

CHAPTER 240—H.F.No.1162

An act relating to landlord and tenant; actions for the recovery of real estate; amending Minnesota Statutes 1969, Section 566.03.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1969, Section 566.03, is amended to read:

566.03 LANDLORD AND TENANT; FORCIBLE ENTRY; DEFENSES. Subdivision 1. When any person holds over lands or tenements after a sale thereof on an execution or judgment, or on foreclosure of a mortgage and expiration of the time for redemption, or after termination of contract to convey the same, or after termination of the time for which they are demised or let to him or to the persons under whom he holds possession, or contrary to the conditions or covenants of the lease or agreement under which he holds, or after any rent becomes due according to the terms of such lease or agreement, or when any tenant at will holds over after the determination of any such estate by notice to quit, in all such cases the person entitled to the premises may recover possession thereof in the manner hereinafter provided.

Subd. 2. It shall be a defense to an action for recovery of premises following the alleged termination of a tenancy by notice to quit for the defendant to prove by a fair preponderance of the evidence that:

(1) The alleged termination was intended as a penalty for the defendant's good faith attempt to secure or enforce rights under a lease or contract, oral or written, or under the laws of the state, any of its governmental subdivisions, or of the United States; or

(2) The alleged termination was intended as a penalty for the defendant's good faith report to a governmental authority of the plaintiff's violation of any health, safety, housing or building codes or ordinances.

If the notice to quit was served within 90 days of the date of any act of the tenant coming within the terms of paragraphs 1 or 2 of this subdivision, the burden of proving that the notice to quit was not served for a retaliatory purpose shall rest with the plaintiff.

Subd. 3. In any proceeding for the restitution of premises upon the ground of nonpayment of rent, it shall be a defense thereto if the tenant establishes by a preponderance of the evidence that the plaintiff increased the tenant's rent or decreased the services as a penalty for any lawful act of the tenant as described in subdivision 2,

Changes or additions indicated by underline, deletions by ~~strikeout~~.

providing that the tenant tender to the court or to the plaintiff the amount of rent due and payable under his original obligation.

Subd. 4. Nothing contained herein shall limit the right of the lessor to terminate a tenancy for a violation by the tenant of a lawful, material provision of a lease or contract, whether written or oral, or to hold the tenant liable for damage to the premises caused by the tenant or a person acting under his direction or control.

Approved May 10, 1971.

CHAPTER 241—H.F.No.1232

An act relating to newspapers; revising the qualifications for classification as a legal newspaper; amending Minnesota Statutes 1969, Section 331.02, Subdivision 1.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1969, Section 331.02, Subdivision 1, is amended to read:

331.02 NEWSPAPERS; QUALIFICATIONS FOR LEGAL NEWSPAPER. Subdivision 1. **QUALIFICATIONS.** In order to be qualified as a medium of official and legal publication, a newspaper shall:

(1) Be printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches;

(2) If a weekly, be distributed at least once each week for 50 weeks each year, or if a daily, at least five days each week; but in any week in which a legal holiday is included, not more than four issues of a daily paper are necessary;

(3) Have 25 percent, if published more often than weekly, or 50 percent, if a weekly, of its news columns devoted to news of local interest to the community which it purports to serve, and it may contain general news, comment, and miscellany, but not wholly duplicate any other publication, or be made up entirely of patents, plate matter, and advertisements;

(4) Be circulated in and near the municipality which it purports to serve, and has at least 500 copies regularly delivered to paying subscribers, and have an average of at least 75 percent of its total circulation currently paid or no more than three months in arrears and have entry as second-class matter in its local post-office;

(5) Have its known office of issue established in the county in which lies, in whole or in part, the municipality which the newspaper purports to serve;

Changes or additions indicated by underline, deletions by ~~strikeout~~.