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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2151

02/25/2014 Authored by Mullery, Moran and Metsa

The bill was read for the first time and referred to the Committee on Housing Finance and Policy

03/04/2014 Adoption of Report: Amended and re-referred to the Committee on Civil Law

03/20/2014 Adoption of Report: Amended and re-referred to the Committee on Judiciary Finance and Policy

1.1 A bill for an act
1.2 relating to housing; creating a duty to mitigate damages in a residential lease
1.3 violation; proposing coding for new law in Minnesota Statutes, chapter 504B.
1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **[504B.272] DUTY TO MITIGATE DAMAGES.**

1.6 A landlord or a tenant who is seeking damages for a breach of a residential lease
1.7 must make reasonable efforts to mitigate the damages due to the breach, including
1.8 allowing the sublease or assignment of the lease of the residential real property by a
1.9 suitable tenant, unless the sublease or assignment is prohibited by an applicable rule
1.10 governing a subsidized housing program. For the purposes of this section, "applicable
1.11 rule" means a federal, state, municipal, or government statute, ordinance, regulation,
1.12 handbook, guidebook, model lease, or similar program requirement. In making reasonable
1.13 efforts to mitigate damages, the landlord is not obligated to offer any preferential treatment
1.14 to show or lease the unit in question before other currently vacant units.