

(2) Accident and health insurance;

(3) Annuities; or;

(4) Reinsurance; nor to the following insurance when so placed by a licensed agent of this state; or

(+) (5) Insurance on subjects located, resident, or to be performed wholly outside of this state.

(2) Insurance on the property or operations of aircraft or railroads engaged in transportation in interstate and foreign commerce.

(3) Insurance of vessels, crafts or hulls; cargoes; marine builders' risks; marine protection and indemnity; or other risks including strikes and war risks commonly insured under ocean or wet marine forms of policies.

Sec. 2. INSTRUCTION TO REVISOR. In the next edition of Minnesota Statutes, the revisor of statutes shall publish the subdivisions of section 60A.20 in their proper sequence as renumbered by this act.

Approved March 28, 1978.

CHAPTER 598-H.F.No.774

[Coded in Part]

An act relating to landlords and tenants; providing remedies for tenants whose landlords have breached provisions of statutory covenants or rental agreements; prohibiting the automatic renewal of certain leases; amending Minnesota Statutes 1976, Sections 504.21; 566.18, Subdivisions 6 and 8; 566.19, Subdivisions 2 and 3, and by adding a subdivision; 566.20, Subdivision 4; and 566.23.

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

Section 1. Minnesota Statutes 1976, Section 504.21, is amended to read:

504.21 **RESTRICTION ON AUTOMATIC RENEWALS OF LEASES.** Notwithstanding the provisions of any lease of real property used for residential purposes, no person shall have the right to enforce any automatic renewal clause of a lease of an original term of two months or more which states, in effect, that the term thereof shall be deemed renewed for a specified additional period of time of two months or more unless the lessee or tenant gives notice to the lessor of his intention to quit the premises at the expiration of the term due to expire, unless the lessor or his agent, within 15 days prior to the time that the lessee or tenant is required to furnish notice of his intention to quit, but not more than 30 days prior thereto, shall give to the tenant written notice, served personally or by registered or certified mail, directing the lessee's or tenant's attention to

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

the automatic renewal provision of the lease.

Sec. 2. Minnesota Statutes 1976, Section 566.18, Subdivision 6, is amended to read:

Subd. 6. "Violation" means:

(a) ~~the a~~ violation of any state, county or city health, safety, housing, building, fire prevention, or housing maintenance code applicable to the building ~~which materially endangers the health or safety of the tenants of the building involved.~~ ;

(b) a violation of any of the covenants set forth in section 504.18, subdivision 1, clauses (a) or (b);

(c) a violation of an oral or written agreement, lease or contract for the rental of a dwelling in a building.

Sec. 3. Minnesota Statutes 1976, Section 566.18, Subdivision 8, is amended to read:

Subd. 8. "Inspector" means the person charged by the governing body of the political subdivision in which a building is situated, with the responsibility of enforcing provisions of local law, the breach of which could constitute a violation as defined in subdivision 6, clause (a), or if no such person, the county health officer or the chairman of the board of county commissioners.

Sec. 4. Minnesota Statutes 1976, Section 566.19, Subdivision 2, is amended to read:

Subd. 2. After an inspection of a building has been made upon demand by a tenant, the owner or his agent and the complaining tenant shall be informed in writing by the inspector of any code violations discovered and a reasonable period of time shall be allowed in which to correct ~~such~~ the violations.

Sec. 5. Minnesota Statutes 1976, Section 566.19, Subdivision 3, is amended to read:

Subd. 3. Where ~~such~~ an inspection has been made, no action shall be brought pursuant to sections 566.18 to 566.33 except on expiration of the time thus granted without satisfactory repairs being accomplished to remove the code violations unless the tenant shall allege ~~such~~ the time is excessive.

Sec. 6. Minnesota Statutes 1976, Section 566.19, is amended by adding a subdivision to read:

Subd. 4. No action may be commenced pursuant to sections 566.18 to 566.33 by a tenant of a building in which a violation as defined in section 566.18, subdivision 6, clauses (b) or (c) is alleged to exist unless the owner is informed in writing of the alleged violation at least 14 days prior to the commencement of the action.

Sec. 7. Minnesota Statutes 1976, Section 566.20, Subdivision 4, is amended to read:

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

Subd. 4. The complaint shall be verified and shall:

(a) Allege material facts showing that there then exists in the building a violation or violations;

(b) State the relief sought;

(c) List the rents due each month from each dwelling unit within the building, if known; and

(d) If the violation is a violation as defined in section 566.18, subdivision 6, clause (a), be accompanied by a copy of the official report of inspection by any department of health, housing or buildings, certified by the custodian of records of ~~such~~ that department stating

(1) when and by whom the building concerned was inspected,

(2) what code violations were recorded, and

(3) that notice of the code violations has been given to the building owner; or

(e) If the violation is a violation as defined in section 566.18, subdivision 6, clause (a), be accompanied by a statement that a request for inspection was made to the appropriate state, county or municipal department and demand made upon the owner to correct the code alleged violation and that a reasonable period of time has elapsed since ~~such~~ the demand or request was made.

Sec. 8. Minnesota Statutes 1976, Section 566.23, is amended to read:

566.23 **DEFENSES.** It shall be a sufficient defense that:

(a) The violation or violations alleged in the complaint do not in fact exist or that ~~such~~ the violation or violations have been removed or remedied; or

(b) ~~Such~~ The violations have been caused by the wilful, malicious, negligent or irresponsible conduct of a complaining tenant or anyone under his direction or control; or

(c) Any tenant of the building has unreasonably refused entry to the owner or his agent to a portion of the premises for the purpose of correcting ~~such~~ the violation, and ~~such~~ the effort to correct was made in good faith; or

(d) ~~Such violation or violations alleged in the complaint do not materially endanger the health or safety of the tenants of the dwelling.~~

Approved March 28, 1978.

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