



**S.F. No. 1272, as introduced - 87th Legislative Session (2011-2012) [11-3037]**

2.1 on foreclosure of a mortgage was a tenant during the redemption period under a lease of  
2.2 any duration, and the lease began after the date the mortgage was executed, but prior  
2.3 to the expiration of the time for redemption, the immediate successor in interest must  
2.4 provide at least 90 days' written notice to vacate, given no sooner than the date of the  
2.5 expiration of the time for redemption, and effective no sooner than 90 days after the date  
2.6 of the expiration of the time for redemption, provided that the tenant pays the rent and  
2.7 abides by all terms of the lease.

2.8 (b) For any eviction action commenced on or before December 31, ~~2012~~ 2014, where  
2.9 the term of a bona fide lease extends more than 90 days beyond the date of the expiration  
2.10 of the time for redemption, the immediate successor in interest must allow the tenant to  
2.11 occupy the premises until the end of the remaining term of the lease, and provide at least 90  
2.12 days' written notice to vacate, effective no sooner than the date the lease expires, provided  
2.13 that the tenant pays the rent and abides by all terms of the lease, except if the immediate  
2.14 successor in interest or an immediate subsequent bona fide purchaser will occupy the unit  
2.15 as the primary residence, the immediate successor in interest must provide at least 90 days'  
2.16 written notice to vacate, given no sooner than the date of the expiration of the time for  
2.17 redemption, effective no sooner than 90 days after the date of the expiration of the time for  
2.18 redemption, provided that the tenant pays the rent and abides by all terms of the lease.

2.19 For purposes of this section, a "bona fide lease" means:

2.20 (1) the mortgagor or the child, spouse, or parent of the mortgagor is not the tenant;

2.21 (2) the lease or tenancy was the result of an arm's-length transaction; and

2.22 (3) the lease or tenancy requires the receipt of rent that is not substantially less than  
2.23 fair market rent for the property or the unit's rent is reduced or subsidized by a federal,  
2.24 state, or local subsidy.

2.25 (c) For any eviction action commenced on or before December 31, ~~2012~~ 2014, in  
2.26 the case of a tenancy subject to section 8 of the United States Housing Act of 1937, as  
2.27 amended, where the term of the lease extends more than 90 days beyond the date of the  
2.28 expiration of the time for redemption, the immediate successor in interest must allow the  
2.29 tenant to occupy the premises until the end of the remaining term of the lease and provide  
2.30 at least 90 days' written notice to vacate, effective no sooner than the date the lease  
2.31 expires, provided that the tenant pays the rent and abides by all terms of the lease, except  
2.32 if the immediate successor in interest will occupy the unit as the primary residence, the  
2.33 immediate successor in interest must provide at least 90 days' written notice to vacate,  
2.34 given no sooner than the date of the expiration of the time for redemption, effective no  
2.35 sooner than 90 days after the date of the expiration of the time for redemption, provided  
2.36 that the tenant pays the rent and abides by all terms of the lease.

3.1 Sec. 3. Minnesota Statutes 2010, section 504B.285, subdivision 1b, is amended to read:

3.2 Subd. 1b. **Grounds when the person holding over is a tenant in a property**  
3.3 **subject to a contract for deed.** For any eviction action commenced on or before  
3.4 December 31, ~~2012~~ 2014, the person entitled to the premises may recover possession by  
3.5 eviction when any person holds over real property after termination of contract to convey  
3.6 the property, provided that if the person holding the real property after the expiration of  
3.7 the time for termination was a tenant during the termination period under a lease of any  
3.8 duration and the lease began after the date the contract for deed was executed but prior to  
3.9 the expiration of the time for termination, and the person has received:

3.10 (1) at least two months' written notice to vacate no sooner than one month after the  
3.11 expiration of the time for termination, provided that the tenant pays the rent and abides by  
3.12 all terms of the lease; or

3.13 (2) at least two months' written notice to vacate no later than the date of the expiration  
3.14 of the time for termination, which notice shall also state that the sender will hold the tenant  
3.15 harmless for breaching the lease by vacating the premises if the contract is reinstated.

3.16 Sec. 4. Minnesota Statutes 2010, section 504B.285, subdivision 1c, is amended to read:

3.17 Subd. 1c. **Grounds for evictions on or after January 1, ~~2013~~ 2015.** For any  
3.18 eviction action commenced on or after January 1, ~~2013~~ 2015, the person entitled to the  
3.19 premises may recover possession by eviction when any person holds over real property  
3.20 after the expiration of the time for redemption on foreclosure of a mortgage, or after  
3.21 termination of contract to convey the property, provided that if the person holding the real  
3.22 property after the expiration of the time for redemption or termination was a tenant during  
3.23 the redemption or termination period under a lease of any duration, and the lease began  
3.24 after the date the mortgage or contract for deed was executed, but prior to the expiration of  
3.25 the time for redemption or termination and the person holding the premises has received:

3.26 (1) at least two months' written notice to vacate no sooner than one month after the  
3.27 expiration of the time for redemption or termination, provided that the tenant pays the  
3.28 rent and abides by all terms of the lease; or

3.29 (2) at least two months' written notice to vacate no later than the date of the  
3.30 expiration of the term for redemption or termination, which notice shall also state that  
3.31 the sender will hold the tenant harmless for breaching the lease by vacating the premises  
3.32 if the mortgage is redeemed or the contract is reinstated.