

**SENATE
STATE OF MINNESOTA
SPECIAL SESSION**

S.F. No. 16

(SENATE AUTHORS: DRAHEIM, Dziezic, Duckworth, Housley and Koran)

DATE	D-PG	OFFICIAL STATUS
06/14/2021	8	Introduction and first reading Referred to Finance
06/18/2021	118a 146	Comm report: To pass as amended Second reading
06/22/2021	481	Authors added Dziezic; Duckworth; Housley
06/28/2021	1218	General Orders: Stricken and laid on table HF passed, no substitution HF4
06/29/2021	1238	Author added Koran

1.1 A bill for an act

1.2 relating to state government; establishing a budget for the Minnesota Housing

1.3 Finance Agency; modifying various housing policy provisions; expanding

1.4 requirements and uses of housing infrastructure bonds and rehabilitation loans;

1.5 expanding accommodation requirements for service and support animals; expanding

1.6 property ownership options to owners of manufactured homes; providing for an

1.7 eviction moratorium phaseout; establishing a task force on shelter; making technical

1.8 and conforming changes; requiring a report; appropriating money; amending

1.9 Minnesota Statutes 2020, sections 12A.09, subdivision 3; 256C.02; 273.11,

1.10 subdivision 12; 273.125, subdivision 8; 326B.106, subdivision 7; 363A.09,

1.11 subdivision 5; 462A.05, subdivisions 14, 14a; 462A.07, subdivision 2; 462A.30,

1.12 subdivision 9; 462A.37, subdivision 5, by adding a subdivision; 474A.21; proposing

1.13 coding for new law in Minnesota Statutes, chapters 168A; 504B; repealing

1.14 Minnesota Statutes 2020, section 168A.141.

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

1.16 **ARTICLE 1**

1.17 **APPROPRIATIONS**

1.18 Section 1. USE OF FEDERAL FUNDS FOR HOMEOWNER ASSISTANCE.

1.19 The commissioner of management and budget shall not use any money received by the

1.20 state from the Homeowner Assistance Fund under Public Law 117-2, the American Rescue

1.21 Plan, to reimburse the federal coronavirus relief fund for money allocated to the Housing

1.22 Finance Agency according to the federal coronavirus relief fund action order number 44

1.23 that was approved by the commissioner on July 27, 2020.

1.24 Sec. 2. APPROPRIATIONS.

1.25 The sums shown in the columns marked "Appropriations" are appropriated to the agency

1.26 for the purposes specified in this article. The appropriations are from the general fund, or

2.1 another named fund, and are available for the fiscal years indicated for each purpose. The
 2.2 figures "2022" and "2023" used in this article mean that the appropriations listed under them
 2.3 are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively. "The
 2.4 first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium" is
 2.5 fiscal years 2022 and 2023.

2.6 **APPROPRIATIONS**

2.7 **Available for the Year**

2.8 **Ending June 30**

2.9 **2022**

2023

2.10 **Sec. 3. HOUSING FINANCE AGENCY**

2.11 **Subdivision 1. Total Appropriation** \$ **67,798,000** \$ **57,798,000**

2.12 (a) The amounts that may be spent for each
 2.13 purpose are specified in the following
 2.14 subdivisions.

2.15 (b) Unless otherwise specified, this
 2.16 appropriation is for transfer to the housing
 2.17 development fund for the programs specified
 2.18 in this section. Except as otherwise indicated,
 2.19 this transfer is part of the agency's permanent
 2.20 budget base.

2.21 **Subd. 2. Challenge Program** **15,725,000** **12,925,000**

2.22 (a) This appropriation is for the economic
 2.23 development and housing challenge program
 2.24 under Minnesota Statutes, sections 462A.07,
 2.25 subdivision 14, and 462A.33.

2.26 (b) Of this amount, \$1,208,000 each year shall
 2.27 be made available during the first 11 months
 2.28 of the fiscal year exclusively for housing
 2.29 projects for American Indians. Any funds not
 2.30 committed to housing projects for American
 2.31 Indians in the first 11 months of the fiscal year
 2.32 shall be available for any eligible activity
 2.33 under Minnesota Statutes, sections 462A.07,
 2.34 subdivision 14, and 462A.33.

3.1	<u>Subd. 3. Workforce Housing Development</u>	<u>2,000,000</u>	<u>2,000,000</u>
3.2	<u>This appropriation is for the Greater</u>		
3.3	<u>Minnesota workforce housing development</u>		
3.4	<u>program under Minnesota Statutes, section</u>		
3.5	<u>462A.39. If requested by the applicant and</u>		
3.6	<u>approved by the agency, funded properties</u>		
3.7	<u>may include a portion of income and rent</u>		
3.8	<u>restricted units. Funded properties may include</u>		
3.9	<u>owner-occupied homes.</u>		
3.10	<u>Subd. 4. Manufactured Home Park</u>		
3.11	<u>Infrastructure Grants</u>	<u>2,750,000</u>	<u>1,000,000</u>
3.12	<u>This appropriation is for manufactured home</u>		
3.13	<u>park infrastructure grants under Minnesota</u>		
3.14	<u>Statutes, section 462A.2035, subdivision 1b.</u>		
3.15	<u>Subd. 5. Workforce Homeownership Program</u>	<u>3,500,000</u>	<u>250,000</u>
3.16	<u>This appropriation is for the workforce</u>		
3.17	<u>homeownership program under Minnesota</u>		
3.18	<u>Statutes, section 462A.38.</u>		
3.19	<u>Subd. 6. Housing Trust Fund</u>	<u>11,646,000</u>	<u>11,646,000</u>
3.20	<u>This appropriation is for deposit in the housing</u>		
3.21	<u>trust fund account created under Minnesota</u>		
3.22	<u>Statutes, section 462A.201, and may be used</u>		
3.23	<u>for the purposes provided in that section.</u>		
3.24	<u>Subd. 7. Homework Starts with Home</u>	<u>1,750,000</u>	<u>1,750,000</u>
3.25	<u>This appropriation is for the homework starts</u>		
3.26	<u>with home program under Minnesota Statutes,</u>		
3.27	<u>sections 462A.201, subdivision 2, paragraph</u>		
3.28	<u>(a), clause (4), and 462A.204, subdivision 8,</u>		
3.29	<u>to provide assistance to homeless or highly</u>		
3.30	<u>mobile families with children eligible for</u>		
3.31	<u>enrollment in a prekindergarten through grade</u>		
3.32	<u>12 academic program.</u>		
3.33	<u>Subd. 8. Rental Assistance for Mentally Ill</u>	<u>4,338,000</u>	<u>4,338,000</u>

4.1 This appropriation is for the rental housing
 4.2 assistance program for persons with a mental
 4.3 illness or families with an adult member with
 4.4 a mental illness under Minnesota Statutes,
 4.5 section 462A.2097. Among comparable
 4.6 proposals, the agency shall prioritize those
 4.7 proposals that target, in part, eligible persons
 4.8 who desire to move to more integrated,
 4.9 community-based settings.

4.10 **Subd. 9. Family Homeless Prevention** 10,269,000 10,269,000

4.11 This appropriation is for the family homeless
 4.12 prevention and assistance programs under
 4.13 Minnesota Statutes, section 462A.204.

4.14 **Subd. 10. Home Ownership Assistance Fund** 1,885,000 885,000

4.15 This appropriation is for the home ownership
 4.16 assistance program under Minnesota Statutes,
 4.17 section 462A.21, subdivision 8. The agency
 4.18 shall continue to strengthen its efforts to
 4.19 address the disparity gap in the
 4.20 homeownership rate between white
 4.21 households and Indigenous American Indians
 4.22 and communities of color. To better
 4.23 understand and address the disparity gap, the
 4.24 agency is required to collect, on a voluntary
 4.25 basis, demographic information regarding
 4.26 race, color, national origin, and sex of
 4.27 applicants for agency programs intended to
 4.28 benefit homeowners and homebuyers.

4.29 **Subd. 11. Affordable Rental Investment Fund** 4,218,000 4,218,000

4.30 (a) This appropriation is for the affordable
 4.31 rental investment fund program under
 4.32 Minnesota Statutes, section 462A.21,
 4.33 subdivision 8b, to finance the acquisition,
 4.34 rehabilitation, and debt restructuring of

5.1 federally assisted rental property and for
 5.2 making equity take-out loans under Minnesota
 5.3 Statutes, section 462A.05, subdivision 39.

5.4 (b) The owner of federally assisted rental
 5.5 property must agree to participate in the
 5.6 applicable federally assisted housing program
 5.7 and to extend any existing low-income
 5.8 affordability restrictions on the housing for
 5.9 the maximum term permitted.

5.10 (c) The appropriation also may be used to
 5.11 finance the acquisition, rehabilitation, and debt
 5.12 restructuring of existing supportive housing
 5.13 properties and naturally occurring affordable
 5.14 housing as determined by the commissioner.

5.15 For purposes of this paragraph, "supportive
 5.16 housing" means affordable rental housing with
 5.17 links to services necessary for individuals,
 5.18 youth, and families with children to maintain
 5.19 housing stability.

5.20 **Subd. 12. Owner-Occupied Housing**
 5.21 **Rehabilitation**

2,772,000

2,772,000

5.22 (a) This appropriation is for the rehabilitation
 5.23 of owner-occupied housing under Minnesota
 5.24 Statutes, section 462A.05, subdivisions 14 and
 5.25 14a.

5.26 (b) Notwithstanding any law to the contrary,
 5.27 grants or loans under this subdivision may be
 5.28 made without rent or income restrictions of
 5.29 owners or tenants. To the extent practicable,
 5.30 grants or loans must be made available
 5.31 statewide.

5.32 **Subd. 13. Rental Housing Rehabilitation**

3,743,000

3,743,000

5.33 (a) This appropriation is for the rehabilitation
 5.34 of eligible rental housing under Minnesota

6.1 Statutes, section 462A.05, subdivision 14. In
 6.2 administering a rehabilitation program for
 6.3 rental housing, the agency may apply the
 6.4 processes and priorities adopted for
 6.5 administration of the economic development
 6.6 and housing challenge program under
 6.7 Minnesota Statutes, section 462A.33, and may
 6.8 provide grants or forgivable loans if approved
 6.9 by the agency.

6.10 (b) Notwithstanding any law to the contrary,
 6.11 grants or loans under this subdivision may be
 6.12 made without rent or income restrictions of
 6.13 owners or tenants. To the extent practicable,
 6.14 grants or loans must be made available
 6.15 statewide.

6.16 **Subd. 14. Homeownership Education,**
 6.17 **Counseling, and Training**

857,000

857,000

6.18 This appropriation is for the homeownership
 6.19 education, counseling, and training program
 6.20 under Minnesota Statutes, section 462A.209.

6.21 **Subd. 15. Capacity-Building Grants**

645,000

645,000

6.22 This appropriation is for nonprofit
 6.23 capacity-building grants under Minnesota
 6.24 Statutes, section 462A.21, subdivision 3b. Of
 6.25 this amount, \$125,000 each year is for support
 6.26 of the Homeless Management Information
 6.27 System (HMIS), and \$70,000 in fiscal year
 6.28 2022 and \$70,000 in fiscal year 2023 are for
 6.29 Open Access Connections. The appropriations
 6.30 for Open Access Connections are onetime.

6.31 **Subd. 16. Build Wealth MN**

500,000

500,000

6.32 This appropriation is for a grant to Build
 6.33 Wealth Minnesota to provide a family
 6.34 stabilization plan program including program

7.1 outreach, financial literacy education, and
 7.2 budget and debt counseling.

7.3 **Subd. 17. Local Housing Trust Fund Grants** 1,000,000 -0-

7.4 (a) This appropriation is for grants to local
 7.5 housing trust funds established under
 7.6 Minnesota Statutes, section 462C.16, to
 7.7 incentivize local funding.

7.8 (b) A grantee is eligible to receive a grant
 7.9 amount equal to 100 percent of the new public
 7.10 revenue committed to the local housing trust
 7.11 fund from any source other than the state or
 7.12 federal government, up to \$150,000, and
 7.13 depending on funding availability, an amount
 7.14 equal to 50 percent of the new public revenue
 7.15 committed to the local housing trust fund from
 7.16 any source other than the state or federal
 7.17 government that is more than \$150,000 but
 7.18 not more than \$300,000.

7.19 (c) The agency shall consult with interested
 7.20 stakeholders when developing the guidelines,
 7.21 applications, and procedures for the program.

7.22 (d) A grantee must use grant funds within five
 7.23 years of receipt for purposes: (1) authorized
 7.24 under Minnesota Statutes, section 462C.16,
 7.25 subdivision 3; and (2) benefiting households
 7.26 with incomes at or below 115 percent of the
 7.27 state median income. A grantee must return
 7.28 any grant funds not used for these purposes
 7.29 within eight years of receipt to the
 7.30 commissioner of the Minnesota Housing
 7.31 Finance Agency for deposit into the economic
 7.32 development and housing challenge program
 7.33 under Minnesota Statutes, section 462A.33.

8.1 Subd. 18. Task Force on Shelter 200,000 -0-

8.2 This appropriation is to implement the task
8.3 force on shelter established under article 6.

8.4 Subd. 19. Availability of Funds

8.5 Money appropriated in the first year in this
8.6 article is available the second year.

8.7 **ARTICLE 2**

8.8 **HOUSING POLICY**

8.9 Section 1. Minnesota Statutes 2020, section 12A.09, subdivision 3, is amended to read:

8.10 Subd. 3. **Capacity building grants.** Grants may be made under section 462A.21,
8.11 subdivision 3b₂;

8.12 (1) to local units of government, including regional consortia, in the disaster area and;

8.13 (2) to nonprofit organizations; and

8.14 (3) to federally recognized American Indian Tribes or subdivisions located in Minnesota,
8.15 and Tribal housing corporations

8.16 working in the disaster area to assess housing and related needs, develop and implement
8.17 community or regional plans to meet those needs, and provide capacity to implement recovery
8.18 plans.

8.19 **EFFECTIVE DATE.** This section is effective August 1, 2021.

8.20 Sec. 2. Minnesota Statutes 2020, section 256C.02, is amended to read:

8.21 **256C.02 PUBLIC ACCOMMODATIONS.**

8.22 People who are blind or people with a visual or physical disability have the same right
8.23 as the able-bodied to the full and free use of the streets, highways, sidewalks, walkways,
8.24 public buildings, public facilities, and other public places; and are entitled to full and equal
8.25 accommodations, advantages, facilities, and privileges of all common carriers, airplanes,
8.26 motor vehicles, railroad trains, motor buses, boats, or any other public conveyances or
8.27 modes of transportation, hotels, lodging places, places of public accommodation, amusement,
8.28 or resort, and other places to which the general public is invited, subject only to the conditions
8.29 and limitations established by law and applicable alike to all persons.

9.1 Every person who is totally or partially blind, or person who is deaf, or person with a
 9.2 physical disability, or any person training a dog to be a service dog shall have the right to
 9.3 be accompanied by a service dog in any of the places listed in section 363A.19. The person
 9.4 shall be liable for any damage done to the premises or facilities by such dog. ~~The service
 9.5 dog must be capable of being properly identified as from a recognized school for seeing
 9.6 eye, hearing ear, service, or guide dogs.~~

9.7 Sec. 3. Minnesota Statutes 2020, section 273.11, subdivision 12, is amended to read:

9.8 Subd. 12. **Community land trusts.** (a) A community land trust, as defined under chapter
 9.9 462A, is (i) a community-based nonprofit corporation organized under chapter 317A, which
 9.10 qualifies for tax exempt status under 501(c)(3), or (ii) a "city" as defined in section 462C.02,
 9.11 subdivision 6, which has received funding from the Minnesota housing finance agency for
 9.12 purposes of the community land trust program. The Minnesota Housing Finance Agency
 9.13 shall set the criteria for community land trusts.

9.14 (b) ~~All occupants of a community land trust building must have a family income of less
 9.15 than 80 percent of the greater of (1) the state median income, or (2) the area or county
 9.16 median income, as most recently determined by the Department of Housing and Urban
 9.17 Development.~~ Before the community land trust can rent or sell a unit to an applicant, the
 9.18 community land trust shall verify to the satisfaction of the administering agency or the city
 9.19 that the family income of each person or family applying for a unit in the community land
 9.20 trust building is within the income criteria provided in ~~this paragraph~~ section 462A.30,
 9.21 subdivision 9. The administering agency or the city shall verify to the satisfaction of the
 9.22 county assessor that the occupant meets the income criteria under ~~this paragraph~~ section
 9.23 462A.30, subdivision 9. The property tax benefits under paragraph (c) shall be granted only
 9.24 to property owned or rented by persons or families within the qualifying income limits. The
 9.25 family income criteria and verification is only necessary at the time of initial occupancy in
 9.26 the property.

9.27 (c) A unit which is owned by the occupant and used as a homestead by the occupant
 9.28 qualifies for homestead treatment as class 1a under section 273.13, subdivision 22. A unit
 9.29 which is rented by the occupant and used as a homestead by the occupant shall be class 4a
 9.30 or 4b property, under section 273.13, subdivision 25, whichever is applicable. Any remaining
 9.31 portion of the property not used for residential purposes shall be classified by the assessor
 9.32 in the appropriate class based upon the use of that portion of the property owned by the
 9.33 community land trust. The land upon which the building is located shall be assessed at the
 9.34 same classification rate as the units within the building, provided that if the building contains

10.1 some units assessed as class 1a and some units assessed as class 4a or 4b, the market value
 10.2 of the land will be assessed in the same proportions as the value of the building.

10.3 **EFFECTIVE DATE.** This section is effective August 1, 2021.

10.4 Sec. 4. Minnesota Statutes 2020, section 326B.106, subdivision 7, is amended to read:

10.5 Subd. 7. **Window fall prevention device code.** (a) The commissioner of labor and
 10.6 industry shall adopt rules for window fall prevention devices as part of the State Building
 10.7 Code. Window fall prevention devices include, but are not limited to, safety screens,
 10.8 hardware, guards, and other devices that comply with the standards established by the
 10.9 commissioner of labor and industry. The rules shall require compliance with standards for
 10.10 window fall prevention devices developed by ASTM International, contained in the
 10.11 International Building Code as the model language with amendments deemed necessary to
 10.12 coordinate with the other adopted building codes in Minnesota. The rules shall establish a
 10.13 scope that includes the applicable building occupancies, and the types, locations, and sizes
 10.14 of windows that will require the installation of fall devices.

10.15 (b) In one- and two-family dwellings and townhouses, as defined in Minnesota Rules,
 10.16 part 1309.0202, subpart 1, window fall prevention devices are not required when: (1) the
 10.17 lowest part of the window opening of an operable window is a minimum of 24 inches above
 10.18 the finished floor of the room in which the window is located; or (2) the lowest part of the
 10.19 opening of an operable window is located 72 inches or less above the exterior grade below.

10.20 Sec. 5. Minnesota Statutes 2020, section 363A.09, subdivision 5, is amended to read:

10.21 Subd. 5. **Real property full and equal access.** It is an unfair discriminatory practice
 10.22 for a person to deny full and equal access to real property provided for in sections 363A.08
 10.23 to 363A.19, and 363A.28, subdivision 10, to a person who ~~is totally or partially blind, deaf,~~
 10.24 ~~or has a physical or sensory~~ has a disability and who uses a service animal, ~~if the service~~
 10.25 ~~animal can be properly identified as being from a recognized program which trains service~~
 10.26 ~~animals to aid persons who are totally or partially blind or deaf or have physical or sensory~~
 10.27 ~~disabilities.~~ The person may not be required to pay extra compensation for the service animal
 10.28 but is liable for damage done to the premises by the service animal.

10.29 Sec. 6. Minnesota Statutes 2020, section 462A.05, subdivision 14, is amended to read:

10.30 Subd. 14. **Rehabilitation loans.** It may agree to purchase, make, or otherwise participate
 10.31 in the making, and may enter into commitments for the purchase, making, or participation
 10.32 in the making, of eligible loans for rehabilitation, with terms and conditions as the agency

11.1 deems advisable, to persons and families of low and moderate income, and to owners of
11.2 existing residential housing for occupancy by such persons and families, for the rehabilitation
11.3 of existing residential housing owned by them. The loans may be insured or uninsured and
11.4 may be made with security, or may be unsecured, as the agency deems advisable. The loans
11.5 may be in addition to or in combination with long-term eligible mortgage loans under
11.6 subdivision 3. They may be made in amounts sufficient to refinance existing indebtedness
11.7 secured by the property, if refinancing is determined by the agency to be necessary to permit
11.8 the owner to meet the owner's housing cost without expending an unreasonable portion of
11.9 the owner's income thereon. No loan for rehabilitation shall be made unless the agency
11.10 determines that the loan will be used primarily to make the housing more desirable to live
11.11 in, to increase the market value of the housing, for compliance with state, county or municipal
11.12 building, housing maintenance, fire, health or similar codes and standards applicable to
11.13 housing, or to accomplish energy conservation related improvements. In unincorporated
11.14 areas and municipalities not having codes and standards, the agency may, solely for the
11.15 purpose of administering the provisions of this chapter, establish codes and standards. ~~Except~~
11.16 ~~for accessibility improvements under this subdivision and subdivisions 14a and 24, clause~~
11.17 ~~(1), no secured loan for rehabilitation of any owner-occupied property shall be made in an~~
11.18 ~~amount which, with all other existing indebtedness secured by the property, would exceed~~
11.19 ~~110 percent of its market value, as determined by the agency.~~ No loan under this subdivision
11.20 for the rehabilitation of owner-occupied housing shall be denied solely because the loan
11.21 will not be used for placing the owner-occupied residential housing in full compliance with
11.22 all state, county, or municipal building, housing maintenance, fire, health, or similar codes
11.23 and standards applicable to housing. Rehabilitation loans shall be made only when the
11.24 agency determines that financing is not otherwise available, in whole or in part, from private
11.25 lenders upon equivalent terms and conditions. Accessibility rehabilitation loans authorized
11.26 under this subdivision may be made to eligible persons and families without limitations
11.27 relating to the maximum incomes of the borrowers if:

11.28 (1) the borrower or a member of the borrower's family requires a level of care provided
11.29 in a hospital, skilled nursing facility, or intermediate care facility for persons with
11.30 developmental disabilities;

11.31 (2) home care is appropriate; and

11.32 (3) the improvement will enable the borrower or a member of the borrower's family to
11.33 reside in the housing.

12.1 The agency may waive any requirement that the housing units in a residential housing
 12.2 development be rented to persons of low and moderate income if the development consists
 12.3 of four or less dwelling units, one of which is occupied by the owner.

12.4 **EFFECTIVE DATE.** This section is effective August 1, 2021.

12.5 Sec. 7. Minnesota Statutes 2020, section 462A.05, subdivision 14a, is amended to read:

12.6 Subd. 14a. **Rehabilitation loans; existing owner-occupied residential housing.** It may
 12.7 make loans to persons and families of low and moderate income to rehabilitate or to assist
 12.8 in rehabilitating existing residential housing owned and occupied by those persons or
 12.9 families. Rehabilitation may include replacement of manufactured homes. No loan shall be
 12.10 made unless the agency determines that the loan will be used primarily for rehabilitation
 12.11 work necessary for health or safety, essential accessibility improvements, or to improve the
 12.12 energy efficiency of the dwelling. No loan for rehabilitation of owner-occupied residential
 12.13 housing shall be denied solely because the loan will not be used for placing the residential
 12.14 housing in full compliance with all state, county or municipal building, housing maintenance,
 12.15 fire, health or similar codes and standards applicable to housing. The amount of any loan
 12.16 shall not exceed the lesser of (a) a maximum loan amount determined under rules adopted
 12.17 by the agency not to exceed ~~\$27,000~~ \$37,500, or (b) the actual cost of the work performed,
 12.18 or (c) that portion of the cost of rehabilitation which the agency determines cannot otherwise
 12.19 be paid by the person or family without the expenditure of an unreasonable portion of the
 12.20 income of the person or family. Loans made in whole or in part with federal funds may
 12.21 exceed the maximum loan amount to the extent necessary to comply with federal lead
 12.22 abatement requirements prescribed by the funding source. In making loans, the agency shall
 12.23 determine the circumstances under which and the terms and conditions under which all or
 12.24 any portion of the loan will be repaid and shall determine the appropriate security for the
 12.25 repayment of the loan. Loans pursuant to this subdivision may be made with or without
 12.26 interest or periodic payments.

12.27 **EFFECTIVE DATE.** This section is effective August 1, 2021.

12.28 Sec. 8. Minnesota Statutes 2020, section 462A.07, subdivision 2, is amended to read:

12.29 Subd. 2. **Technical assistance; residential housing.** It may provide general technical
 12.30 services and support to assist in the planning, processing, design, construction or
 12.31 rehabilitation, and inspection of residential housing for occupancy by persons and families
 12.32 of low and moderate income and to increase the capacity of entities to meet the housing
 12.33 needs in the state.

13.1 **EFFECTIVE DATE.** This section is effective August 1, 2021.

13.2 Sec. 9. Minnesota Statutes 2020, section 462A.30, subdivision 9, is amended to read:

13.3 Subd. 9. **Persons and families of low and moderate income.** "Persons and families of
13.4 low and moderate income" means persons or families whose income does not exceed:

13.5 (1) ~~80~~ 115 percent of the greater of state median income, or area or county median
13.6 income as determined by the Department of Housing and Urban Development; or

13.7 (2) the amount that qualifies the organization for tax exempt status under United States
13.8 Code, title 26, section 501(c)(3), whichever is less.

13.9 **EFFECTIVE DATE.** This section is effective August 1, 2021.

13.10 Sec. 10. **[504B.113] SERVICE AND SUPPORT ANIMAL DOCUMENTATION.**

13.11 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
13.12 the meanings given.

13.13 (b) "Service animal" has the meaning given in Code of Federal Regulations, title 28,
13.14 section 36.104, as amended.

13.15 (c) "Support animal" means an animal that: (1) provides emotional support that alleviates
13.16 one or more identified symptoms or effects of a person's disability; and (2) does not need
13.17 to be trained to perform a specific disability-related task.

13.18 (d) "Tenant" means a current tenant or a prospective tenant.

13.19 (e) "Licensed professional" means a provider of care who is:

13.20 (1) a person licensed by the Board of Medical Practice under chapter 147;

13.21 (2) a physician assistant licensed under chapter 147A;

13.22 (3) a nurse, as defined in section 148.171, subdivision 9, licensed under chapter 148;

13.23 (4) a psychologist licensed under chapter 148;

13.24 (5) a mental health professional licensed under chapter 148B;

13.25 (6) a social worker licensed under chapter 148E;

13.26 (7) a counselor licensed under chapter 148F; or

13.27 (8) any professional listed in clauses (1) to (7) who holds a valid license in any other
13.28 state, provided the professional has an existing treatment relationship with the tenant
13.29 requesting a reasonable accommodation.

14.1 A licensed professional does not include any person who operates primarily to provide
 14.2 certification for a service or support animal.

14.3 (f) "Reasonable accommodation" means the granting of a waiver by a landlord of a
 14.4 no-pets or pet-fee policy for a person with a disability consistent with the Fair Housing Act,
 14.5 United States Code, title 42, sections 3601 to 3619, as amended, and section 504 of the
 14.6 Rehabilitation Act of 1973, United States Code, title 29, section 701, as amended.

14.7 (g) "Disability" has the meaning given in section 363A.03, subdivision 12.

14.8 Subd. 2. **Request for documentation permitted.** (a) A landlord may require a tenant
 14.9 to provide supporting documentation for each service or support animal for which the tenant
 14.10 requests a reasonable accommodation under any provision of law. A landlord must not
 14.11 require supporting documentation from a tenant if the tenant's disability or disability-related
 14.12 need for a service or support animal is readily apparent or already known to the landlord.

14.13 (b) Upon a landlord's request, the tenant must provide supporting documentation from
 14.14 a licensed professional confirming the tenant's disability and the relationship between the
 14.15 tenant's disability and the need for a service or support animal. A landlord must not require
 14.16 the tenant to disclose or provide access to medical records or medical providers or provide
 14.17 any other information or documentation of a person's physical or mental disability.

14.18 Subd. 3. **Additional fees or deposits prohibited.** A landlord must not require a tenant
 14.19 with a reasonable accommodation under this section to pay an additional fee, charge, or
 14.20 deposit for the service or support animal. A tenant is liable to the landlord for any damage
 14.21 to the premises caused by the service or support animal.

14.22 Subd. 4. **Prohibited conduct.** A tenant must not, directly or indirectly through statements
 14.23 or conduct, knowingly:

14.24 (1) misrepresent themselves as a person with a disability that requires the use of a service
 14.25 or support animal; or

14.26 (2) provide fraudulent supporting documentation under this section.

14.27 Subd. 5. **Penalty.** If a tenant violates this section, the landlord may deny the tenant's
 14.28 rental application or request for a service or support animal. Nothing in this section shall
 14.29 be construed to prohibit an eviction action based on a breach of the lease.

14.30 Sec. 11. **[504B.116] PRORATED RENT REQUIRED.**

14.31 (a) When a lease term for a residential unit ends on a date before the last day of the final
 14.32 month, the amount of rent to be paid for the final month owed for the final month of rent

15.1 must be prorated at the average daily rate for that month so that the tenant only pays for the
15.2 actual number of days that occupancy is allowed. This provision applies to all leases,
15.3 including leases requiring the last month of rent to be paid in advance. Any attempted waiver
15.4 of this section by a landlord and tenant, by contract or otherwise, shall be void and
15.5 unenforceable.

15.6 (b) For purposes of this section, prorated rent must be calculated using the actual number
15.7 of calendar days for the calendar month in which the lease expires.

15.8 **EFFECTIVE DATE.** This section is effective September 1, 2021, and applies to leases
15.9 entered into on or after that date.

15.10 **ARTICLE 3**

15.11 **MANUFACTURED HOMES**

15.12 Section 1. **[168A.1411] MANUFACTURED HOME AFFIXED TO REAL PROPERTY**
15.13 **OWNED BY COOPERATIVE.**

15.14 Subdivision 1. **Certificates surrendered for cancellation; cooperatives.** (a) When a
15.15 manufactured home is to be affixed or is affixed, as defined in section 273.125, subdivision
15.16 8, paragraph (b), to real property owned by a Minnesota nonprofit corporation or a Minnesota
15.17 cooperative, the owner of the manufactured home may surrender the manufacturer's certificate
15.18 of origin or certificate of title to the department for cancellation so that the manufactured
15.19 home becomes an improvement to real property and is no longer titled as personal property.
15.20 The department must not issue a certificate of title for a manufactured home under chapter
15.21 168A if the manufacturer's certificate of origin is or has been surrendered under this
15.22 subdivision, except as provided in section 168A.142. Upon surrender of the manufacturer's
15.23 certificate of origin or the certificate of title, the department must issue notice of surrender
15.24 to the owner and upon recording an affidavit of affixation, which the county recorder or
15.25 registrar of titles, as applicable, must accept, the manufactured home is deemed to be an
15.26 improvement to real property. An affidavit of affixation by the owner of the manufactured
15.27 home must include the following information:

15.28 (1) the name, residence address, and mailing address of owner or owners of the
15.29 manufactured home;

15.30 (2) the legal description of the real property in which the manufactured home is, or will
15.31 be, located;

15.32 (3) a copy of the surrendered manufacturer's certificate of origin or certificate of title
15.33 and the notice of surrender;

16.1 (4) a written statement from the county auditor or county treasurer of the county where
 16.2 the manufactured home is located stating that all property taxes payable in the current year,
 16.3 as provided under section 273.125, subdivision 8, paragraph (b), have been paid or are not
 16.4 applicable; and

16.5 (5) the signature of the person who executes the affidavit, properly executed before a
 16.6 person authorized to authenticate an affidavit in this state.

16.7 (b) A certified copy of the affidavit must be delivered to the county auditor of the county
 16.8 in which the real property to which the manufactured home was affixed is located.

16.9 (c) The department is not liable for any errors, omissions, misstatements, or other
 16.10 deficiencies or inaccuracies in documents presented to the department under this section if
 16.11 the documents presented appear to satisfy the requirements of this section. The department
 16.12 has no obligation to investigate the accuracy of statements contained in the documents.

16.13 Subd. 2. **Affidavit form; cooperatives.** An affidavit of affixation must be in substantially
 16.14 the following form and must contain the following information:

16.15 **MANUFACTURED HOME AFFIDAVIT OF AFFIXATION IN A COOPERATIVE**

16.16 PURSUANT TO MINNESOTA STATUTES, SECTION 168A.1411

16.17 Homeowner, being duly sworn, on his or her oath, states as follows:

16.18 1. Homeowner owns the manufactured home ("home") described as follows:

16.19

	<u>Manufacturer's</u>	<u>Model Name or</u>	<u>Manufacturer's</u>		
<u>New/Used</u>	<u>Year</u>	<u>Name</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Length/Width</u>

16.22 2. A copy of the surrendered manufacturer's certificate of origin or certificate of title is
 16.23 attached.

16.24 3. A copy of the notice of surrender issued from the Minnesota Department of Public Safety
 16.25 Driver and Vehicle Services is attached.

16.26 4. The home is or will be located at the following "Property Address":

16.27

16.28 Street or Route City County State Zip Code

16.29 5. The legal description of the property address ("land") is as follows or as attached hereto:

16.30

16.31

16.32

18.1 The undersigned ("lender") intends that the home be immovable and a permanent
18.2 improvement to the land free of any personal property security interest.

18.3

18.4 Lender

18.5 By:

18.6 Authorized Signature

18.7 STATE OF

18.8) ss:

18.9 COUNTY OF

18.10 On the day of in the year before me, the undersigned, a Notary Public in and
18.11 for said state, personally appeared

18.12

18.13 personally known to me or proved to me on the basis of satisfactory evidence to be the
18.14 individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged
18.15 to me that he/she/they executed the same in his/her/their capacity(ies), and that by
18.16 his/her/their signature(s) on the instrument, the individual(s), or the person on behalf of
18.17 which the individual(s) acted, executed the instrument.

18.18

18.19 Notary Signature

18.20

18.21 Notary Printed Name

18.22 Notary Public, State of

18.23 Qualified in the County of

18.24 My commission expires

18.25 Official seal:

18.26 [only if the owner of the land is a Minnesota nonprofit corporation or cooperative]:

18.27 The undersigned is the of, a Minnesota [nonprofit
18.28 corporation or cooperative], which owns the land described above. I hereby certify that the
18.29 homeowner described above is a member of the [nonprofit corporation or cooperative]
18.30 whose membership entitles the homeowner to occupy [insert legal description of the
18.31 homeowner's lot or, if the corporation or cooperative has filed a scaled drawing as permitted
18.32 by Minnesota Statutes, section 168A.1411, subdivision 5, Lot shown on such
18.33 scaled drawing].

19.1

19.2 Signature block for nonprofit or cooperative

19.3

19.4 Acknowledgment of officer of nonprofit or
19.5 cooperative

19.6 Subd. 3. **Perfected security interest prevents surrender.** The department may not
19.7 cancel a certificate of title if, under this chapter, a security interest has been perfected on
19.8 the manufactured home. If a security interest has been perfected, the department must notify
19.9 the owner that each secured party must release or satisfy the security interest prior to
19.10 proceeding with surrender of the manufacturer's certificate of origin or certificate of title to
19.11 the department for cancellation. Permanent attachment to real property or the recording of
19.12 an affidavit of affixation does not extinguish an otherwise valid security interest in or tax
19.13 lien on the manufactured home, unless the requirements of subdivisions 1 to 3, including
19.14 the release of any security interest, have been satisfied.

19.15 Subd. 4. **Notice of security interest.** When a perfected security interest exists, or will
19.16 exist, on the manufactured home at the time the manufactured home is affixed to real
19.17 property, and the owner has not satisfied the requirements of subdivision 1, the owner of
19.18 the manufactured home, or its secured party, may record a notice with the county recorder,
19.19 or with the registrar of titles, if the land is registered, stating that the manufactured home
19.20 located on the property is encumbered by a perfected security interest and is not an
19.21 improvement to real property. The notice must state the name and address of the secured
19.22 party as set forth on the certificate of title, the legal description of the real property, and the
19.23 name and address of the record fee owner of the real property on which the manufactured
19.24 home is affixed. When the security interest is released or satisfied, the secured party must
19.25 attach a copy of the release or satisfaction to a notice executed by the secured party containing
19.26 the county recorder or registrar of titles document number of the notice of security interest.
19.27 The notice of release or satisfaction must be recorded with the county recorder, or registrar
19.28 of titles, if the land is registered. Neither the notice described in this subdivision nor the
19.29 security interest on the certificate of title is deemed to be an encumbrance on the real
19.30 property. The notices provided for in this subdivision need not be acknowledged.

19.31 Subd. 5. **Scaled drawing.** (a) If the portion of the land occupied by the homeowner has
19.32 not been subdivided, the nonprofit or cooperative owner shall have prepared and recorded
19.33 against the land a scaled drawing prepared by a licensed professional land surveyor who
19.34 shall certify that:

20.1 (1) the scaled drawing accurately depicts all information required by this subdivision;
 20.2 and

20.3 (2) the work was undertaken by, or reviewed and approved by, the certifying land
 20.4 surveyor.

20.5 (b) The scaled drawing shall show:

20.6 (1) the dimensions and location of all existing material structural improvements and
 20.7 roadways;

20.8 (2) the extent of any encroachments by or upon any portion of the land;

20.9 (3) the location and dimensions of all recorded easements within the land burdening any
 20.10 portion of the land;

20.11 (4) the distance and direction between noncontiguous parcels of real estate;

20.12 (5) the location and dimensions of the front, rear, and side boundaries of each lot that a
 20.13 member of the cooperative or nonprofit corporation has a right to occupy and that lot's
 20.14 unique lot number; and

20.15 (6) the legal description of the land.

20.16 **Sec. 2. [168A.1412] MANUFACTURED HOME AFFIXED TO REAL PROPERTY.**

20.17 Subdivision 1. **Manufactured home as real property.** A manufactured home may be
 20.18 made an improvement to real property, and no longer titled as personal property, pursuant
 20.19 to this section. A manufactured home constitutes an improvement to real property when:

20.20 (1) the manufactured home is to be affixed or is affixed, as defined in section 273.125,
 20.21 subdivision 8, paragraph (b), to the real property;

20.22 (2) the certificate of title is surrendered and canceled pursuant to subdivision 2, or the
 20.23 manufacturer's certificate or statement of origin is canceled pursuant to subdivision 3; and

20.24 (3) an affidavit of affixation pursuant to subdivision 5 is recorded with the county recorder
 20.25 or registrar of titles, as applicable.

20.26 Subd. 2. **Surrender of certificate of title.** (a) The owner of the manufactured home
 20.27 may surrender the manufacturer's certificate of title to the commissioner for cancellation.
 20.28 Upon receipt of the certificate of title, the commissioner must issue notice of cancellation
 20.29 to the owner of the manufactured home. In the event the certificate of title is lost, stolen,
 20.30 mutilated, destroyed, or becomes illegible, the owner may submit a written request for
 20.31 cancellation of the title which includes the serial number of the manufactured home and

21.1 states that the certificate of title is lost, stolen, mutilated, destroyed, or has become illegible.
21.2 Upon receipt of the request and verification of ownership in Driver and Vehicle Services
21.3 Division records, the commissioner must issue notice of cancellation to the owner of the
21.4 manufactured home and must not require the owner to deliver the certificate of title or obtain
21.5 a duplicate certificate of title. After canceling a certificate of title, the commissioner must
21.6 not allow transfer of the title to the manufactured home as personal property. The
21.7 commissioner must not require the owner of the manufactured home to deliver the affidavit
21.8 of affixation described in subdivision 5 in order for the commissioner to issue notice of
21.9 cancellation.

21.10 (b) The commissioner must not cancel a certificate of title if, under this chapter, a security
21.11 interest has been perfected on the manufactured home. If a security interest has been
21.12 perfected, the commissioner must notify the owner of the manufactured home that each
21.13 secured party must release or satisfy the security interest prior to cancellation of the certificate
21.14 of title by the commissioner. Affixing the manufactured home to real property or recording
21.15 an affidavit of affixation without cancellation of the certificate of title does not extinguish
21.16 an otherwise valid security interest in or tax lien on the manufactured home.

21.17 Subd. 3. **Surrender of manufacturer's certificate of origin.** The owner of the
21.18 manufactured home may surrender the manufacturer's certificate of origin to the
21.19 commissioner for cancellation. Upon delivery of the original certificate of origin, the
21.20 commissioner must issue notice of cancellation to the owner of the manufactured home.
21.21 The commissioner must not issue a certificate of title for a manufactured home if the
21.22 manufacturer's certificate of origin is or has been canceled under this subdivision, except
21.23 as provided in section 168A.142. The commissioner must not require the owner of the
21.24 manufactured home to deliver the affidavit of affixation described in subdivision 5 in order
21.25 for the commissioner to cancel the certificate of origin.

21.26 Subd. 4. **Verification.** The commissioner is not liable for any errors, omissions,
21.27 misstatements, or other deficiencies or inaccuracies in documents presented to the
21.28 commissioner under this section if the documents presented appear to satisfy the requirements
21.29 of this section. The commissioner has no obligation to investigate the accuracy of statements
21.30 contained in the documents to verify that the manufactured home has been affixed to the
21.31 real property.

21.32 Subd. 5. **Affidavit of affixation.** An affidavit of affixation must be in substantially the
21.33 following form and must contain the following information and attachments described in
21.34 the form. The county recorder or registrar of titles, as applicable, must accept any such
21.35 affidavit. The county recorder or registrar of titles, as applicable, must provide a copy of

22.1 the recorded affidavit of affixation to the county auditor of the county for the real property
 22.2 described therein or otherwise inform the county auditor that the home is to be taxed as an
 22.3 improvement to the real property to which it is affixed:

22.4 **MANUFACTURED HOME AFFIDAVIT OF AFFIXATION**

22.5 **PURSUANT TO MINNESOTA STATUTES, SECTION 168A.1412**

22.6 ("Affiant"), being first duly sworn, on oath states, or affirms
 22.7 under penalties of perjury that:

22.8 1. I am an owner of the manufactured home ("Manufactured Home") described as follows:

22.9 Manufacturer's name:

22.10 Make:

22.11 Model number:

22.12 Model year:

22.13 Serial number:

22.14 Dimensions:

22.15 Other descriptive information (if any):

22.16 2. The Manufactured Home is or will be (check one) affixed, in accordance with
 22.17 Minnesota Statutes, section 273.125, subdivision 8, to real property in

22.18 County, Minnesota, with the street address of:

22.19 Street or route:

22.20 City:

22.21 State:

22.22 Zip code:

22.23 and legally described as follows ("Land"):

22.24

22.25

22.26

22.27 Check here if all or part of the described real property is Registered (Torrens)

22.28 3. A copy of the notice of cancellation issued from the Minnesota Department of Public
 22.29 Safety Driver and Vehicle Services pursuant to Minnesota Statutes, section 168A.1412,
 22.30 subdivision 2 or 3, is attached.

22.31 4. The owner(s) of the Manufactured Home is/are the owner(s) of the Land.

23.1 5. The Affiant makes this affidavit to demonstrate that the Manufactured Home is an
 23.2 improvement to real property, no longer titled as personal property, and free of any personal
 23.3 property security interest.

23.4 Affiant
 23.5
 23.6 (Signature)

23.7 Signed and sworn to (or affirmed) before me this day of,

23.8 Notary Stamp or Seal
 23.9

23.10 Signature of notarial officer Title (and Rank):
 23.11 My commission expires:

23.12 This instrument was drafted by, and when
 23.13 recorded return to
 23.14

23.15 Subd. 6. **Notice of security interest.** When a perfected security interest exists, or will
 23.16 exist, on the manufactured home at the time the manufactured home is affixed to real
 23.17 property, and the owner has not satisfied the requirements of subdivision 1, the owner of
 23.18 the manufactured home, or its secured party, may record a notice with the county recorder,
 23.19 or with the registrar of titles, if the land is registered, stating that the manufactured home
 23.20 located on the property is encumbered by a perfected security interest and is not an
 23.21 improvement to real property. The notice must state the name and address of the secured
 23.22 party as set forth on the certificate of title, the legal description of the real property, and the
 23.23 name and address of the record fee owner of the real property on which the manufactured
 23.24 home is affixed. When the security interest is released or satisfied, the secured party must
 23.25 attach a copy of the release or satisfaction to a notice executed by the secured party containing
 23.26 the county recorder or registrar of titles document number of the notice of security interest.
 23.27 The notice of release or satisfaction must be recorded with the county recorder, or registrar
 23.28 of titles, if the land is registered. Neither the notice described in this subdivision nor the
 23.29 security interest on the certificate of title is deemed to be an encumbrance on the real
 23.30 property. The notices provided for in this subdivision need not be acknowledged.

23.31 Sec. 3. Minnesota Statutes 2020, section 273.125, subdivision 8, is amended to read:

23.32 Subd. 8. **Manufactured homes; sectional structures.** (a) In this section, "manufactured
 23.33 home" means a structure transportable in one or more sections, which is built on a permanent

24.1 chassis, and designed to be used as a dwelling with or without a permanent foundation when
24.2 connected to the required utilities, and contains the plumbing, heating, air conditioning, and
24.3 electrical systems in it. Manufactured home includes any accessory structure that is an
24.4 addition or supplement to the manufactured home and, when installed, becomes a part of
24.5 the manufactured home.

24.6 (b) Except as provided in paragraph (c), a manufactured home that meets each of the
24.7 following criteria must be valued and assessed as an improvement to real property, the
24.8 appropriate real property classification applies, and the valuation is subject to review and
24.9 the taxes payable in the manner provided for real property:

24.10 (1) ~~the owner of the unit holds~~ title to the land on which it is situated is held by: (i) the
24.11 owner of the unit; or (ii) a Minnesota nonprofit corporation or a Minnesota cooperative to
24.12 which the owner is a member;

24.13 (2) the unit is affixed to the land by a permanent foundation or is installed at its location
24.14 in accordance with the Manufactured Home Building Code in sections 327.31 to 327.34,
24.15 and rules adopted under those sections, or is affixed to the land like other real property in
24.16 the taxing district; and

24.17 (3) the unit is connected to public utilities, has a well and septic tank system, or is serviced
24.18 by water and sewer facilities comparable to other real property in the taxing district.

24.19 (c) A manufactured home that meets each of the following criteria must be assessed at
24.20 the rate provided by the appropriate real property classification but must be treated as
24.21 personal property, and the valuation is subject to review and the taxes payable in the manner
24.22 provided in this section:

24.23 (1) the owner of the unit is a lessee of the land under the terms of a lease, or the unit is
24.24 located in a manufactured home park but is not the homestead of the park owner;

24.25 (2) the unit is affixed to the land by a permanent foundation or is installed at its location
24.26 in accordance with the Manufactured Home Building Code contained in sections 327.31 to
24.27 327.34, and the rules adopted under those sections, or is affixed to the land like other real
24.28 property in the taxing district; and

24.29 (3) the unit is connected to public utilities, has a well and septic tank system, or is serviced
24.30 by water and sewer facilities comparable to other real property in the taxing district.

24.31 (d) Sectional structures must be valued and assessed as an improvement to real property
24.32 if the owner of the structure holds title to the land on which it is located or is a qualifying
24.33 lessee of the land under section 273.19. In this paragraph "sectional structure" means a

25.1 building or structural unit that has been in whole or substantial part manufactured or
 25.2 constructed at an off-site location to be wholly or partially assembled on site alone or with
 25.3 other units and attached to a permanent foundation.

25.4 (e) The commissioner of revenue may adopt rules under the Administrative Procedure
 25.5 Act to establish additional criteria for the classification of manufactured homes and sectional
 25.6 structures under this subdivision.

25.7 (f) A storage shed, deck, or similar improvement constructed on property that is leased
 25.8 or rented as a site for a manufactured home, sectional structure, park trailer, or travel trailer
 25.9 is taxable as provided in this section. In the case of property that is leased or rented as a site
 25.10 for a travel trailer, a storage shed, deck, or similar improvement on the site that is considered
 25.11 personal property under this paragraph is taxable only if its total estimated market value is
 25.12 over \$10,000. The property is taxable as personal property to the lessee of the site if it is
 25.13 not owned by the owner of the site. The property is taxable as real estate if it is owned by
 25.14 the owner of the site. As a condition of permitting the owner of the manufactured home,
 25.15 sectional structure, park trailer, or travel trailer to construct improvements on the leased or
 25.16 rented site, the owner of the site must obtain the permanent home address of the lessee or
 25.17 user of the site. The site owner must provide the name and address to the assessor upon
 25.18 request.

25.19 Sec. 4. **REVISOR INSTRUCTION.**

25.20 The revisor of statutes must change all cross-references to Minnesota Statutes, section
 25.21 168A.141, to Minnesota Statutes, section 168A.1412.

25.22 Sec. 5. **REPEALER.**

25.23 Minnesota Statutes 2020, section 168A.141, is repealed.

25.24 **ARTICLE 4**
 25.25 **BONDING PROVISIONS**

25.26 Section 1. Minnesota Statutes 2020, section 462A.37, is amended by adding a subdivision
 25.27 to read:

25.28 Subd. 2h. **Additional authorization.** (a) In addition to the amount authorized in
 25.29 subdivisions 2 to 2g, the agency may issue up to \$100,000,000 in housing infrastructure
 25.30 bonds in one or more series to which the payments under this section may be pledged. Of

26.1 this authorization, proceeds from the sale of bonds authorized in this section must be applied
26.2 as follows unless modified under paragraph (b):

26.3 (1) \$18,333,000 for uses under subdivision 2, paragraph (a), clause (7); and

26.4 (2) \$15,000,000 for acquisition of manufactured home parks and for manufactured home
26.5 park improvements and infrastructure under subdivision 2, paragraph (a), clause (4).

26.6 (b) The agency must use its best efforts to award grants and loans for the purposes
26.7 allocated in paragraph (a), clauses (1) and (2). If the agency has not committed the full
26.8 amount of the allocations by January 16, 2024, to the described purposes due to a lack of
26.9 qualifying projects, the allocated amount may be applied to other purposes authorized in
26.10 subdivision 2.

26.11 **EFFECTIVE DATE.** This section is effective January 16, 2022.

26.12 Sec. 2. Minnesota Statutes 2020, section 462A.37, subdivision 5, is amended to read:

26.13 **Subd. 5. Additional appropriation.** (a) The agency must certify annually to the
26.14 commissioner of management and budget the actual amount of annual debt service on each
26.15 series of bonds issued under this section.

26.16 (b) Each July 15, beginning in 2015 and through 2037, if any housing infrastructure
26.17 bonds issued under subdivision 2a remain outstanding, the commissioner of management
26.18 and budget must transfer to the housing infrastructure bond account established under section
26.19 462A.21, subdivision 33, the amount certified under paragraph (a), not to exceed \$6,400,000
26.20 annually. The amounts necessary to make the transfers are appropriated from the general
26.21 fund to the commissioner of management and budget.

26.22 (c) Each July 15, beginning in 2017 and through 2038, if any housing infrastructure
26.23 bonds issued under subdivision 2b remain outstanding, the commissioner of management
26.24 and budget must transfer to the housing infrastructure bond account established under section
26.25 462A.21, subdivision 33, the amount certified under paragraph (a), not to exceed \$800,000
26.26 annually. The amounts necessary to make the transfers are appropriated from the general
26.27 fund to the commissioner of management and budget.

26.28 (d) Each July 15, beginning in 2019 and through 2040, if any housing infrastructure
26.29 bonds issued under subdivision 2c remain outstanding, the commissioner of management
26.30 and budget must transfer to the housing infrastructure bond account established under section
26.31 462A.21, subdivision 33, the amount certified under paragraph (a), not to exceed \$2,800,000
26.32 annually. The amounts necessary to make the transfers are appropriated from the general
26.33 fund to the commissioner of management and budget.

27.1 (e) Each July 15, beginning in 2020 and through 2041, if any housing infrastructure
27.2 bonds issued under subdivision 2d remain outstanding, the commissioner of management
27.3 and budget must transfer to the housing infrastructure bond account established under section
27.4 462A.21, subdivision 33, the amount certified under paragraph (a). The amounts necessary
27.5 to make the transfers are appropriated from the general fund to the commissioner of
27.6 management and budget.

27.7 (f) Each July 15, beginning in 2020 and through 2041, if any housing infrastructure
27.8 bonds issued under subdivision 2e remain outstanding, the commissioner of management
27.9 and budget must transfer to the housing infrastructure bond account established under section
27.10 462A.21, subdivision 33, the amount certified under paragraph (a). The amounts necessary
27.11 to make the transfers are appropriated from the general fund to the commissioner of
27.12 management and budget.

27.13 (g) Each July 15, beginning in 2022 and through 2043, if any housing infrastructure
27.14 bonds issued under subdivision 2f remain outstanding, the commissioner of management
27.15 and budget must transfer to the housing infrastructure bond account established under section
27.16 462A.21, subdivision 33, the amount certified under paragraph (a). The amounts necessary
27.17 to make the transfers are appropriated from the general fund to the commissioner of
27.18 management and budget.

27.19 (h) Each July 15, beginning in 2022 and through 2043, if any housing infrastructure
27.20 bonds issued under subdivision 2g remain outstanding, the commissioner of management
27.21 and budget must transfer to the housing infrastructure bond account established under section
27.22 462A.21, subdivision 33, the amount certified under paragraph (a). The amounts necessary
27.23 to make the transfers are appropriated from the general fund to the commissioner of
27.24 management and budget.

27.25 (i) Each July 15, beginning in 2023 and through 2044, if any housing infrastructure
27.26 bonds issued under subdivision 2h remain outstanding, the commissioner of management
27.27 and budget must transfer to the housing infrastructure bond account established under section
27.28 462A.21, subdivision 33, the amount certified under paragraph (a). The amounts necessary
27.29 to make the transfers are appropriated from the general fund to the commissioner of
27.30 management and budget.

27.31 ~~(i)~~ (j) The agency may pledge to the payment of the housing infrastructure bonds the
27.32 payments to be made by the state under this section.

28.1 Sec. 3. Minnesota Statutes 2020, section 474A.21, is amended to read:

28.2 **474A.21 APPROPRIATION; RECEIPTS.**

28.3 Any fees collected by the department under sections 474A.01 to 474A.21 must be
 28.4 deposited in a separate account in the ~~general~~ special revenue fund. The amount necessary
 28.5 to refund application deposits is appropriated to the department from the separate account
 28.6 in the ~~general~~ special revenue fund for that purpose. The interest accruing on application
 28.7 deposits and any application deposit not refunded as provided under section 474A.061,
 28.8 subdivision 4 or 7, or 474A.091, subdivision 5, or forfeited as provided under section
 28.9 474A.131, subdivision 1, paragraph (b), or subdivision 2, must be deposited in the housing
 28.10 trust fund account under section 462A.201.

28.11 Sec. 4. **HOUSING POOL BONDING AUTHORITY APPLICATION DEPOSIT**
 28.12 **REFUND.**

28.13 Notwithstanding Minnesota Statutes, sections 474A.061, subdivisions 1a, paragraph (a),
 28.14 and 7; and 474A.21, due to the unique circumstances of the COVID-19 pandemic, issuers
 28.15 that returned all of their allocation of bonding authority from the 2020 housing pool shall
 28.16 receive a refund of the amount of the application deposit submitted with the issuer's 2020
 28.17 housing pool application, less any amount previously refunded. Any application deposit
 28.18 money that has not yet been transferred under Minnesota Statutes, section 474A.21, as of
 28.19 the date of final enactment that is connected to full returns of bonding authority from the
 28.20 2020 housing pool is not required to be deposited in the fund under Minnesota Statutes,
 28.21 section 462A.201; and the department may instead retain that money in the separate account
 28.22 in the special revenue fund under Minnesota Statutes, section 474A.21. The amount necessary
 28.23 to refund the application deposits under this section is appropriated to the department from
 28.24 the separate account in the special revenue fund under Minnesota Statutes, section 474A.21.
 28.25 For purposes of this section, "department" means the Department of Management and
 28.26 Budget.

28.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.

28.28 Sec. 5. **ADJUSTMENT TO HOUSING INFRASTRUCTURE BOND**
 28.29 **AUTHORIZATION.**

28.30 (a) The housing infrastructure bond authorization in Minnesota Statutes, section 462A.37,
 28.31 subdivision 2h, is reduced by the amount of new federal funds appropriated and dedicated
 28.32 for loans and grants for the same purposes authorized in Minnesota Statutes, section 462A.37,
 28.33 subdivision 2, paragraph (a), or for any specific purpose that falls within one or more of the

29.1 purposes authorized in Minnesota Statutes, section 462A.37, subdivision 2, paragraph (a),
 29.2 enacted by Congress as part of an infrastructure bill or other bill that is not the annual
 29.3 Transportation Housing and Urban Development appropriations bill between June 1, 2021,
 29.4 and December 31, 2021. The allocations in Minnesota Statutes, section 462A.37, subdivision
 29.5 2h, paragraph (a), clauses (1) and (2), are reduced by the amount of federal funds that are
 29.6 appropriated for and dedicated to the purposes specified in Minnesota Statutes, section
 29.7 462A.37, subdivision 2h, paragraph (a), clauses (1) and (2).

29.8 (b) The Minnesota Housing Finance Agency must report to the chairs and ranking
 29.9 minority members of the committees in the senate and the house of representatives with
 29.10 jurisdiction over housing policy and finance by January 15, 2022, as to the amount that the
 29.11 authorization and allocations in Minnesota Statutes, section 462A.37, subdivision 2h, are
 29.12 reduced under this section.

29.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.

29.14 **ARTICLE 5**

29.15 **EVICITION MORATORIUM PHASEOUT**

29.16 Section 1. **EXECUTIVE ORDERS 20-14, 20-73, AND 20-79 VOID.**

29.17 Notwithstanding Minnesota Statutes, chapter 12, or any other law to the contrary,
 29.18 Executive Orders 20-14, 20-73, and 20-79 are null and void.

29.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.

29.20 Sec. 2. **EVICITION MORATORIUM PHASEOUT.**

29.21 (a) For purposes of this section, a "COVID-19 emergency rental assistance program"
 29.22 means an emergency rental assistance program authorized under the federal Consolidated
 29.23 Appropriations Act, 2021, Public Law 116-260, or the federal American Rescue Plan Act,
 29.24 2021, Public Law 117-2.

29.25 (b) Notwithstanding any law to the contrary, the following actions are prohibited:

29.26 (1) termination or nonrenewal of residential leases, except:

29.27 (i) at the request of a tenant or where the termination is due to the tenant seriously
 29.28 endangering the safety of others or significantly damaging property;

29.29 (ii) for violations under Minnesota Statutes, section 504B.171, subdivision 1;

29.30 (iii) for material violations of the lease other than nonpayment of rent; and

30.1 (iv) from and after 45 days after the date of enactment of this act, for those with
30.2 outstanding rent who are ineligible for rental assistance through a COVID-19 emergency
30.3 rental assistance program;

30.4 (2) filing of eviction actions under Minnesota Statutes, section 504B.285 or 504B.291,
30.5 except:

30.6 (i) where the tenant seriously endangers the safety of others or significantly damages
30.7 property;

30.8 (ii) for violations under Minnesota Statutes, section 504B.171, subdivision 1;

30.9 (iii) from and after 15 days after the date of enactment of this act, for material violations
30.10 of the lease other than nonpayment of rent; and

30.11 (iv) from and after 75 days after the date of enactment of this act, for those with
30.12 outstanding rent who are ineligible for rental assistance through a COVID-19 emergency
30.13 rental assistance program;

30.14 (3) termination of a residential rental agreement or filing an eviction action under
30.15 Minnesota Statutes, section 327C.09, except for terminations or eviction actions under
30.16 Minnesota Statutes, section 327C.09, subdivision 3, or under Minnesota Statutes, section
30.17 327C.09, subdivision 5, if the case is based on the resident endangering the safety of other
30.18 residents or park personnel; and

30.19 (4) delivery of default notices by owners of security interests in manufactured homes
30.20 located in Minnesota pursuant to Minnesota Statutes, section 327.64. A secured party is
30.21 also prohibited from commencing an action for a court order to remove an occupant from
30.22 a manufactured home.

30.23 (c) Notwithstanding paragraph (b), a landlord may file an eviction action or proceed
30.24 with an eviction action against a tenant:

30.25 (1) who is eligible for assistance through a COVID-19 emergency rental assistance
30.26 program; and

30.27 (2) who refuses to apply for assistance through the program, refuses to provide
30.28 information needed by the landlord to apply for assistance on the tenant's behalf, or refuses
30.29 to provide the landlord with proof that the tenant applied for assistance through the program.

30.30 (d) Nothing in this section shall:

30.31 (1) prohibit an action where the tenant or occupant abandons the premises and relief is
30.32 sought under Minnesota Statutes, section 504B.271 or 504B.365;

31.1 (2) reduce the rent owed by the tenant to the landlord, prevent the landlord from collecting
31.2 rent owed, or reduce arrears owed by a tenant for rent; or

31.3 (3) prohibit a tenant who is ineligible for assistance through a COVID-19 emergency
31.4 rental assistance program from applying for or obtaining rental assistance through other
31.5 programs.

31.6 (e) This section expires 105 days after the date of enactment of this act.

31.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

31.8 **Sec. 3. COVID-19 EMERGENCY RENTAL ASSISTANCE NOTIFICATION.**

31.9 (a) At least 15 days prior to filing an eviction action against a tenant based on nonpayment
31.10 of rent, a landlord must provide a written notice to the tenant with the following information:

31.11 (1) the state eviction moratorium has ended and the tenant may soon be subject to an
31.12 eviction action;

31.13 (2) the total amount of rent past due; and

31.14 (3) a tenant should visit renthelpmn.org or call 211 to see if they are eligible for financial
31.15 assistance.

31.16 (b) If the court finds that proper notice was not provided, the court may exercise discretion
31.17 in staying an eviction proceeding until proper notice is provided.

31.18 (c) Where a landlord has substantially complied with this section, a lack of strict
31.19 compliance with this section is not a defense to an action brought under Minnesota Statutes,
31.20 chapter 504B, and shall not constitute grounds for dismissal of such an action.

31.21 (d) This section expires 105 days after the date of enactment of this act.

31.22 **EFFECTIVE DATE.** This section is effective the day following final enactment.

31.23 **Sec. 4. EVICCTIONS; PENDING APPLICATIONS FOR RENTAL ASSISTANCE.**

31.24 Notwithstanding any law to the contrary, including section 2, the filing of an eviction
31.25 action or proceeding with an eviction action based on nonpayment of rent against a tenant
31.26 with a pending application for assistance through an emergency rental assistance program
31.27 authorized under the federal Consolidated Appropriations Act, 2021, Public Law 116-260,
31.28 or the federal American Rescue Plan Act, 2021, Public Law 117-2, is prohibited. If the
31.29 tenant reasonably has access to the information, the tenant must provide the landlord or

32.1 court with proof of a pending application and reason for a delay, if any, in processing the
 32.2 tenant's application. This section expires June 1, 2022.

32.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

32.4 **ARTICLE 6**

32.5 **TASK FORCE ON SHELTER**

32.6 Section 1. **TASK FORCE ON SHELTER.**

32.7 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
 32.8 the meanings given.

32.9 (b) "Director" means the state director of the Minnesota Interagency Council on
 32.10 Homelessness.

32.11 (c) "Homeless" or "homelessness" means lacking a fixed, regular, and adequate nighttime
 32.12 residence.

32.13 (d) "Resident" means a person residing in a shelter, including all members of a family
 32.14 unit.

32.15 (e) "Shelter" means an indoor sleeping and sanitary dwelling, whether in a fixed or
 32.16 rotating location, intended for individuals and families experiencing homelessness, provided
 32.17 by a unit of government, a nonprofit organization, or a place of worship.

32.18 Subd. 2. **Establishment.** A task force on shelter is established to:

32.19 (1) develop standards for the provision of shelter; and

32.20 (2) examine the need for, and the feasibility and cost of, establishing state oversight of
 32.21 shelter.

32.22 Subd. 3. **Membership.** (a) The task force consists of the following 24 members appointed
 32.23 by the director:

32.24 (1) the commissioner of human services, or a designee;

32.25 (2) the commissioner of corrections, or a designee;

32.26 (3) the commissioner of health, or a designee;

32.27 (4) the commissioner of public safety, or a designee;

32.28 (5) the commissioner of transportation, or a designee;

32.29 (6) the commissioner of veterans affairs, or a designee;

33.1 (7) three public members who have experienced homelessness and resided in a shelter,
33.2 at least one of whom has resided in a shelter in greater Minnesota;

33.3 (8) one public member who has experienced homelessness and chose to remain
33.4 unsheltered;

33.5 (9) one representative of Street Voices of Change;

33.6 (10) one representative of Freedom from the Streets;

33.7 (11) two representatives from organizations that advocate on behalf of persons with
33.8 disabilities;

33.9 (12) one representative from an organization that advocates on behalf of persons
33.10 experiencing homelessness;

33.11 (13) one representative from an organization that provides legal services to persons
33.12 experiencing homelessness;

33.13 (14) four representatives of organizations representing shelter providers, two of which
33.14 must provide shelter in the seven-county metropolitan area, two of which must provide
33.15 shelter in greater Minnesota, one of which must also provide shelter to families, and one of
33.16 which must also be a victim service provider that is funded to provide shelter to survivors
33.17 of domestic violence and sexual assault;

33.18 (15) two representatives from cities, one representing a metropolitan city and the other
33.19 representing a city in greater Minnesota; and

33.20 (16) two representatives from counties, one representing a metropolitan county and the
33.21 other representing a county in greater Minnesota.

33.22 (b) Appointments must be made no later than August 1, 2021.

33.23 (c) Task force members shall serve without compensation, except for public members.
33.24 Members eligible for compensation shall receive expenses as provided in Minnesota Statutes,
33.25 section 15.059, subdivision 6.

33.26 (d) Vacancies shall be filled by the director consistent with the qualifications of the
33.27 vacating member required by this subdivision.

33.28 Subd. 4. **Meetings; officers.** (a) The director shall convene the first meeting of the task
33.29 force no later than August 15, 2021, and shall provide physical or virtual meeting space as
33.30 necessary for the task force to conduct its work.

34.1 (b) At its first meeting, the task force shall elect a chair and vice-chair from among the
34.2 task force members and may elect other officers as necessary.

34.3 (c) The task force shall meet at least once every two months.

34.4 (d) Meetings of the task force are subject to Minnesota Statutes, chapter 13D.

34.5 Subd. 5. **Duties.** The task force must:

34.6 (1) examine existing shelter policies and practices in shelters of all types, including
34.7 shelter in the seven-county metropolitan area, suburbs, and greater Minnesota, and shelter
34.8 for single adults, families, and survivors of domestic violence;

34.9 (2) engage stakeholders, which include but are not limited to:

34.10 (i) shelter providers;

34.11 (ii) people who have experienced homelessness and resided in shelter;

34.12 (iii) relevant state and local agencies; and

34.13 (iv) other persons or organizations with expertise in homelessness; and

34.14 (3) make recommendations to the legislature regarding standards that will strengthen
34.15 the shelter system and ensure that shelters have the ability and resources to provide safe
34.16 and appropriate shelter services to those who need them.

34.17 Subd. 6. **Administrative support.** The Minnesota Housing Finance Agency must provide
34.18 administrative support and meeting space for the task force.

34.19 Subd. 7. **Report.** (a) No later than February 1, 2022, the task force shall submit an initial
34.20 report to the chairs and ranking minority members of the house of representatives and senate
34.21 committees and divisions with jurisdiction over housing and preventing homelessness on
34.22 its findings and recommendations.

34.23 (b) No later than August 31, 2022, the task force shall submit a final report to the chairs
34.24 and ranking minority members of the house of representatives and senate committees and
34.25 divisions with jurisdiction over housing and preventing homelessness on its findings and
34.26 recommendations.

34.27 Subd. 8. **Expiration.** The task force expires the day following submission of the final
34.28 report under subdivision 7.

34.29 **EFFECTIVE DATE.** This section is effective July 1, 2021.

168A.141 MANUFACTURED HOME AFFIXED TO REAL PROPERTY.

Subdivision 1. **Certificates surrendered for cancellation.** (a) When a manufactured home is to be affixed or is affixed, as defined in section 273.125, subdivision 8, paragraph (b), to real property, the owner of the manufactured home may surrender the manufacturer's certificate of origin or certificate of title to the department for cancellation so that the manufactured home becomes an improvement to real property and is no longer titled as personal property. The department must not issue a certificate of title for a manufactured home under chapter 168A if the manufacturer's certificate of origin is or has been surrendered under this subdivision, except as provided in section 168A.142. Upon surrender of the manufacturer's certificate of origin or the certificate of title, the department must issue notice of surrender to the owner, and upon recording an affidavit of affixation, which the county recorder or registrar of titles, as applicable, must accept, the manufactured home is deemed to be an improvement to real property. An affidavit of affixation by the owner of the manufactured home must include the following information:

- (1) the name, residence address, and mailing address of owner or owners of the manufactured home;
- (2) the legal description of the real property in which the manufactured home is, or will be, located;
- (3) a copy of the surrendered manufacturer's certificate of origin or certificate of title and the notice of surrender;
- (4) a written statement from the county auditor or county treasurer of the county where the manufactured home is located stating that all property taxes payable in the current year, as provided under section 273.125, subdivision 8, paragraph (b), have been paid, or are not applicable;
- (5) the name and address of the person designated by the applicant to record the original affidavit of affixation with the county recorder or registrar of titles for the county where the real property is located; and
- (6) the signature of the person who executes the affidavit, properly executed before a person authorized to authenticate an affidavit in this state.

(b) The person designated in paragraph (a), clause (5), must record, or arrange for the recording of, the affidavit of affixation, accompanied by the fees for recording and for issuing a certified copy of the notice, including all attachments, showing the recording date. Upon obtaining the certified copy of the notice under this paragraph, the person designated in the affidavit must deliver the certified copy to the county auditor of the county in which the real property to which the manufactured home was affixed is located.

(c) The department is not liable for any errors, omissions, misstatements, or other deficiencies or inaccuracies in documents presented to the department under this section, if the documents presented appear to satisfy the requirements of this section. The department has no obligation to investigate the accuracy of statements contained in the documents.

Subd. 1a. **Affidavit form.** An affidavit of affixation must be in substantially the following form and must contain the following information.

MANUFACTURED HOME AFFIDAVIT OF AFFIXATION

PURSUANT TO MINNESOTA STATUTES, SECTION 168A.141

Homeowner, being duly sworn, on his or her oath, states as follows:

1. Homeowner owns the manufactured home ("home") described as follows:

.....

New/Used	Year	Manufacturer's Name	Model Name or Model No.	Manufacturer's Serial No.	Length/Width
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- 2. A copy of the surrendered manufacturer's certificate of origin or certificate of title is attached.
- 3. A copy of the notice of surrender issued from the Minnesota Department of Public Safety Driver and Vehicle Services is attached.
- 4. The home is or will be located at the following "Property Address":

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.....
Signature of Notary Public or Other Official

Notary Stamp or Seal
(optional)

Lender's Statement of Intent:

The undersigned ("lender") intends that the home be immovable and a permanent improvement to the land free of any personal property security interest.

.....
Lender

By:

Authorized Signature

STATE OF

.....) ss:

COUNTY OF

On the day of in the year before me, the undersigned, a Notary Public in and for said state, personally appeared

.....
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person on behalf of which the individual(s) acted, executed the instrument.

.....
Notary Signature

.....

Notary Printed Name

Notary Public, State of

Qualified in the County of

My commission expires

Official seal:

Subd. 2. Perfected security interest prevents surrender. The department may not cancel a certificate of title if, under this chapter, a security interest has been perfected on the manufactured home. If a security interest has been perfected, the department must notify the owner that each secured party must release or satisfy the security interest prior to proceeding with surrender of the manufacturer's certificate of origin or certificate of title to the department for cancellation. Permanent attachment to real property or the recording of an affidavit of affixation does not extinguish an otherwise valid security interest in or tax lien on the manufactured home, unless the requirements of section 168A.141, subdivisions 1, 1a, and 2, including the release of any security interest, have been satisfied.

Subd. 3. Notice of security interest. When a perfected security interest exists, or will exist, on the manufactured home at the time the manufactured home is affixed to real property, and the owner has not satisfied the requirements of section 168A.141, subdivision 1, the owner of the manufactured home, or its secured party, may record a notice with the county recorder, or with the registrar of titles, if the land is registered, stating that the manufactured home located on the property is encumbered by a perfected security interest and is not an improvement to real property. The notice must state the name and address of the secured party as set forth on the certificate of title, the legal

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description of the real property, and the name and address of the record fee owner of the real property on which the manufactured home is affixed. When the security interest is released or satisfied, the secured party must attach a copy of the release or satisfaction to a notice executed by the secured party containing the county recorder or registrar of titles document number of the notice of security interest. The notice of release or satisfaction must be recorded with the county recorder, or registrar of titles, if the land is registered. Neither the notice described in this subdivision nor the security interest on the certificate of title is deemed to be an encumbrance on the real property. The notices provided for in this subdivision need not be acknowledged.