

SENATE  
STATE OF MINNESOTA  
NINETY-FOURTH SESSION

S.F. No. 4369

(SENATE AUTHORS: CLARK)

DATE  
03/11/2026

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Introduction and first reading  
Referred to Judiciary and Public Safety

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to housing; modifying the process for a termination of lease upon the death  
1.3 or infirmity of a tenant; amending Minnesota Statutes 2024, sections 504B.265,  
1.4 subdivision 1, by adding a subdivision; 504B.266, subdivisions 2, 3.

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

1.6 Section 1. Minnesota Statutes 2024, section 504B.265, subdivision 1, is amended to read:

1.7 Subdivision 1. **Termination of lease.** For a residential lease signed before July 1, 2026,  
1.8 any party to a lease of residential premises other than a lease at will may terminate the lease  
1.9 prior to its expiration date in the manner provided in subdivision 2 upon the death of the  
1.10 tenant or, if there is more than one tenant, upon the death of all tenants.

1.11 **EFFECTIVE DATE.** This section is effective July 1, 2026, and applies to a lease signed  
1.12 before that date.

1.13 Sec. 2. Minnesota Statutes 2024, section 504B.265, is amended by adding a subdivision  
1.14 to read:

1.15 **Subd. 2a. Termination of lease after July 1, 2026; notice.** For a residential lease signed  
1.16 on or after July 1, 2026, a tenant, or the authorized representative of the tenant of a residential  
1.17 lease, or if there is more than one tenant, any surviving tenant may terminate the lease in  
1.18 the manner provided in this subdivision upon the death of the tenant. The authorized  
1.19 representative of the tenant's estate, or a surviving tenant, may terminate the lease upon  
1.20 written notice to the landlord, to be effective no sooner than the last day of the month when  
1.21 the notice was provided. The notice shall be hand delivered or mailed by postage prepaid,  
1.22 first class United States mail to the landlord. The termination of a lease under this section

2.1 shall not relieve the tenant's estate from liability either for the payment of rent or other sums  
 2.2 owed prior to or during the notice period, or for the payment of amounts necessary to restore  
 2.3 the premises to their condition at the commencement of the tenancy, ordinary wear and tear  
 2.4 excepted.

2.5 **EFFECTIVE DATE.** This section is effective July 1, 2026, and applies to a lease signed  
 2.6 on or after that date.

2.7 Sec. 3. Minnesota Statutes 2024, section 504B.266, subdivision 2, is amended to read:

2.8 Subd. 2. **Termination of lease upon infirmity of tenant.** (a) A tenant or the authorized  
 2.9 representative of the tenant may terminate the lease prior to the expiration of the lease in  
 2.10 the manner provided in subdivision 3 if the tenant has or, if there is more than one tenant,  
 2.11 one of the tenants has, been found by a medical professional to need to move into a medical  
 2.12 care facility and:

2.13 (1) require assistance with instrumental activities of daily living or personal activities  
 2.14 of daily living due to medical reasons or a disability;

2.15 (2) meet one of the nursing facility level of care criteria under section 144.0724,  
 2.16 subdivision 11; or

2.17 (3) have a disability or functional impairment in three or more of the areas listed in  
 2.18 section 245.462, subdivision 11a, so that self-sufficiency is markedly reduced because of  
 2.19 a mental illness.

2.20 (b) When a tenant requires an accessible unit as defined in section 363A.40, subdivision  
 2.21 1, and the landlord can provide an accessible unit at the same rate in the same complex  
 2.22 where the tenant currently resides that is available within ~~two months~~ one month of the  
 2.23 request, then the provisions of this section do not apply and the tenant may not terminate  
 2.24 the lease.

2.25 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to a lease  
 2.26 signed before, on, or after that date.

2.27 Sec. 4. Minnesota Statutes 2024, section 504B.266, subdivision 3, is amended to read:

2.28 Subd. 3. **Notice.** When the conditions in subdivision 2 have been met, the tenant or the  
 2.29 tenant's authorized representative may terminate the lease by providing ~~at least two months'~~  
 2.30 written notice to be effective ~~on~~ no sooner than the last day of a calendar the month when  
 2.31 notice was provided. The notice must be either hand-delivered or mailed by postage prepaid,  
 2.32 first class United States mail. The notice must include: (1) a copy of the medical professional's

3.1 written documentation of the infirmity; and (2) documentation showing that the tenant has  
3.2 been accepted as a resident or has a pending application at a location where the medical  
3.3 professional has indicated that the tenant needs to move. The termination of a lease under  
3.4 this section shall not relieve the eligible tenant from liability either for the payment of rent  
3.5 or other sums owed prior to or during the notice period, or for the payment of amounts  
3.6 necessary to restore the premises to their condition at the commencement of the tenancy,  
3.7 ordinary wear and tear excepted.

3.8 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to a lease  
3.9 signed before, on, or after that date.