

State of Minnesota

H. F. No. **2860**

2.1 interest, costs of the action, and an attorney's fee not to exceed \$5, and by performing any
2.2 other covenants of the lease.

2.3 (b) If the tenant has paid to the landlord or brought into court the amount of rent in
2.4 arrears but is unable to pay the interest, costs of the action, and attorney's fees required by
2.5 paragraph (a), the court may permit the tenant to pay these amounts into court and be restored
2.6 to possession within the same period of time, if any, for which the court stays the issuance
2.7 of the order to vacate under section 504B.345.

2.8 (c) Prior to or after commencement of an action to recover possession for nonpayment
2.9 of rent, the parties may agree only in writing that partial payment of rent in arrears which
2.10 is accepted by the landlord prior to issuance of the order granting restitution of the premises
2.11 pursuant to section 504B.345 may be applied to the balance due and does not waive the
2.12 landlord's action to recover possession of the premises for nonpayment of rent.

2.13 (d) Rental payments under this subdivision must first be applied to rent claimed as due
2.14 in the complaint from prior rental periods before applying any payment toward rent claimed
2.15 in the complaint for the current rental period, unless the court finds that under the
2.16 circumstances the claim for rent from prior rental periods has been waived.

2.17 Subd. 1a. **Eviction prohibited pending rental assistance application determination.** A
2.18 landlord may not bring an eviction action for the nonpayment of rent against a tenant, or
2.19 proceed with an eviction action for nonpayment of rent if one has already been filed, if the
2.20 tenant demonstrates the tenant has a pending application for rental assistance with a federal
2.21 agency, state agency, or local unit of government.

2.22 **Subd. 2. Lease greater than 20 years.** (a) If the lease under which an action is brought
2.23 under subdivision 1 is for a term of more than 20 years, the action may not begin until the
2.24 landlord serves a written notice on the tenant and on all creditors with legal or equitable
2.25 recorded liens on the property. The notice must state: (1) the lease will be canceled unless
2.26 the amounts, agreements, and legal obligations in default are paid or performed within 30
2.27 days, or a longer specified period; and (2) if the amounts, agreements, and legal obligations
2.28 are not paid or performed within that period, then the landlord may evict the tenant at the
2.29 expiration of the period.

2.30 (b) If the lease provides that the landlord must give more than the 30 days' notice provided
2.31 in paragraph (a), then notice must be the same as that provided in the lease.

2.32 (c) The tenant may be restored to possession of the property under the terms of the
2.33 original lease if, before the expiration of six months after the landlord obtains possession
2.34 due to the tenant's abandonment or surrender of the property or the landlord prevails in the

3.1 action, the tenant or a creditor holding a legal or equitable lien on the property: (1) pays to
3.2 the landlord or brings into court the amount of rent then in arrears, with interest and the
3.3 costs of the action; and (2) performs the other agreements or legal obligations that are in
3.4 default.

3.5 Subd. 3. **Recording of eviction or ejectment actions.** Upon recovery of possession by
3.6 the landlord in the action, a certified copy of the judgment shall, upon presentation, be
3.7 recorded in the office of the county recorder of the county where the land is situated if
3.8 unregistered land or in the office of the registrar of titles of the county if registered land and
3.9 upon recovery of possession by the landlord by abandonment or surrender by the tenant an
3.10 affidavit by the landlord or the landlord's attorney setting forth the fact shall be recorded in
3.11 a like manner and the recorded certified copy of the judgment or the recorded affidavit shall
3.12 be prima facie evidence of the facts stated therein in reference to the recovery of possession
3.13 by the landlord.

3.14 **EFFECTIVE DATE.** This section is effective the day following final enactment and
3.15 applies to evictions filed on or after that date and evictions pending but not yet adjudicated
3.16 on the date of final enactment.