivisions 6 and 7~~. When an affidavit is recorded, the right to purchase provided under  
8.7 ~~subdivisions 6 and 7 terminate, and if registered property, the registrar of titles shall delete~~  
8.8 ~~the memorials of the notice and affidavit from future certificates of title~~ presumptive evidence  
8.9 of compliance.

8.10 Sec. 14. Minnesota Statutes 2018, section 327C.095, subdivision 12, is amended to read:

8.11 Subd. 12. **Payment to the Minnesota manufactured home relocation trust fund.** (a)  
8.12 If a manufactured home owner is required to move due to the conversion of all or a portion  
8.13 of a manufactured home park to another use, the closure of a park, or cessation of use of  
8.14 the land as a manufactured home park, the manufactured park owner shall, upon the change  
8.15 in use, pay to the commissioner of management and budget for deposit in the Minnesota  
8.16 manufactured home relocation trust fund under section 462A.35, the lesser amount of the  
8.17 actual costs of moving or purchasing the manufactured home approved by the neutral third  
8.18 party and paid by the ~~Minnesota~~ Housing Finance Agency under subdivision 13, paragraph  
8.19 (a) or (e), or \$3,250 for each single section manufactured home, and \$6,000 for each  
8.20 multisection manufactured home, for which a manufactured home owner has made  
8.21 application for payment of relocation costs under subdivision 13, paragraph (c). The  
8.22 manufactured home park owner shall make payments required under this section to the  
8.23 Minnesota manufactured home relocation trust fund within 60 days of receipt of invoice  
8.24 from the neutral third party.

8.25 (b) A manufactured home park owner is not required to make the payment prescribed  
8.26 under paragraph (a), nor is a manufactured home owner entitled to compensation under  
8.27 subdivision 13, paragraph (a) or (e), if:

8.28 (1) the manufactured home park owner relocates the manufactured home owner to  
8.29 another space in the manufactured home park or to another manufactured home park at the  
8.30 park owner's expense;

8.31 (2) the manufactured home owner is vacating the premises and has informed the  
8.32 manufactured home park owner or manager of this prior to the mailing date of the closure  
8.33 statement under subdivision 1;



9.1 (3) a manufactured home owner has abandoned the manufactured home, or the  
9.2 manufactured home owner is not current on the monthly lot rental, personal property taxes;

9.3 (4) the manufactured home owner has a pending eviction action for nonpayment of lot  
9.4 rental amount under section 327C.09, which was filed against the manufactured home owner  
9.5 prior to the mailing date of the closure statement under subdivision 1, and the writ of recovery  
9.6 has been ordered by the district court;

9.7 (5) the conversion of all or a portion of a manufactured home park to another use, the  
9.8 closure of a park, or cessation of use of the land as a manufactured home park is the result  
9.9 of a taking or exercise of the power of eminent domain by a governmental entity or public  
9.10 utility; or

9.11 (6) the owner of the manufactured home is not a resident of the manufactured home  
9.12 park, as defined in section 327C.01, subdivision 9, or the owner of the manufactured home  
9.13 is a resident, but came to reside in the manufactured home park after the mailing date of  
9.14 the closure statement under subdivision 1.

9.15 (c) If the unencumbered fund balance in the manufactured home relocation trust fund  
9.16 is less than ~~\$1,000,000~~ \$3,000,000 as of June 30 of each year, the commissioner of  
9.17 management and budget shall assess each manufactured home park owner by mail the total  
9.18 amount of \$15 for each licensed lot in their park, payable on or before September 15 of that  
9.19 year. The commissioner of management and budget shall deposit any payments in the  
9.20 Minnesota manufactured home relocation trust fund. On or before July 15 of each year, the  
9.21 commissioner of management and budget shall prepare and distribute to park owners a letter  
9.22 explaining whether funds are being collected for that year, information about the collection,  
9.23 an invoice for all licensed lots, and a sample form for the park owners to collect information  
9.24 on which park residents have been accounted for. If assessed under this paragraph, the park  
9.25 owner may recoup the cost of the \$15 assessment as a lump sum or as a monthly fee of no  
9.26 more than \$1.25 collected from park residents together with monthly lot rent as provided  
9.27 in section 327C.03, subdivision 6. Park owners may adjust payment for lots in their park  
9.28 that are vacant or otherwise not eligible for contribution to the trust fund under section  
9.29 327C.095, subdivision 12, paragraph (b), and deduct from the assessment accordingly.

9.30 (d) This subdivision and subdivision 13, paragraph (c), clause (5), are enforceable by  
9.31 the neutral third party, on behalf of the ~~Minnesota~~ Housing Finance Agency, or by action  
9.32 in a court of appropriate jurisdiction. The court may award a prevailing party reasonable  
9.33 attorney fees, court costs, and disbursements.

10.1 Sec. 15. Minnesota Statutes 2018, section 327C.095, subdivision 13, is amended to read:

10.2 Subd. 13. **Change in use, relocation expenses; payments by park owner.** (a) If a  
10.3 manufactured home owner is required to relocate due to the conversion of all or a portion  
10.4 of a manufactured home park to another use, the closure of a manufactured home park, or  
10.5 cessation of use of the land as a manufactured home park under subdivision 1, and the  
10.6 manufactured home owner complies with the requirements of this section, the manufactured  
10.7 home owner is entitled to payment from the Minnesota manufactured home relocation trust  
10.8 fund equal to the manufactured home owner's actual relocation costs for relocating the  
10.9 manufactured home to a new location within a ~~25-mile~~ 50-mile radius of the park that is  
10.10 being closed, up to a maximum of \$7,000 for a single-section and \$12,500 for a multisection  
10.11 manufactured home. The actual relocation costs must include the reasonable cost of taking  
10.12 down, moving, and setting up the manufactured home, including equipment rental, utility  
10.13 connection and disconnection charges, minor repairs, modifications necessary for  
10.14 transportation of the home, necessary moving permits and insurance, moving costs for any  
10.15 appurtenances, which meet applicable local, state, and federal building and construction  
10.16 codes.

10.17 (b) A manufactured home owner is not entitled to compensation under paragraph (a) if  
10.18 the manufactured home park owner is not required to make a payment to the Minnesota  
10.19 manufactured home relocation trust fund under subdivision 12, paragraph (b).

10.20 (c) Except as provided in paragraph (e), in order to obtain payment from the Minnesota  
10.21 manufactured home relocation trust fund, the manufactured home owner shall submit to the  
10.22 neutral third party and the Minnesota Housing Finance Agency, with a copy to the park  
10.23 owner, an application for payment, which includes:

10.24 (1) a copy of the closure statement under subdivision 1;

10.25 (2) a copy of the contract with a moving or towing contractor, which includes the  
10.26 relocation costs for relocating the manufactured home;

10.27 (3) a statement with supporting materials of any additional relocation costs as outlined  
10.28 in subdivision 1;

10.29 (4) a statement certifying that none of the exceptions to receipt of compensation under  
10.30 subdivision 12, paragraph (b), apply to the manufactured home owner;

10.31 (5) a statement from the manufactured park owner that the lot rental is current ~~and that~~  
10.32 ~~the annual \$15 payments to the Minnesota manufactured home relocation trust fund have~~  
10.33 ~~been paid when due;~~ and

11.1 (6) a statement from the county where the manufactured home is located certifying that  
11.2 personal property taxes for the manufactured home are paid through the end of that year.

11.3 (d) If the neutral third party has acted reasonably and does not approve or deny payment  
11.4 within 45 days after receipt of the information set forth in paragraph (c), the payment is  
11.5 deemed approved. Upon approval and request by the neutral third party, the Minnesota  
11.6 Housing Finance Agency shall issue two checks in equal amount for 50 percent of the  
11.7 contract price payable to the mover and towing contractor for relocating the manufactured  
11.8 home in the amount of the actual relocation cost, plus a check to the home owner for  
11.9 additional certified costs associated with third-party vendors, that were necessary in relocating  
11.10 the manufactured home. The moving or towing contractor shall receive 50 percent upon  
11.11 execution of the contract and 50 percent upon completion of the relocation and approval  
11.12 by the manufactured home owner. The moving or towing contractor may not apply the funds  
11.13 to any other purpose other than relocation of the manufactured home as provided in the  
11.14 contract. A copy of the approval must be forwarded by the neutral third party to the park  
11.15 owner with an invoice for payment of the amount specified in subdivision 12, paragraph  
11.16 (a).

11.17 (e) In lieu of collecting a relocation payment from the Minnesota manufactured home  
11.18 relocation trust fund under paragraph (a), the manufactured home owner may collect an  
11.19 amount from the fund after reasonable efforts to relocate the manufactured home have failed  
11.20 due to the age or condition of the manufactured home, or because there are no manufactured  
11.21 home parks willing or able to accept the manufactured home within a 25-mile radius. A  
11.22 manufactured home owner may tender title of the manufactured home in the manufactured  
11.23 home park to the manufactured home park owner, and collect an amount to be determined  
11.24 by an independent appraisal. The appraiser must be agreed to by both the manufactured  
11.25 home park owner and the manufactured home owner. If the appraised market value cannot  
11.26 be determined, the tax market value, averaged over a period of five years, can be used as a  
11.27 substitute. The maximum amount that may be reimbursed under the fund is \$8,000 for a  
11.28 single-section and \$14,500 for a multisection manufactured home. The minimum amount  
11.29 that may be reimbursed under the fund is \$2,000 for a single section and \$4,000 for a  
11.30 multisection manufactured home. The manufactured home owner shall deliver to the  
11.31 manufactured home park owner the current certificate of title to the manufactured home  
11.32 duly endorsed by the owner of record, and valid releases of all liens shown on the certificate  
11.33 of title, and a statement from the county where the manufactured home is located evidencing  
11.34 that the personal property taxes have been paid. The manufactured home owner's application  
11.35 for funds under this paragraph must include a document certifying that the manufactured

12.1 home cannot be relocated, that the lot rental is current, that the annual \$15 payments to the  
12.2 Minnesota manufactured home relocation trust fund have been paid when due, that the  
12.3 manufactured home owner has chosen to tender title under this section, and that the park  
12.4 owner agrees to make a payment to the commissioner of management and budget in the  
12.5 amount established in subdivision 12, paragraph (a), less any documented costs submitted  
12.6 to the neutral third party, required for demolition and removal of the home, and any debris  
12.7 or refuse left on the lot, not to exceed \$1,000. The manufactured home owner must also  
12.8 provide a copy of the certificate of title endorsed by the owner of record, and certify to the  
12.9 neutral third party, with a copy to the park owner, that none of the exceptions to receipt of  
12.10 compensation under subdivision 12, paragraph (b), clauses (1) to (6), apply to the  
12.11 manufactured home owner, and that the home owner will vacate the home within 60 days  
12.12 after receipt of payment or the date of park closure, whichever is earlier, provided that the  
12.13 monthly lot rent is kept current.

12.14 (f) ~~The Minnesota Housing Finance Agency must make a determination of the amount~~  
12.15 ~~of payment a manufactured home owner would have been entitled to under a local ordinance~~  
12.16 ~~in effect on May 26, 2007.~~ Notwithstanding paragraph (a), the manufactured home owner's  
12.17 compensation for relocation costs from the fund under section 462A.35, is the greater of  
12.18 the amount provided under this subdivision, or the amount under the local ordinance in  
12.19 effect on May 26, 2007, that is applicable to the manufactured home owner. Nothing in this  
12.20 paragraph is intended to increase the liability of the park owner.

12.21 (g) Neither the neutral third party nor the ~~Minnesota~~ Housing Finance Agency shall be  
12.22 liable to any person for recovery if the funds in the Minnesota manufactured home relocation  
12.23 trust fund are insufficient to pay the amounts claimed. The ~~Minnesota~~ Housing Finance  
12.24 Agency shall keep a record of the time and date of its approval of payment to a claimant.

12.25 (h) The agency shall report to the chairs of the senate Finance Committee and house of  
12.26 representatives Ways and Means Committee by January 15 of each year on the Minnesota  
12.27 manufactured home relocation trust fund, including the account balance, payments to  
12.28 claimants, the amount of any advances to the fund, the amount of any insufficiencies  
12.29 encountered during the previous calendar year, and any administrative charges or expenses  
12.30 deducted from the trust fund balance. If sufficient funds become available, the ~~Minnesota~~  
12.31 Housing Finance Agency shall pay the manufactured home owner whose unpaid claim is  
12.32 the earliest by time and date of approval.

13.1 Sec. 16. Minnesota Statutes 2018, section 327C.095, is amended by adding a subdivision  
13.2 to read:

13.3 Subd. 16. **Reporting of licensed manufactured home parks.** The Department of Health  
13.4 or, if applicable, local units of government that have entered into a delegation of authority  
13.5 agreement with the Department of Health as provided in section 145A.07 shall provide, by  
13.6 March 31 of each year, a list of names and addresses of the manufactured home parks  
13.7 licensed in the previous year, and for each manufactured home park, the current licensed  
13.8 owner, the owner's address, the number of licensed manufactured home lots, and other data  
13.9 as they may request for the Department of Management and Budget to invoice each licensed  
13.10 manufactured home park in Minnesota.

13.11 Sec. 17. Minnesota Statutes 2018, section 428A.11, subdivision 4, is amended to read:

13.12 Subd. 4. **Housing improvements.** "Housing improvements" has the meaning given in  
13.13 the city's enabling ordinance. Housing improvements may include improvements to common  
13.14 elements of a condominium or other common interest community or to a manufactured  
13.15 home park.

13.16 Sec. 18. Minnesota Statutes 2018, section 428A.11, subdivision 6, is amended to read:

13.17 Subd. 6. **Housing unit.** "Housing unit" means real property and improvements thereon  
13.18 consisting of a one-dwelling unit, or an apartment or unit as described in chapter 515, 515A,  
13.19 or 515B, respectively, or a manufactured home in a manufactured home park that is occupied  
13.20 by a person or family for use as a residence.

13.21 Sec. 19. Minnesota Statutes 2018, section 462A.05, is amended by adding a subdivision  
13.22 to read:

13.23 Subd. 42. **30-year affordability covenants.** The agency may impose rent, income, or  
13.24 rent and income restrictions on a multifamily rental housing development as a condition of  
13.25 agency financing as required in this chapter, or as a condition of an allocation or award of  
13.26 federal low-income housing tax credits. If the agency imposes rent, income, or rent and  
13.27 income restrictions on a multifamily rental housing development, the rent, income, or rent  
13.28 and income restrictions must be contained in a covenant running with the land for at least  
13.29 30 years. The agency may waive this requirement if it determines a waiver is necessary to  
13.30 finance an affordable multifamily rental housing development that furthers the policies in  
13.31 this chapter.

14.1 **EFFECTIVE DATE.** This section is effective July 1, 2020, and applies on or after that  
14.2 date to any multifamily rental housing development for which the agency allocates  
14.3 low-income housing tax credits or funding, or with which the agency enters into a financing  
14.4 or grant agreement.

14.5 Sec. 20. Minnesota Statutes 2018, section 462A.2035, subdivision 1a, is amended to read:

14.6 Subd. 1a. **Individual assistance grants.** Eligible recipients may use individual assistance  
14.7 grants and loans under this program to:

14.8 (1) provide current residents of manufactured home parks with buy-out assistance not  
14.9 to exceed \$4,000 per home with preference given to older manufactured homes; and

14.10 (2) provide down-payment assistance for the purchase of new and preowned manufactured  
14.11 homes that comply with the current version of the ~~State Building~~ United States Department  
14.12 of Housing and Urban Development's Manufactured Housing Code in effect at the time of  
14.13 the sale, not to exceed \$10,000 per home.

14.14 Sec. 21. Minnesota Statutes 2018, section 462A.2035, subdivision 1b, is amended to read:

14.15 Subd. 1b. **Manufactured home park infrastructure grants.** Eligible recipients may  
14.16 use manufactured home park infrastructure grants under this program for:

14.17 (1) acquisition of and improvements in manufactured home parks; and

14.18 (2) infrastructure, including storm shelters and community facilities.

14.19 Sec. 22. Minnesota Statutes 2018, section 462A.222, subdivision 3, is amended to read:

14.20 Subd. 3. **Allocation procedure.** (a) Projects will be awarded tax credits in two  
14.21 competitive rounds on an annual basis. The date for applications for each round must be  
14.22 determined by the agency. No allocating agency may award tax credits prior to the application  
14.23 dates established by the agency.

14.24 (b) Each allocating agency must meet the requirements of section 42(m) of the Internal  
14.25 Revenue Code of 1986, as amended through December 31, 1989, for the allocation of tax  
14.26 credits and the selection of projects.

14.27 (c) For projects that are eligible for an allocation of credits pursuant to section 42(h)(4)  
14.28 of the Internal Revenue Code of 1986, as amended, tax credits may only be allocated if the  
14.29 project satisfies the requirements of the allocating agency's qualified allocation plan. For  
14.30 projects that are eligible for an allocation of credits pursuant to section 42(h)(4) of the  
14.31 Internal Revenue Code of 1986, as amended, for which the agency is the issuer of the bonds

15.1 for the project, or the issuer of the bonds for the project is located outside the jurisdiction  
15.2 of a city or county that has received reserved tax credits, the applicable allocation plan is  
15.3 the agency's qualified allocation plan.

15.4 ~~(d)(1)~~ To maximize the resources available for and increase the supply of affordable  
15.5 housing in Minnesota by leveraging the benefits to Minnesota from the use of tax-exempt  
15.6 bonds to finance multifamily housing and to allow local units of government more flexibility  
15.7 to address specific affordable housing needs in their communities, the agency shall make  
15.8 residential rental housing projects financed with an allocation of tax-exempt bonds under  
15.9 chapter 474A the highest strategic priority for tax credits under the agency's qualified  
15.10 allocation plan under section 42(m)(1)(D) of the Internal Revenue Code of 1986, as amended.

15.11 ~~(2) For projects eligible for an allocation of tax credits under section 42(h)(4) of the~~  
15.12 ~~Internal Revenue Code of 1986, as amended, the agency's qualified allocation plan and~~  
15.13 ~~other related agency guidance and requirements:~~

15.14 ~~(i) shall not include any selection criteria other than (A) the criteria of section 42(m)(1)(C)~~  
15.15 ~~of the Internal Revenue Code of 1986, as amended, and (B) whether the project has received~~  
15.16 ~~an allocation of tax-exempt bonds under chapter 474A, with subitem (B) as the most~~  
15.17 ~~important criteria;~~

15.18 ~~(ii) shall grant projects receiving an allocation of tax-exempt bonds under chapter 474A~~  
15.19 ~~the highest possible preference and, to the extent applicable, ahead of any preference~~  
15.20 ~~described in section 42(m)(1)(B) of the Internal Revenue Code of 1986, as amended;~~

15.21 ~~(iii) shall exclude any per-unit cost limitations, cost reasonableness, or other similar~~  
15.22 ~~restrictions for residential rental housing projects financed with an allocation of tax-exempt~~  
15.23 ~~bonds under chapter 474A; and~~

15.24 ~~(iv) shall not adopt or impose any additional rules, requirements, regulations, or~~  
15.25 ~~restrictions other than those required by section 42 of the Internal Revenue Code of 1986,~~  
15.26 ~~as amended, regarding the allocation of credits.~~

15.27 Each developer of a residential rental housing project that has received an allocation of  
15.28 tax-exempt bonds under chapter 474A and the proposed issuer of such tax-exempt bonds  
15.29 shall have standing to challenge the agency's qualified allocation plan for failure to comply  
15.30 with this clause.

15.31 ~~In the event of any conflict or inconsistency between this paragraph and section 462A.04,~~  
15.32 ~~the provisions of this paragraph shall govern and control. The provisions of paragraph (d)~~  
15.33 ~~shall not apply to any allocating agency other than the agency.~~

16.1 (e) For applications submitted for the first round, an allocating agency may allocate tax  
16.2 credits only to the following types of projects:

16.3 (1) in the metropolitan area:

16.4 (i) new construction or substantial rehabilitation of projects in which, for the term of the  
16.5 extended use period, at least 75 percent of the total tax credit units are single-room  
16.6 occupancy, efficiency, or one bedroom units and which are affordable by households whose  
16.7 income does not exceed 30 percent of the median income;

16.8 (ii) new construction or substantial rehabilitation family housing projects that are not  
16.9 restricted to persons who are 55 years of age or older and in which, for the term of the  
16.10 extended use period, at least 75 percent of the tax credit units contain two or more bedrooms  
16.11 and at least one-third of the 75 percent contain three or more bedrooms; or

16.12 (iii) substantial rehabilitation projects in neighborhoods targeted by the city for  
16.13 revitalization;

16.14 (2) outside the metropolitan area, projects which meet a locally identified housing need  
16.15 and which are in short supply in the local housing market as evidenced by credible data  
16.16 submitted with the application;

16.17 (3) projects that are not restricted to persons of a particular age group and in which, for  
16.18 the term of the extended use period, a percentage of the units are set aside and rented to  
16.19 persons:

16.20 (i) with a serious and persistent mental illness as defined in section 245.462, subdivision  
16.21 20, paragraph (c);

16.22 (ii) with a developmental disability as defined in United States Code, title 42, section  
16.23 6001, paragraph (5), as amended through December 31, 1990;

16.24 (iii) who have been assessed as drug dependent persons as defined in section 254A.02,  
16.25 subdivision 5, and are receiving or will receive care and treatment services provided by an  
16.26 approved treatment program as defined in section 254A.02, subdivision 2;

16.27 (iv) with a brain injury as defined in section 256B.093, subdivision 4, paragraph (a); or

16.28 (v) with permanent physical disabilities that substantially limit one or more major life  
16.29 activities, if at least 50 percent of the units in the project are accessible as provided under  
16.30 Minnesota Rules, chapter 1340;

16.31 (4) projects, whether or not restricted to persons of a particular age group, which preserve  
16.32 existing subsidized housing, if the use of tax credits is necessary to prevent conversion to



17.1 market rate use or to remedy physical deterioration of the project which would result in loss  
17.2 of existing federal subsidies; or

17.3 (5) projects financed by the Farmers Home Administration, or its successor agency,  
17.4 which meet statewide distribution goals.

17.5 (f) Before the date for applications for the final round, the allocating agencies other than  
17.6 the agency shall return all uncommitted and unallocated tax credits to a unified pool for  
17.7 allocation by the agency on a statewide basis.

17.8 (g) Unused portions of the state ceiling for low-income housing tax credits reserved to  
17.9 cities and counties for allocation may be returned at any time to the agency for allocation.

17.10 (h) If an allocating agency determines, at any time after the initial commitment or  
17.11 allocation for a specific project, that a project is no longer eligible for all or a portion of the  
17.12 low-income housing tax credits committed or allocated to the project, the credits must be  
17.13 transferred to the agency to be reallocated pursuant to the procedures established in  
17.14 paragraphs (f) to (h); provided that if the tax credits for which the project is no longer eligible  
17.15 are from the current year's annual ceiling and the allocating agency maintains a waiting list,  
17.16 the allocating agency may continue to commit or allocate the credits until not later than the  
17.17 date of applications for the final round, at which time any uncommitted credits must be  
17.18 transferred to the agency.

17.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.

17.20 Sec. 23. Minnesota Statutes 2018, section 474A.02, is amended by adding a subdivision  
17.21 to read:

17.22 **Subd. 1a. Aggregate bond limitation.** "Aggregate bond limitation" means up to 55  
17.23 percent of the reasonably expected aggregate basis of a residential rental project and the  
17.24 land on which the project is or will be located.

17.25 Sec. 24. Minnesota Statutes 2018, section 474A.02, is amended by adding a subdivision  
17.26 to read:

17.27 **Subd. 1b. AMI.** "AMI" means the area median income for the applicable county or  
17.28 metropolitan area as published by the Department of Housing and Urban Development, as  
17.29 adjusted for household size.

18.1 Sec. 25. Minnesota Statutes 2018, section 474A.02, is amended by adding a subdivision  
18.2 to read:

18.3 Subd. 12a. **LIHTC.** "LIHTC" means low-income housing tax credits under section 42  
18.4 of the Internal Revenue Code of 1986, as amended.

18.5 Sec. 26. Minnesota Statutes 2018, section 474A.02, is amended by adding a subdivision  
18.6 to read:

18.7 Subd. 21a. **Preservation project.** "Preservation project" means any residential rental  
18.8 project, regardless of whether or not the project is restricted to persons of a certain age or  
18.9 older, that is expected to generate low-income housing tax credits under section 42 of the  
18.10 Internal Revenue Code of 1986, as amended, and (1) receives federal project-based rental  
18.11 assistance, or (2) is funded through a loan from or guaranteed by the United States  
18.12 Department of Agriculture's Rural Development Program. In addition, to qualify as a  
18.13 preservation project, the amount of bonds requested in the application must not exceed the  
18.14 aggregate bond limitation.

18.15 Sec. 27. Minnesota Statutes 2018, section 474A.02, is amended by adding a subdivision  
18.16 to read:

18.17 Subd. 30. **30 percent AMI residential rental project.** "30 percent AMI residential  
18.18 rental project" means a residential rental project that does not otherwise qualify as a  
18.19 preservation project, is expected to generate low-income housing tax credits under section  
18.20 42 of the Internal Revenue Code of 1986, as amended, from 100 percent of its residential  
18.21 units, and in which:

18.22 (1) all the residential units of the project:

18.23 (i) are reserved for tenants whose income, on average, is 30 percent of AMI or less;

18.24 (ii) are rent-restricted in accordance with section 42(g)(2) of the Internal Revenue Code  
18.25 of 1986, as amended; and

18.26 (iii) are subject to rent and income restrictions for a period of not less than 30 years; or

18.27 (2)(i) is located outside of the metropolitan area as defined in section 473.121, subdivision  
18.28 2, and within a county or metropolitan area that has a current median area gross income  
18.29 that is less than the statewide area median income for Minnesota;

18.30 (ii) all of the units of the project are rent-restricted in accordance with section 42(g)(2)  
18.31 of the Internal Revenue Code of 1986, as amended; and

19.1 (iii) all of the units of the project are subject to the applicable rent and income restrictions  
19.2 for a period of not less than 30 years.

19.3 In addition, to qualify as a 30 percent AMI residential project, the amount of bonds  
19.4 requested in the application must not exceed the aggregate bond limitation.

19.5 For purposes of this subdivision, "on average" means the average of the applicable  
19.6 income limitation level for a project determined on a unit-by-unit basis for example, a project  
19.7 with one-half of its units subject to income limitations of not greater than 20 percent AMI  
19.8 and one-half subject to income limitations of not greater than 40 percent AMI would be  
19.9 subject to an income limitation on average of not greater than 30 percent AMI.

19.10 Sec. 28. Minnesota Statutes 2018, section 474A.02, is amended by adding a subdivision  
19.11 to read:

19.12 Subd. 31. **50 percent AMI residential rental project.** "50 percent AMI residential  
19.13 rental project" means a residential rental project that does not qualify as a preservation  
19.14 project or 30 percent AMI residential rental project, is expected to generate low-income  
19.15 housing tax credits under section 42 of the Internal Revenue Code of 1986, as amended,  
19.16 from 100 percent of its residential units, and in which all the residential units of the project:

19.17 (1) are reserved for tenants whose income, on average, is 50 percent of AMI or less;

19.18 (2) are rent-restricted in accordance with section 42(g)(2) of the Internal Revenue Code  
19.19 of 1986, as amended; and

19.20 (3) are subject to rent and income restrictions for a period of not less than 30 years.

19.21 In addition, to qualify as a 50 percent AMI residential rental project, the amount of bonds  
19.22 requested in the application must not exceed the aggregate bond limitation.

19.23 For purposes of this subdivision, "on average" means the average of the applicable  
19.24 income limitation level for a project determined on a unit-by-unit basis for example, a project  
19.25 with one-half of its units subject to income limitations of not greater than 40 percent AMI  
19.26 and one-half subject to income limitations of not greater than 60 percent AMI would be  
19.27 subject to an income limitation on average of not greater than 50 percent AMI.

19.28 Sec. 29. Minnesota Statutes 2018, section 474A.02, is amended by adding a subdivision  
19.29 to read:

19.30 Subd. 32. **100 percent LIHTC project.** "100 percent LIHTC project" means a residential  
19.31 rental project that is expected to generate low-income housing tax credits under section 42

20.1 of the Internal Revenue Code of 1986, as amended, from 100 percent of its residential units  
20.2 and does not otherwise qualify as a preservation project, 30 percent AMI residential rental  
20.3 project, or 50 percent AMI residential rental project. In addition, to qualify as a 100 percent  
20.4 LIHTC project, the amount of bonds requested in the application must not exceed the  
20.5 aggregate bond limitation.

20.6 Sec. 30. Minnesota Statutes 2018, section 474A.02, is amended by adding a subdivision  
20.7 to read:

20.8 Subd. 33. **20 percent LIHTC project.** "20 percent LIHTC project" means a residential  
20.9 rental project that is expected to generate low-income housing tax credits under section 42  
20.10 of the Internal Revenue Code of 1986, as amended, from at least 20 percent of its residential  
20.11 units and does not otherwise qualify as a preservation project, 30 percent AMI residential  
20.12 rental project, 50 percent AMI residential rental project, or 100 percent LIHTC project. In  
20.13 addition, to qualify as a 20 percent LIHTC project, the amount of bonds requested in the  
20.14 application must not exceed the aggregate bond limitation.

20.15 Sec. 31. Minnesota Statutes 2018, section 474A.03, subdivision 1, is amended to read:

20.16 Subdivision 1. **Under federal tax law; allocations.** At the beginning of each calendar  
20.17 year after December 31, 2001, the commissioner shall determine the aggregate dollar amount  
20.18 of the annual volume cap under federal tax law for the calendar year, and of this amount  
20.19 the commissioner shall make the following allocation:

20.20 (1) \$74,530,000 to the small issue pool;

20.21 (2) \$122,060,000 to the housing pool, of which 31 percent of the adjusted allocation is  
20.22 reserved until the last Monday in ~~July~~ June for single-family housing programs;

20.23 (3) \$12,750,000 to the public facilities pool; and

20.24 (4) amounts to be allocated as provided in subdivision 2a.

20.25 If the annual volume cap is greater or less than the amount of bonding authority allocated  
20.26 under clauses (1) to (4) and subdivision 2a, paragraph (a), clauses (1) to (4), the allocation  
20.27 must be adjusted so that each adjusted allocation is the same percentage of the annual volume  
20.28 cap as each original allocation is of the total bonding authority originally allocated.

20.29 Sec. 32. Minnesota Statutes 2018, section 474A.04, subdivision 1a, is amended to read:

20.30 Subd. 1a. **Entitlement reservations.** Any amount returned by an entitlement issuer  
20.31 before ~~July 15~~ the third Monday in June shall be reallocated through the housing pool. Any

21.1 amount returned on or after ~~July 15~~ the third Monday in June shall be reallocated through  
21.2 the unified pool. An amount returned after the last Monday in November shall be reallocated  
21.3 to the Minnesota Housing Finance Agency.

21.4 Sec. 33. Minnesota Statutes 2018, section 474A.061, subdivision 1, is amended to read:

21.5 Subdivision 1. **Allocation application; small issue pool and public facilities pool.** (a)

21.6 For any requested allocations from the small issue pool and the public facilities pool, an  
21.7 issuer may apply for an allocation under this section by submitting to the department an  
21.8 application on forms provided by the department, accompanied by (1) a preliminary  
21.9 resolution, (2) a statement of bond counsel that the proposed issue of obligations requires  
21.10 an allocation under this chapter and the Internal Revenue Code, (3) the type of qualified  
21.11 bonds to be issued, (4) an application deposit in the amount of one percent of the requested  
21.12 allocation before the last Monday in ~~July~~ June, or in the amount of two percent of the  
21.13 requested allocation on or after the last Monday in ~~July~~ June, and (5) a public purpose  
21.14 scoring worksheet for manufacturing project and enterprise zone facility project applications;  
21.15 ~~and (6) for residential rental projects, a statement from the applicant or bond counsel as to~~  
21.16 ~~whether the project preserves existing federally subsidized housing for residential rental~~  
21.17 ~~project applications and whether the project is restricted to persons who are 55 years of age~~  
21.18 ~~or older.~~ The issuer must pay the application deposit ~~by a check made payable to the~~  
21.19 Department of Management and Budget. The Minnesota Housing Finance Agency, the  
21.20 Minnesota Rural Finance Authority, and the Minnesota Office of Higher Education may  
21.21 apply for and receive an allocation under this section without submitting an application  
21.22 deposit.

21.23 (b) An entitlement issuer may not apply for an allocation ~~from the public facilities pool~~  
21.24 under this subdivision unless it has either permanently issued bonds equal to the amount of  
21.25 its entitlement allocation for the current year plus any amount of bonding authority carried  
21.26 forward from previous years or returned for reallocation all of its unused entitlement  
21.27 allocation. ~~An entitlement issuer may not apply for an allocation from the housing pool~~  
21.28 ~~unless it either has permanently issued bonds equal to any amount of bonding authority~~  
21.29 ~~carried forward from a previous year or has returned for reallocation any unused bonding~~  
21.30 ~~authority carried forward from a previous year.~~ For purposes of this subdivision, its  
21.31 entitlement allocation includes an amount obtained under section 474A.04, subdivision 6.  
21.32 ~~This paragraph does not apply to an application from the Minnesota Housing Finance Agency~~  
21.33 ~~for an allocation under subdivision 2a for cities who choose to have the agency issue bonds~~  
21.34 ~~on their behalf.~~

22.1 (c) If an application is rejected under this section, the commissioner must notify the  
22.2 applicant and return the application deposit to the applicant within 30 days unless the  
22.3 applicant requests in writing that the application be resubmitted. The granting of an allocation  
22.4 of bonding authority under this section must be evidenced by a certificate of allocation.

22.5 Sec. 34. Minnesota Statutes 2018, section 474A.061, is amended by adding a subdivision  
22.6 to read:

22.7 Subd. 1a. **Allocation application; housing pool.** (a) For any requested allocations from  
22.8 the housing pool, an issuer may apply for an allocation under this section by submitting to  
22.9 the department an application on forms provided by the department, accompanied by (1) a  
22.10 preliminary resolution, (2) a statement of bond counsel that the proposed issue of obligations  
22.11 requires an allocation under this chapter and the Internal Revenue Code, (3) an application  
22.12 deposit in the amount of two percent of the requested allocation, (4) a sworn statement from  
22.13 the applicant identifying the project as either a preservation project, 30 percent AMI  
22.14 residential rental project, 50 percent AMI residential rental project, 100 percent LIHTC  
22.15 project, 20 percent LIHTC project, or any other residential rental project, and (5) a  
22.16 certification from the applicant or its accountant stating that the requested allocation does  
22.17 not exceed the aggregate bond limitation. The issuer must pay the application deposit to the  
22.18 Department of Management and Budget. The Minnesota Housing Finance Agency may  
22.19 apply for and receive an allocation under this section without submitting an application  
22.20 deposit.

22.21 (b) An entitlement issuer may not apply for an allocation from the housing pool unless  
22.22 it either has permanently issued bonds equal to any amount of bonding authority carried  
22.23 forward from a previous year or has returned for reallocation any unused bonding authority  
22.24 carried forward from a previous year. For purposes of this subdivision, its entitlement  
22.25 allocation includes an amount obtained under section 474A.04, subdivision 6. This paragraph  
22.26 does not apply to an application from the Minnesota Housing Finance Agency for an  
22.27 allocation under subdivision 2a for cities who choose to have the agency issue bonds on the  
22.28 city's behalf.

22.29 (c) If an application is rejected under this section, the commissioner must notify the  
22.30 applicant and return the application deposit to the applicant within 30 days unless the  
22.31 applicant requests in writing that the application be resubmitted. The granting of an allocation  
22.32 of bonding authority under this section must be evidenced by a certificate of allocation.

23.1 Sec. 35. Minnesota Statutes 2018, section 474A.061, subdivision 2a, is amended to read:

23.2 Subd. 2a. **Housing pool allocation.** (a) Commencing on the second Tuesday in January  
23.3 and continuing on each Monday through ~~July 15~~ the third Monday in June, the commissioner  
23.4 shall allocate available bonding authority from the housing pool to applications received  
23.5 on or before the Monday of the preceding week for residential rental projects that meet the  
23.6 eligibility criteria under section 474A.047. Allocations of available bonding authority from  
23.7 the housing pool for eligible residential rental projects shall be awarded in the following  
23.8 order of priority: ~~(1) projects that preserve existing federally subsidized housing; (2) projects~~  
23.9 ~~that are not restricted to persons who are 55 years of age or older; and (3) other residential~~  
23.10 ~~rental projects. Prior to May 15, no allocation shall be made to a project restricted to persons~~  
23.11 ~~who are 55 years of age or older.~~

23.12 (1) preservation projects;

23.13 (2) 30 percent AMI residential rental projects;

23.14 (3) 50 percent AMI residential rental projects;

23.15 (4) 100 percent LIHTC projects;

23.16 (5) 20 percent LIHTC projects; and

23.17 (6) other residential rental projects for which the amount of bonds requested in their  
23.18 respective applications do not exceed the aggregate bond limitation.

23.19 ~~If an issuer that receives an allocation under this paragraph does not issue obligations equal~~  
23.20 ~~to all or a portion of the allocation received within 120 days of the allocation or returns the~~  
23.21 ~~allocation to the commissioner, the amount of the allocation is canceled and returned for~~  
23.22 ~~reallocation through the housing pool or to the unified pool after July 15. If there are two~~  
23.23 or more applications for residential rental projects at the same priority level and there is  
23.24 insufficient bonding authority to provide allocations for all the projects in any one allocation  
23.25 period, available bonding authority shall be randomly awarded by lot but only for projects  
23.26 that can receive the full amount of their respective requested allocations. If a residential  
23.27 rental project does not receive any of its requested allocation pursuant to this paragraph and  
23.28 the project applies for an allocation of bonds again in the same calendar year or to the next  
23.29 successive housing pool, the project shall be fully funded up to its original application  
23.30 request for bonding authority before any new project, applying in the same allocation period,  
23.31 that has an equal priority shall receive bonding authority. An issuer that receives an allocation  
23.32 under this paragraph must issue obligations equal to all or a portion of the allocation received  
23.33 on or before 180 days of the allocation. If an issuer that receives an allocation under this

24.1 paragraph does not issue obligations equal to all or a portion of the allocation received  
24.2 within the time period provided in this paragraph or returns the allocation to the  
24.3 commissioner, the amount of the allocation is canceled and returned for reallocation through  
24.4 the housing pool or to the unified pool after July 1.

24.5 (b) After January 1, and through January 15, The Minnesota Housing Finance Agency  
24.6 may accept applications from cities for single-family housing programs which meet program  
24.7 requirements as follows:

24.8 (1) the housing program must meet a locally identified housing need and be economically  
24.9 viable;

24.10 (2) the adjusted income of home buyers may not exceed 80 percent of the greater of  
24.11 statewide or area median income as published by the Department of Housing and Urban  
24.12 Development, adjusted for household size AMI;

24.13 (3) house price limits may not exceed the federal price limits established for mortgage  
24.14 revenue bond programs. Data on the home purchase price amount, mortgage amount, income,  
24.15 household size, and race of the households served in the previous year's single-family  
24.16 housing program, if any, must be included in each application; and

24.17 (4) for applicants who choose to have the agency issue bonds on their behalf, an  
24.18 application fee pursuant to section 474A.03, subdivision 4, and an application deposit equal  
24.19 to one percent of the requested allocation must be submitted to the Minnesota Housing  
24.20 Finance Agency before the agency forwards the list specifying the amounts allocated to the  
24.21 commissioner under paragraph (d). The agency shall submit the city's application fee and  
24.22 application deposit to the commissioner when requesting an allocation from the housing  
24.23 pool.

24.24 Applications by a consortium shall include the name of each member of the consortium  
24.25 and the amount of allocation requested by each member.

24.26 ~~(e) Any amounts remaining in the housing pool after July 15 are available for~~  
24.27 ~~single-family housing programs for cities that applied in January and received an allocation~~  
24.28 ~~under this section in the same calendar year. For a city that chooses to issue bonds on its~~  
24.29 ~~own behalf or pursuant to a joint powers agreement, the agency must allot available bonding~~  
24.30 ~~authority based on the formula in paragraphs (d) and (f). Allocations will be made loan by~~  
24.31 ~~loan, on a first-come, first-served basis among cities on whose behalf the Minnesota Housing~~  
24.32 ~~Finance Agency issues bonds.~~



25.1 ~~Any city that received an allocation pursuant to paragraph (f) in the same calendar year~~  
25.2 ~~that wishes to issue bonds on its own behalf or pursuant to a joint powers agreement for an~~  
25.3 ~~amount becoming available for single-family housing programs after July 15 shall notify~~  
25.4 ~~the Minnesota Housing Finance Agency by July 15. The Minnesota Housing Finance Agency~~  
25.5 ~~shall notify each city making a request of the amount of its allocation within three business~~  
25.6 ~~days after July 15. The city must comply with paragraph (f).~~

25.7 (c) For purposes of paragraphs (a) to (h), "city" means a county or a consortium of local  
25.8 government units that agree through a joint powers agreement to apply together for  
25.9 single-family housing programs, and has the meaning given it in section 462C.02, subdivision  
25.10 6. "Agency" means the Minnesota Housing Finance Agency.

25.11 (d) The total amount of allocation for mortgage bonds for one city is limited to the lesser  
25.12 of: (i) the amount requested, or (ii) the product of the total amount available for mortgage  
25.13 bonds from the housing pool, multiplied by the ratio of each applicant's population as  
25.14 determined by the most recent estimate of the city's population released by the state  
25.15 demographer's office to the total of all the applicants' population, except that each applicant  
25.16 shall be allocated a minimum of \$100,000 regardless of the amount requested or the amount  
25.17 determined under the formula in clause (ii). If a city applying for an allocation is located  
25.18 within a county that has also applied for an allocation, the city's population will be deducted  
25.19 from the county's population in calculating the amount of allocations under this paragraph.

25.20 Upon determining the amount of each applicant's allocation, the agency shall forward  
25.21 to the commissioner a list specifying the amounts allotted to each application with all  
25.22 application fees and deposits from applicants who choose to have the agency issue bonds  
25.23 on their behalf.

25.24 ~~Total allocations from the housing pool for single-family housing programs may not~~  
25.25 ~~exceed 31 percent of the adjusted allocation to the housing pool until after July 15.~~

25.26 (e) The agency may issue bonds on behalf of participating cities. The agency shall request  
25.27 an allocation from the commissioner for all applicants who choose to have the agency issue  
25.28 bonds on their behalf and the commissioner shall allocate the requested amount to the  
25.29 agency. The agency may request an allocation at any time after the second Tuesday in  
25.30 January and through the last Monday in ~~July~~ June. After awarding an allocation and receiving  
25.31 a notice of issuance for the mortgage bonds issued on behalf of the participating cities, the  
25.32 commissioner shall transfer the application deposits to the Minnesota Housing Finance  
25.33 Agency to be returned to the participating cities. The Minnesota Housing Finance Agency  
25.34 shall return any application deposit to a city that paid an application deposit under paragraph

26.1 (b), clause (4), but was not part of the list forwarded to the commissioner under paragraph  
26.2 (d).

26.3 (f) A city may choose to issue bonds on its own behalf or through a joint powers  
26.4 agreement and may request an allocation from the commissioner by forwarding an application  
26.5 with an application fee pursuant to section 474A.03, subdivision 4, and a one percent  
26.6 application deposit to the commissioner no later than the Monday of the week preceding  
26.7 an allocation. If the total amount requested by all applicants exceeds the amount available  
26.8 in the pool, the city may not receive a greater allocation than the amount it would have  
26.9 received under the list forwarded by the Minnesota Housing Finance Agency to the  
26.10 commissioner. No city may request or receive an allocation from the commissioner until  
26.11 the list under paragraph (d) has been forwarded to the commissioner. A city must request  
26.12 an allocation from the commissioner no later than the last Monday in ~~July~~ June. No city  
26.13 may receive an allocation from the housing pool for mortgage bonds which has not first  
26.14 applied to the Minnesota Housing Finance Agency. The commissioner shall allocate the  
26.15 requested amount to the city or cities subject to the limitations under this paragraph.

26.16 If a city issues mortgage bonds from an allocation received under this paragraph, the  
26.17 issuer must provide for the recycling of funds into new loans. If the issuer is not able to  
26.18 provide for recycling, the issuer must notify the commissioner in writing of the reason that  
26.19 recycling was not possible and the reason the issuer elected not to have the Minnesota  
26.20 Housing Finance Agency issue the bonds. "Recycling" means the use of money generated  
26.21 from the repayment and prepayment of loans for further eligible loans or for the redemption  
26.22 of bonds and the issuance of current refunding bonds.

26.23 (g) No entitlement city or county or city in an entitlement county may apply for or be  
26.24 allocated authority to issue mortgage bonds or use mortgage credit certificates from the  
26.25 housing pool. No city in an entitlement county may apply for or be allocated authority to  
26.26 issue residential rental bonds from the housing pool or the unified pool.

26.27 (h) A city that does not use at least 50 percent of its allotment by the date applications  
26.28 are due for the first allocation that is made from the housing pool for single-family housing  
26.29 programs in the immediately succeeding calendar year may not apply to the housing pool  
26.30 for a single-family mortgage bond or mortgage credit certificate program allocation that  
26.31 exceeds the amount of its allotment for the preceding year that was used by the city in the  
26.32 immediately preceding year or receive an allotment from the housing pool in the succeeding  
26.33 calendar year that exceeds the amount of its allotment for the preceding year that was used  
26.34 in the preceding year. The minimum allotment is \$100,000 for an allocation made prior to  
26.35 July ~~15~~ 1, regardless of the amount used in the preceding calendar year, except that a city

27.1 whose allocation in the preceding year was the minimum amount of \$100,000 and who did  
27.2 not use at least 50 percent of its allocation from the preceding year is ineligible for an  
27.3 allocation in the immediate succeeding calendar year. Each local government unit in a  
27.4 consortium must meet the requirements of this paragraph.

27.5 Sec. 36. Minnesota Statutes 2018, section 474A.061, subdivision 2b, is amended to read:

27.6 Subd. 2b. **Small issue pool allocation.** Commencing on the second Tuesday in January  
27.7 and continuing on each Monday through the last Monday in ~~July~~ June, the commissioner  
27.8 shall allocate available bonding authority from the small issue pool to applications received  
27.9 on or before the Monday of the preceding week for manufacturing projects and enterprise  
27.10 zone facility projects. From the second Tuesday in January through the last Monday in ~~July~~  
27.11 June, the commissioner shall reserve \$5,000,000 of the available bonding authority from  
27.12 the small issue pool for applications for agricultural development bond loan projects of the  
27.13 Minnesota Rural Finance Authority.

27.14 Beginning in calendar year 2002, on the second Tuesday in January through the last  
27.15 Monday in ~~July~~ June, the commissioner shall reserve \$10,000,000 of available bonding  
27.16 authority in the small issue pool for applications for student loan bonds of or on behalf of  
27.17 the Minnesota Office of Higher Education. The total amount of allocations for student loan  
27.18 bonds from the small issue pool may not exceed \$10,000,000 per year.

27.19 The commissioner shall reserve \$10,000,000 until the day after the last Monday in  
27.20 February, \$10,000,000 until the day after the last Monday in April, and \$10,000,000 until  
27.21 the day after the last Monday in June in the small issue pool for enterprise zone facility  
27.22 projects and manufacturing projects. The amount of allocation provided to an issuer for a  
27.23 specific enterprise zone facility project or manufacturing project will be based on the number  
27.24 of points received for the proposed project under the scoring system under section 474A.045.

27.25 If there are two or more applications for manufacturing and enterprise zone facility  
27.26 projects from the small issue pool and there is insufficient bonding authority to provide  
27.27 allocations for all projects in any one week, the available bonding authority shall be awarded  
27.28 based on the number of points awarded a project under section 474A.045, with those projects  
27.29 receiving the greatest number of points receiving allocation first. If two or more applications  
27.30 receive an equal number of points, available bonding authority shall be awarded by lot  
27.31 unless otherwise agreed to by the respective issuers.

28.1 Sec. 37. Minnesota Statutes 2018, section 474A.061, subdivision 2c, is amended to read:

28.2 Subd. 2c. **Public facilities pool allocation.** From the beginning of the calendar year and  
28.3 continuing for a period of 120 days, the commissioner shall reserve \$5,000,000 of the  
28.4 available bonding authority from the public facilities pool for applications for public facilities  
28.5 projects to be financed by the Western Lake Superior Sanitary District. Commencing on  
28.6 the second Tuesday in January and continuing on each Monday through the last Monday  
28.7 in ~~July~~ June, the commissioner shall allocate available bonding authority from the public  
28.8 facilities pool to applications for eligible public facilities projects received on or before the  
28.9 Monday of the preceding week. If there are two or more applications for public facilities  
28.10 projects from the pool and there is insufficient available bonding authority to provide  
28.11 allocations for all projects in any one week, the available bonding authority shall be awarded  
28.12 by lot unless otherwise agreed to by the respective issuers.

28.13 Sec. 38. Minnesota Statutes 2018, section 474A.061, subdivision 4, is amended to read:

28.14 Subd. 4. **Return of allocation; deposit refund for small issue pool or public facilities**  
28.15 **pool.** (a) For any requested allocations from the small issue pool or the public facilities  
28.16 pool, if an issuer that receives an allocation under this section determines that it will not  
28.17 issue obligations equal to all or a portion of the allocation received under this section within  
28.18 120 days of allocation or within the time period permitted by federal tax law, whichever is  
28.19 less, the issuer must notify the department. If the issuer notifies the department or the 120-day  
28.20 period since allocation has expired prior to the last Monday in ~~July~~ June, the amount of  
28.21 allocation is canceled and returned for reallocation through the pool from which it was  
28.22 originally allocated. If the issuer notifies the department or the 120-day period since allocation  
28.23 has expired on or after the last Monday in ~~July~~ June, the amount of allocation is canceled  
28.24 and returned for reallocation through the unified pool. If the issuer notifies the department  
28.25 after the last Monday in November, the amount of allocation is canceled and returned for  
28.26 reallocation to the Minnesota Housing Finance Agency. To encourage a competitive  
28.27 application process, the commissioner shall reserve, for new applications, the amount of  
28.28 allocation that is canceled and returned for reallocation under this section for a minimum  
28.29 of seven calendar days.

28.30 (b) An issuer that returns for reallocation all or a portion of an allocation received under  
28.31 this ~~section~~ subdivision within 120 days of allocation shall receive within 30 days a refund  
28.32 equal to:

28.33 (1) one-half of the application deposit for the amount of bonding authority returned  
28.34 within 30 days of receiving allocation;

29.1 (2) one-fourth of the application deposit for the amount of bonding authority returned  
29.2 between 31 and 60 days of receiving allocation; and

29.3 (3) one-eighth of the application deposit for the amount of bonding authority returned  
29.4 between 61 and 120 days of receiving allocation.

29.5 (c) No refund shall be available for allocations returned 120 or more days after receiving  
29.6 the allocation or beyond the last Monday in November.

29.7 Sec. 39. Minnesota Statutes 2018, section 474A.061, is amended by adding a subdivision  
29.8 to read:

29.9 Subd. 7. **Return of allocation; deposit refund for housing pool.** (a) For any requested  
29.10 allocations from the housing pool, if an issuer that receives an allocation under this section  
29.11 determines that it will not permanently issue obligations equal to all or a portion of the  
29.12 allocation received under this section within the time period provided under section  
29.13 474A.061, subdivision 2a, paragraph (a), or within the time period permitted by federal tax  
29.14 law, whichever is less, the issuer must notify the department. If the issuer notifies the  
29.15 department or the time period provided under section 474A.061, subdivision 2a, paragraph  
29.16 (a), has expired prior to the last Monday in June, the amount of allocation is canceled and  
29.17 returned for reallocation through the housing pool. If the issuer notifies the department or  
29.18 the time period provided under section 474A.061, subdivision 2a, paragraph (a), has expired  
29.19 on or after the last Monday in June, the amount of allocation is canceled and returned for  
29.20 reallocation through the unified pool. If the issuer notifies the department after the last  
29.21 Monday in November, the amount of allocation is canceled and returned for reallocation  
29.22 to the Minnesota Housing Finance Agency. To encourage a competitive application process,  
29.23 the commissioner shall reserve, for new applications, the amount of allocation that is canceled  
29.24 and returned for reallocation under this section for a minimum of seven calendar days.

29.25 (b) An issuer that returns for reallocation all or a portion of an allocation received under  
29.26 this subdivision within 180 days of allocation shall receive within 30 days a refund equal  
29.27 to:

29.28 (1) one-half of the application deposit for the amount of bonding authority returned  
29.29 within 45 days of receiving allocation;

29.30 (2) one-fourth of the application deposit for the amount of bonding authority returned  
29.31 between 46 and 90 days of receiving allocation; and

29.32 (3) one-eighth of the application deposit for the amount of bonding authority returned  
29.33 between 91 and 180 days of receiving allocation.

30.1 (c) No refund shall be available for allocations returned 180 or more days after receiving  
 30.2 the allocation or beyond the last Monday in November.

30.3 Sec. 40. Minnesota Statutes 2018, section 474A.062, is amended to read:

30.4 **474A.062 MINNESOTA OFFICE OF HIGHER EDUCATION ~~120-DAY~~ ISSUANCE**  
 30.5 **EXEMPTION.**

30.6 The Minnesota Office of Higher Education is exempt from ~~the 120-day~~ any time  
 30.7 limitation on issuance requirements of bonds set forth in this chapter and may carry forward  
 30.8 allocations for student loan bonds, subject to carryforward notice requirements of section  
 30.9 474A.131, subdivision 2.

30.10 Sec. 41. Minnesota Statutes 2018, section 474A.091, subdivision 1, is amended to read:

30.11 Subdivision 1. **Unified pool amount.** On the day after the last Monday in ~~July~~ June any  
 30.12 bonding authority remaining unallocated from the small issue pool, the housing pool, and  
 30.13 the public facilities pool is transferred to the unified pool and must be reallocated as provided  
 30.14 in this section.

30.15 Sec. 42. Minnesota Statutes 2018, section 474A.091, subdivision 2, is amended to read:

30.16 Subd. 2. **Application for residential rental projects.** (a) Issuers may apply for an  
 30.17 allocation for residential rental bonds under this section by submitting to the department  
 30.18 an application on forms provided by the department accompanied by:

30.19 (1) a preliminary resolution;<sub>2</sub>

30.20 (2) a statement of bond counsel that the proposed issue of obligations requires an  
 30.21 allocation under this chapter and the Internal Revenue Code;<sub>2</sub>

30.22 ~~(3) the type of qualified bonds to be issued, (4) an application deposit in the amount of~~  
 30.23 ~~two percent of the requested allocation, (5) a public purpose scoring worksheet for~~  
 30.24 ~~manufacturing and enterprise zone applications, and (6) for residential rental projects, a~~  
 30.25 ~~statement from the applicant or bond counsel as to whether the project preserves existing~~  
 30.26 ~~federally subsidized housing and whether the project is restricted to persons who are 55~~  
 30.27 ~~years of age or older;~~<sub>2</sub>

30.28 (4) a sworn statement from the applicant identifying the project as a preservation project,  
 30.29 30 percent AMI residential rental project, 50 percent AMI residential rental project, 100  
 30.30 percent LIHTC project, 20 percent LIHTC project, or any other residential rental project;  
 30.31 and

31.1 (5) a certification from the applicant or its accountant stating that the requested allocation  
31.2 does not exceed the aggregate bond limitation.

31.3 The issuer must pay the application deposit ~~by check to the Department of Management~~  
31.4 and Budget. An entitlement issuer may not apply for an allocation for ~~public facility bonds,~~  
31.5 ~~residential rental project bonds, or mortgage bonds~~ under this section unless it has either  
31.6 permanently issued bonds equal to the amount of its entitlement allocation for the current  
31.7 year plus any amount carried forward from previous years or returned for reallocation all  
31.8 of its unused entitlement allocation. For purposes of this subdivision, its entitlement allocation  
31.9 includes an amount obtained under section 474A.04, subdivision 6.

31.10 (b) An issuer that receives an allocation under this subdivision must permanently issue  
31.11 obligations equal to all or a portion of the allocation received on or before 180 days of the  
31.12 allocation. If an issuer that receives an allocation under this subdivision does not permanently  
31.13 issue obligations equal to all or a portion of the allocation received within the time period  
31.14 provided in this paragraph or returns the allocation to the commissioner, the amount of the  
31.15 allocation is canceled and returned for reallocation through the unified pool.

31.16 (c) Notwithstanding the restrictions imposed on entitlement issuers under this subdivision,  
31.17 ~~the Minnesota Housing Finance Agency may not receive an allocation for mortgage bonds~~  
31.18 ~~under this section prior to the first Monday in October, but may be awarded allocations for~~  
31.19 ~~mortgage bonds from the unified pool on or after the first Monday in October.~~ The Minnesota  
31.20 Housing Finance Agency, ~~the Minnesota Office of Higher Education, and the Minnesota~~  
31.21 ~~Rural Finance Authority~~ may apply for and receive an allocation under this section without  
31.22 submitting an application deposit.

31.23 Sec. 43. Minnesota Statutes 2018, section 474A.091, is amended by adding a subdivision  
31.24 to read:

31.25 Subd. 2a. **Application for all other types of qualified bonds.** (a) Issuers may apply  
31.26 for an allocation for all types of qualified bonds other than residential rental bonds under  
31.27 this section by submitting to the department an application on forms provided by the  
31.28 department accompanied by:

31.29 (1) a preliminary resolution;

31.30 (2) a statement of bond counsel that the proposed issue of obligations requires an  
31.31 allocation under this chapter and the Internal Revenue Code;

31.32 (3) the type of qualified bonds to be issued;

31.33 (4) an application deposit in the amount of two percent of the requested allocation; and

32.1 (5) a public purpose scoring worksheet for manufacturing and enterprise zone  
32.2 applications.

32.3 The issuer must pay the application deposit to the Department of Management and Budget.  
32.4 An entitlement issuer may not apply for an allocation for public facility bonds or mortgage  
32.5 bonds under this section unless it has either permanently issued bonds equal to the amount  
32.6 of its entitlement allocation for the current year plus any amount carried forward from  
32.7 previous years or returned for reallocation all of its unused entitlement allocation. For  
32.8 purposes of this subdivision, an entitlement allocation includes an amount obtained under  
32.9 section 474A.04, subdivision 6.

32.10 (b) Notwithstanding the restrictions imposed on entitlement issuers under this subdivision,  
32.11 the Minnesota Housing Finance Agency may not receive an allocation for mortgage bonds  
32.12 under this section prior to the first Monday in October, but may be awarded allocations for  
32.13 mortgage bonds from the unified pool on or after the first Monday in October. The Minnesota  
32.14 Housing Finance Agency, the Minnesota Office of Higher Education, and the Minnesota  
32.15 Rural Finance Authority may apply for and receive an allocation under this section without  
32.16 submitting an application deposit.

32.17 Sec. 44. Minnesota Statutes 2018, section 474A.091, subdivision 3, is amended to read:

32.18 Subd. 3. **Allocation procedure.** (a) The commissioner shall allocate available bonding  
32.19 authority under this section on the Monday of every other week beginning with the first  
32.20 Monday in ~~August~~ July through and on the last Monday in November. Applications for  
32.21 allocations must be received by the department by 4:30 p.m. on the Monday preceding the  
32.22 Monday on which allocations are to be made. If a Monday falls on a holiday, the allocation  
32.23 will be made or the applications must be received by the next business day after the holiday.

32.24 (b) Prior to October 1, only the following applications shall be awarded allocations from  
32.25 the unified pool. Allocations shall be awarded in the following order of priority:

32.26 (1) applications for residential rental project bonds;

32.27 (2) applications for small issue bonds for manufacturing projects; and

32.28 (3) applications for small issue bonds for agricultural development bond loan projects.

32.29 (c) On the first Monday in October through the last Monday in November, allocations  
32.30 shall be awarded from the unified pool in the following order of priority:

32.31 (1) applications for student loan bonds issued by or on behalf of the Minnesota Office  
32.32 of Higher Education;



- 33.1 (2) applications for mortgage bonds;
- 33.2 (3) applications for public facility projects funded by public facility bonds;
- 33.3 (4) applications for small issue bonds for manufacturing projects;
- 33.4 (5) applications for small issue bonds for agricultural development bond loan projects;
- 33.5 (6) applications for residential rental project bonds;
- 33.6 (7) applications for enterprise zone facility bonds;
- 33.7 (8) applications for governmental bonds; and
- 33.8 (9) applications for redevelopment bonds.
- 33.9 (d) If there are two or more applications for manufacturing projects from the unified
- 33.10 pool and there is insufficient bonding authority to provide allocations for all manufacturing
- 33.11 projects in any one allocation period, the available bonding authority shall be awarded based
- 33.12 on the number of points awarded a project under section 474A.045 with those projects
- 33.13 receiving the greatest number of points receiving allocation first. If two or more applications
- 33.14 for manufacturing projects receive an equal amount of points, available bonding authority
- 33.15 shall be awarded by lot unless otherwise agreed to by the respective issuers.
- 33.16 (e) If there are two or more applications for enterprise zone facility projects from the
- 33.17 unified pool and there is insufficient bonding authority to provide allocations for all enterprise
- 33.18 zone facility projects in any one allocation period, the available bonding authority shall be
- 33.19 awarded based on the number of points awarded a project under section 474A.045 with
- 33.20 those projects receiving the greatest number of points receiving allocation first. If two or
- 33.21 more applications for enterprise zone facility projects receive an equal amount of points,
- 33.22 available bonding authority shall be awarded by lot unless otherwise agreed to by the
- 33.23 respective issuers.
- 33.24 (f) If there are two or more applications for residential rental projects from the unified
- 33.25 pool and there is insufficient bonding authority to provide allocations for all residential
- 33.26 rental projects in any one allocation period, the available bonding authority shall be awarded
- 33.27 in the following order of priority: (1) ~~projects that preserve existing federally subsidized~~
- 33.28 ~~housing; (2) projects that are not restricted to persons who are 55 years of age or older; and~~
- 33.29 ~~(3) preservation projects;~~ (2) 30 percent AMI residential rental projects; (3) 50 percent AMI
- 33.30 residential rental projects for which the amount of bonds requested in their respective
- 33.31 applications do not exceed the aggregate bond limitations; (4) 100 percent LIHTC projects;
- 33.32 (5) 20 percent LIHTC projects; and (6) other residential rental projects. If there are two or
- 33.33 more applications for residential rental projects at the same priority level and there is

34.1 insufficient bonding authority to provide allocations for all the projects in any one allocation  
34.2 period, available bonding authority shall be randomly awarded by lot but only for projects  
34.3 that received the full amount of their respective requested allocations. If a residential rental  
34.4 project does not receive any of its requested allocation pursuant to this paragraph and the  
34.5 project applies in the next successive housing pool or the next successive unified pool for  
34.6 an allocation of bonds, the project shall be fully funded up to its original application request  
34.7 for bonding authority before any new project, applying in the same allocation period, that  
34.8 has an equal priority shall receive bonding authority.

34.9 (g) From the first Monday in ~~August~~ July through the last Monday in November,  
34.10 \$20,000,000 of bonding authority or an amount equal to the total annual amount of bonding  
34.11 authority allocated to the small issue pool under section 474A.03, subdivision 1, less the  
34.12 amount allocated to issuers from the small issue pool for that year, whichever is less, is  
34.13 reserved within the unified pool for small issue bonds to the extent ~~such~~ the amounts are  
34.14 available within the unified pool.

34.15 (h) The total amount of allocations for mortgage bonds from the housing pool and the  
34.16 unified pool may not exceed:

34.17 (1) \$10,000,000 for any one city; or

34.18 (2) \$20,000,000 for any number of cities in any one county.

34.19 (i) The total amount of allocations for student loan bonds from the unified pool may not  
34.20 exceed \$25,000,000 per year.

34.21 (j) If there is insufficient bonding authority to fund all projects within any qualified bond  
34.22 category other than enterprise zone facility projects, manufacturing projects, and residential  
34.23 rental projects, allocations shall be awarded by lot unless otherwise agreed to by the  
34.24 respective issuers.

34.25 (k) If an application is rejected, the commissioner must notify the applicant and return  
34.26 the application deposit to the applicant within 30 days unless the applicant requests in writing  
34.27 that the application be resubmitted.

34.28 (l) The granting of an allocation of bonding authority under this section must be evidenced  
34.29 by issuance of a certificate of allocation.

34.30 Sec. 45. Minnesota Statutes 2018, section 474A.091, subdivision 5, is amended to read:

34.31 Subd. 5. **Return of allocation; deposit refund.** (a) If an issuer that receives an allocation  
34.32 under this section determines that it will not permanently issue obligations equal to all or a

35.1 portion of the allocation received under this section within ~~120~~ the applicable number of  
35.2 days ~~of~~ after the allocation required in this chapter or within the time period permitted by  
35.3 federal tax law, whichever is less, the issuer must notify the department. If the issuer notifies  
35.4 the department or the ~~120-day~~ applicable period since allocation has expired prior to the  
35.5 last Monday in November, the amount of allocation is canceled and returned for reallocation  
35.6 through the unified pool. If the issuer notifies the department on or after the last Monday  
35.7 in November, the amount of allocation is canceled and returned for reallocation to the  
35.8 Minnesota Housing Finance Agency. To encourage a competitive application process, the  
35.9 commissioner shall reserve, for new applications, the amount of allocation that is canceled  
35.10 and returned for reallocation under this section for a minimum of seven calendar days.

35.11 (b) An issuer that returns for reallocation all or a portion of an allocation for all types  
35.12 of bonds other than residential rental project bonds received under this section within 120  
35.13 days of the allocation shall receive within 30 days a refund equal to:

35.14 (1) one-half of the application deposit for the amount of bonding authority returned  
35.15 within 30 days of receiving the allocation;

35.16 (2) one-fourth of the application deposit for the amount of bonding authority returned  
35.17 between 31 and 60 days of receiving the allocation; and

35.18 (3) one-eighth of the application deposit for the amount of bonding authority returned  
35.19 between 61 and 120 days of receiving the allocation.

35.20 (c) An issuer that returns for reallocation all or a portion of an allocation for residential  
35.21 rental project bonds received under this section within 180 days of the allocation shall  
35.22 receive within 30 days a refund equal to:

35.23 (1) one-half of the application deposit for the amount of bonding authority returned  
35.24 within 45 days of receiving the allocation;

35.25 (2) one-fourth of the application deposit for the amount of bonding authority returned  
35.26 between 46 and 90 days of receiving the allocation; and

35.27 (3) one-eighth of the application deposit for the amount of bonding authority returned  
35.28 between 91 and 180 days of receiving the allocation.

35.29 ~~(e)~~ (d) No refund of the application deposit shall be available for allocations returned  
35.30 on or after the last Monday in November.

36.1 Sec. 46. Minnesota Statutes 2018, section 474A.131, subdivision 1, is amended to read:

36.2 Subdivision 1. **Notice of issue.** (a) Each issuer ~~that issues bonds~~ with an allocation  
36.3 received under this chapter shall provide a notice of issue to the department on forms  
36.4 provided by the department stating:

36.5 (1) the date of issuance of the bonds;

36.6 (2) the title of the issue;

36.7 (3) the principal amount of the bonds;

36.8 (4) the type of qualified bonds under federal tax law;

36.9 (5) the dollar amount of the bonds issued that were subject to the annual volume cap;

36.10 and

36.11 (6) for entitlement issuers, whether the allocation is from current year entitlement  
36.12 authority or is from carryforward authority.

36.13 For obligations that are issued as a part of a series of obligations, a notice must be  
36.14 provided for each series. A penalty of one-half of the amount of the application deposit not  
36.15 to exceed \$5,000 shall apply to any issue of obligations for which a notice of issue is not  
36.16 provided to the department within five business days after issuance or before 4:30 p.m. on  
36.17 the last business day in December, whichever occurs first. Within 30 days after receipt of  
36.18 a notice of issue the department shall refund a portion of the application deposit equal to  
36.19 one percent of the amount of the bonding authority actually issued if a one percent application  
36.20 deposit was made, or equal to two percent of the amount of the bonding authority actually  
36.21 issued if a two percent application deposit was made, less any penalty amount.

36.22 (b) If an issuer that receives an allocation under this chapter for a residential rental project  
36.23 issues obligations as provided in this chapter, the commissioner shall refund 50 percent of  
36.24 any application deposit previously paid within 30 days of the issuance of the obligations  
36.25 and the remaining 50 percent will be refunded within 30 days after the date on which:

36.26 (1) final Internal Revenue Service Forms 8609 are provided to the commissioner with  
36.27 respect to preservation projects, 30 percent AMI residential rental projects, 50 percent AMI  
36.28 residential rental projects, 100 percent LIHTC projects, or 20 percent LIHTC projects, or

36.29 (2) the issuer provides a certification and any other reasonable documentation requested  
36.30 by the commissioner evidencing that construction of the project has been completed.

37.1 If the issuer receives an allocation under this chapter for a residential rental project and  
37.2 fails to issue the bonds within the time permitted by federal law, the application deposit  
37.3 shall be forfeited.

37.4 Sec. 47. Minnesota Statutes 2018, section 474A.131, subdivision 1b, is amended to read:

37.5 Subd. 1b. **Deadline for issuance of qualified bonds.** If an issuer fails to notify the  
37.6 department before 4:30 p.m. on the last business day in December of the permanent issuance  
37.7 of obligations pursuant to an allocation received for any qualified bond project or issuance  
37.8 of an entitlement allocation, the allocation is canceled and the bonding authority is allocated  
37.9 to the Minnesota Housing Finance Agency for carryforward by the commissioner under  
37.10 section 474A.091, subdivision 6.

37.11 Sec. 48. Minnesota Statutes 2018, section 474A.14, is amended to read:

37.12 **474A.14 NOTICE OF AVAILABLE AUTHORITY.**

37.13 The department shall provide at its official website a written notice of the amount of  
37.14 bonding authority in the housing, small issue, and public facilities pools as soon after January  
37.15 1 as possible. The department shall provide at its official website a written notice of the  
37.16 amount of bonding authority available for allocation in the unified pool as soon after ~~August~~  
37.17 July 1 as possible.

37.18 Sec. 49. Minnesota Statutes 2018, section 474A.21, is amended to read:

37.19 **474A.21 APPROPRIATION; RECEIPTS.**

37.20 Any fees collected by the department under sections 474A.01 to 474A.21 must be  
37.21 deposited in a separate account in the general fund. The amount necessary to refund  
37.22 application deposits is appropriated to the department from the separate account in the  
37.23 general fund for that purpose. The interest accruing on application deposits and any  
37.24 application deposit not refunded as provided under section 474A.061, subdivision 4 or 7,  
37.25 or 474A.091, subdivision 5, or forfeited as provided under section 474A.131, subdivision  
37.26 1, paragraph (b), or subdivision 2, must be deposited in the housing trust fund account under  
37.27 section 462A.201.

37.28 Sec. 50. Minnesota Statutes 2018, section 484.014, subdivision 2, is amended to read:

37.29 Subd. 2. **Discretionary expungement.** The court may order expungement of an eviction  
37.30 case court file ~~only upon motion of a defendant and decision by the court, if the court finds~~  
37.31 ~~that the plaintiff's case is sufficiently without basis in fact or law, which may include lack~~

38.1 ~~of jurisdiction over the case, that~~ if the court makes the following findings: (1) the eviction  
38.2 case court file is no longer a reasonable predictor of future tenant behavior; and (2) the  
38.3 expungement is clearly in the interests of justice and those interests are not outweighed by  
38.4 the public's interest in knowing about the record.

38.5 Sec. 51. Minnesota Statutes 2018, section 484.014, subdivision 3, is amended to read:

38.6 Subd. 3. **Mandatory expungement.** The court shall order expungement of an eviction  
38.7 case:

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

38.11 ~~(1)~~ (i) the time for contract cancellation or foreclosure redemption has expired and the  
38.12 defendant vacated the property prior to commencement of the eviction action; or

38.13 ~~(2)~~ (ii) the defendant was a tenant during the contract cancellation or foreclosure  
38.14 redemption period and did not receive a notice under section 504B.285, subdivision 1a, 1b,  
38.15 or 1c, to vacate on a date prior to commencement of the eviction case;

38.16 (2) if the defendant prevailed on the merits;

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

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

38.19 (5) if the court finds an eviction was ordered at least three years prior to the date the  
38.20 expungement was filed; or

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

38.23 Sec. 52. Minnesota Statutes 2018, section 504B.111, is amended to read:

38.24 **504B.111 WRITTEN LEASE REQUIRED; PENALTY.**

38.25 A landlord of a residential building with 12 or more residential units must have a written  
38.26 lease for each unit rented to a residential tenant. The written lease must identify the specific  
38.27 unit the residential tenant will occupy before the residential tenant signs the lease.

38.28 Notwithstanding any other state law or city ordinance to the contrary, a landlord may ask  
38.29 for the tenant's full name and date of birth on the lease and application. A landlord who fails  
38.30 to provide a lease, as required under this section, is guilty of a petty misdemeanor.

39.1 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
39.2 applies to leases entered into or renewed on or after that date.

39.3 Sec. 53. **[504B.146] LEASE DURATION NOTICE.**

39.4 A written lease for a residential unit must identify the lease start date and lease end date.  
39.5 If the lease requires the tenant to move in or out of the residential unit on a date other than  
39.6 the first or last day of the month, the lease must indicate the amount of the prorated rent, if  
39.7 applicable. The information required by this section must be provided on the first page of  
39.8 the lease.

39.9 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
39.10 applies to leases entered into or renewed on or after that date.

39.11 Sec. 54. **[504B.147] TIME PERIOD FOR NOTICE TO QUIT OR RENT INCREASE.**

39.12 Subdivision 1. **Application.** This section applies to a residential lease that provides a  
39.13 time period for the landlord to give notice to quit the premises or notice of a rent increase  
39.14 that is different than the time period the tenant is required to give for notice of intention to  
39.15 quit the premises. For purposes of this section, "notice to quit" includes a notice of  
39.16 nonrenewal of a lease.

39.17 Subd. 2. **Tenant option to choose notice period.** The tenant may give notice of an  
39.18 intention to quit the premises using either:

39.19 (1) the time period provided in the lease for the tenant to give a notice of intention to  
39.20 quit the premises; or

39.21 (2) the time period provided in the lease for the landlord to give a notice to quit the  
39.22 premises or notice of a rent increase.

39.23 Subd. 3. **Landlord notice requirements.** The landlord may not give a notice to quit the  
39.24 premises or notice of a rent increase that is shorter than the time period the lease provides  
39.25 for the tenant to give notice of an intention to quit the premises.

39.26 Subd. 4. **No waiver.** The requirements of this section may not be waived or modified  
39.27 by the parties to a residential lease. Any provision, whether oral or written, of a lease or  
39.28 other agreement by which any provision of this section is waived by a tenant is contrary to  
39.29 public policy and void.

39.30 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
39.31 applies to leases entered into or renewed on or after that date.

40.1 Sec. 55. Minnesota Statutes 2018, section 504B.206, subdivision 3, is amended to read:

40.2 Subd. 3. **Liability for rent; termination of tenancy.** (a) A tenant who is a sole tenant  
40.3 and is terminating a lease under subdivision 1 is responsible for the rent payment for the  
40.4 full month in which the tenancy terminates. The tenant forfeits all claims for the return of  
40.5 the security deposit under section 504B.178 and is relieved of any other contractual obligation  
40.6 for payment of rent or any other charges for the remaining term of the lease, except as  
40.7 provided in this section. In a sole tenancy, the tenancy terminates on the date specified in  
40.8 the notice provided to the landlord as required under subdivision 1.

40.9 (b) In a tenancy with multiple tenants, one of whom is terminating the lease under  
40.10 subdivision 1, any lease governing all tenants is terminated at the ~~latter~~ later of the end of  
40.11 the month or the end of the rent interval in which one tenant terminates the lease under  
40.12 subdivision 1. All tenants are responsible for the rent payment for the full month in which  
40.13 the tenancy terminates. Upon termination, all tenants forfeit all claims for the return of the  
40.14 security deposit under section 504B.178 and are relieved of any other contractual obligation  
40.15 for payment of rent or any other charges for the remaining term of the lease, except as  
40.16 provided in this section. Any tenant whose tenancy was terminated under this paragraph  
40.17 may reapply to enter into a new lease with the landlord.

40.18 (c) This section does not affect a tenant's liability for delinquent, unpaid rent or other  
40.19 amounts owed to the landlord before the lease was terminated by the tenant under this  
40.20 section.

40.21 Sec. 56. Minnesota Statutes 2018, section 504B.321, is amended by adding a subdivision  
40.22 to read:

40.23 Subd. 3. **Nonpublic record.** An eviction action is not accessible to the public until the  
40.24 court enters a final judgment.

40.25 Sec. 57. **ADVANCES TO MINNESOTA MANUFACTURED HOME RELOCATION**  
40.26 **TRUST FUND.**

40.27 (a) The Minnesota Housing Finance Agency or Department of Management and Budget  
40.28 as determined by the commissioner of management and budget, is authorized to advance  
40.29 up to \$400,000 from state appropriations or other resources to the Minnesota manufactured  
40.30 home relocation trust fund established under Minnesota Statutes, section 462A.35, if the  
40.31 account balance in the Minnesota manufactured home relocation trust fund is insufficient  
40.32 to pay the amounts claimed under Minnesota Statutes, section 327C.095, subdivision 13.



41.1 (b) The Minnesota Housing Finance Agency or Department of Management and Budget  
41.2 shall be reimbursed from the Minnesota manufactured home relocation trust fund for any  
41.3 money advanced by the agency under paragraph (a) to the fund. Approved claims for payment  
41.4 to manufactured home owners shall be paid prior to the money being advanced by the agency  
41.5 or the department to the fund.

41.6 Sec. 58. **REPEALER.**

41.7 Minnesota Statutes 2018, section 327C.095, subdivision 8, is repealed.

APPENDIX  
Repealed Minnesota Statutes: H2542-1

**327C.095 PARK CLOSINGS.**

Subd. 8. **Required filing of notice.** Subdivisions 6 and 7 apply to manufactured home parks upon which notice has been recorded with the county recorder or registrar of titles in the county where the manufactured home park is located. Any person may file the notice required under this subdivision with the county recorder or registrar of titles. The notice must be in the following form:

"MANUFACTURED HOME PARK NOTICE  
THIS PROPERTY IS USED AS A MANUFACTURED HOME PARK  
.....  
PARK OWNER  
.....  
.....  
.....  
LEGAL DESCRIPTION OF PARK  
.....  
COOPERATIVE ASSOCIATION (IF APPLICABLE)"