

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3098

02/03/2022 Authored by Agbaje; Reyer; Her; Xiong, J.; Gomez and others
The bill was read for the first time and referred to the Committee on Housing Finance and Policy
02/28/2022 Adoption of Report: Re-referred to the Committee on Judiciary Finance and Civil Law
03/14/2022 Adoption of Report: Placed on the General Register
Read for the Second Time

- 1.1 A bill for an act
- 1.2 relating to housing; prohibiting the court from requiring bond or security prior to
- 1.3 adjudication of a housing matter; amending Minnesota Statutes 2020, sections
- 1.4 504B.285, subdivision 5; 504B.335.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2020, section 504B.285, subdivision 5, is amended to read:
- 1.7 Subd. 5. **Combining allegations.** (a) An action for recovery of the premises may combine
- 1.8 the allegation of nonpayment of rent and the allegation of material violation of the lease,
- 1.9 which shall be heard as alternative grounds.
- 1.10 ~~(b) In cases where rent is outstanding, a tenant is not required to pay into court the~~
- 1.11 ~~amount of rent in arrears, interest, and costs as required under section 504B.291 to defend~~
- 1.12 ~~against an allegation by the landlord that the tenant has committed a material violation of~~
- 1.13 ~~the lease.~~
- 1.14 ~~(c)~~ (b) If the landlord does not prevail in proving material violation of the lease, and the
- 1.15 landlord has also alleged that rent is due, the tenant shall be permitted to present defenses
- 1.16 to the court that the rent is not owing. The tenant shall be given up to seven days of additional
- 1.17 time to pay any rent determined by the court to be due. ~~The court may order the tenant to~~
- 1.18 ~~pay rent and any costs determined to be due directly to the landlord or to be deposited with~~
- 1.19 ~~the court.~~
- 1.20 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to actions
- 1.21 filed on or after that date.

2.1 Sec. 2. Minnesota Statutes 2020, section 504B.335, is amended to read:

2.2 **504B.335 ANSWER; TRIAL.**

2.3 (a) At the court appearance specified in the summons, the defendant may answer the
2.4 complaint, and the court shall hear and decide the action, unless it grants a continuance of
2.5 the trial as provided in section 504B.341.

2.6 (b) Either party may demand a trial by jury.

2.7 (c) The proceedings in the action are the same as in other civil actions, except as provided
2.8 in sections 504B.281 to 504B.371.

2.9 (d) The court, in scheduling appearances and hearings under this section, shall give
2.10 priority to any eviction brought under section 504B.171, or on the basis that the defendant
2.11 is a tenant and is causing a nuisance or seriously endangers the safety of other residents,
2.12 their property, or the landlord's property.

2.13 (e) The court may not require the defendant to pay any amount of money into court, post
2.14 a bond, or by any other means post security for any purpose prior to final disposition of an
2.15 action, except for appeals as provided in section 504B.371.

2.16 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to actions
2.17 filed on or after that date.