

imposed, the court may assess any expense incurred in returning the child against any person convicted of violating this section.

Subd. 5. Whoever violates this section may be sentenced as follows:

(1) To imprisonment for not more than 90 days or to payment of a fine of not more than \$500, or both, if he voluntarily returns the child within 14 days after he takes, detains or fails to return the child in violation of this section; or

(2) Otherwise to imprisonment for not more than one year and one day or to payment of a fine of \$1,000, or both.

Sec. 2. EFFECTIVE DATE. This act is effective on the day following final enactment and applies to all crimes committed on or after that date.

Approved May 29, 1979.

CHAPTER 264—H.F.No.1309

An act relating to mobile homes; regulating space and lot rentals and leases; regulation of mobile home parks; prohibiting unreasonable park rules and regulations; requiring notice; specifying grounds for eviction and access; prohibiting retaliatory conduct; amending Minnesota Statutes 1978, Sections 327.20, by adding a subdivision; 327.42, Subdivision 2, and by adding subdivisions; 327.43, Subdivision 2, and by adding a subdivision; 327.44; and Chapter 327, by adding sections.

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

Section 1. Minnesota Statutes 1978, Section 327.20, is amended by adding a subdivision to read:

Subd. 3. A mobile home park owner shall maintain streets and roadways in the park so as to permit passage of emergency vehicles and normal resident travel.

Sec. 2. Minnesota Statutes 1978, Section 327.42, Subdivision 2, is amended to read:

Subd. 2. The lessor shall give the tenant at least 60 days notice in writing of any change in the terms and conditions of a lease or rental agreement. A rule or regulation adopted or amended after the tenant enters into a lease or rental agreement may be enforced against the tenant only if the new or amended rule is reasonable and does not substantially modify the agreement. A reasonable rent increase or a modification of the lease or rental agreement resulting from governmental action shall not be construed as a substantial modification of the lease or rental agreement.

Sec. 3. Minnesota Statutes 1978, Section 327.42, is amended by adding a subdivision to read:

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Subd. 3. Entry into an agreement pursuant to this section shall not be deemed a waiver of any rights or privileges guaranteed by law to the mobile home park owner or tenant.

Sec. 4. Minnesota Statutes 1978, Section 327.42, is amended by adding a subdivision to read:

Subd. 4. The following notice printed verbatim in boldface type of a minimum size of ten points shall be provided to prospective tenants before they sign leases or rental agreements:

· · IMPORTANT NOTICE

Your lease or rental agreement will set forth your rights and duties as well as the rights and duties of this mobile home park.

You may stay in the park for the term of your lease as long as it is in operation and you meet your financial obligations, obey state and local laws regarding mobile home parks, abide by park rules or regulations, meet any other obligations in the agreement and do not substantially annoy or endanger other tenants or substantially damage the park premises.

You cannot be evicted until you have received written notice for the eviction and have been given

(a) the time the ordinance, law or regulation provides to comply with a local ordinance, state law or regulation relating to mobile homes or a reasonable time if the ordinance, law or regulation provides no time, or

(b) 30 days to comply with the terms and conditions of the lease or rental agreement, except for nonpayment of rent.

If you have substantially annoyed or endangered other tenants or have caused substantial damage to the mobile home park premises, you will have 30 days after receipt of written notice to move out of the park. However, if during the 30 day period you substantially annoy or endanger other tenants or damage the park premises, you may be evicted immediately.

If you have been served with an eviction notice and you refuse to vacate the mobile home park, the park owner may commence a legal proceeding against you. If the judge or jury decides in your favor, you may stay within the park. However, if the judge or jury decides in favor of the park owner, a sheriff may move you and your belongings out of the park within 24 hours.

The mobile home park must give you 60 days written notice of any change in the terms or conditions of the agreement.

Rules or regulations of the park must not be unreasonable.

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Changes made in rules or regulations after you enter into this agreement will not apply to you if they substantially change your agreement.

The mobile home park may not charge you more for utilities than the rate which is charged to single-family dwellings in the same utility service area for comparable service or more than the rate which you could pay directly for the same utility service from some other comparable source in the same market area.

The park may charge you no fee for a space or lot except rent plus reasonable charges for goods and services furnished you at the expense of the park in setting up your home on the space or lot.

Security deposits for damage to property or for default in the agreement may not exceed two months' rent.

If you decide to sell your mobile home and it is more than 15 years old, the park owner may insist that the home be moved from the park after its sale.

You may not be evicted or have your rent increased or your services decreased for reporting to the Minnesota department of health, the Minnesota attorney general or other appropriate governmental agency any violation of law or health or building code.

You must receive written notice six months in advance if the park voluntarily ceases or partially ceases operation or 90 days' written notice if your home must be moved to enable the park owner to make improvements to the park premises.

State laws governing mobile home park rentals and leases may be enforced by the Minnesota attorney general."

Park owners also shall provide the notice to persons who are park tenants on the effective date of sections 1 to 9.

Sec. 5. Minnesota Statutes 1978, Section 327.43, Subdivision 2, is amended to read:

Subd. 2. No lessor shall deny any mobile home park tenant the right to sell said tenant's mobile home within the park or require the tenant to remove the mobile home from the park solely on the basis of the sale thereof unless the home is more than 15 years old. The lessor may reserve the right to approve the purchaser of said mobile home as a tenant, but such permission may not be unreasonably withheld, and the lessor shall not exact a commission or fee with respect to the price realized by the seller unless the lessor has acted as agent for the seller in the sale pursuant to a written contract.

Sec. 6. Minnesota Statutes 1978, Section 327.43, is amended by adding a subdivision to read:

Subd. 4. No lessor shall adopt unreasonable rules or regulations.

Sec. 7. Minnesota Statutes 1978, Section 327.44, is amended to read:

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327.44 TERMINATION FOR CAUSE. A lessor ~~seeking to~~ may recover possession of land upon which an occupied mobile home is situated; ~~for any reason other than nonpayment of rent or breach of the terms or conditions of the lease or rental agreement;~~ shall give 60 days written notice to quit only if:

(a) The tenant fails to comply with a local ordinance or state law or regulation relating to mobile homes within the time the ordinance, law or regulation provides or, if no time is provided, within a reasonable time after the tenant has received written notice of noncompliance;

(b) The tenant fails to comply with the terms and conditions of the lease or rental agreement within 30 days after the tenant has received written notice of the alleged noncompliance except the 30 day notice shall not apply to nonpayment of rent;

(c) The owner voluntarily ceases to operate as a park all or the part of the mobile home park occupied by the tenant, and the tenant has received six months written notice of the planned cessation of operation;

(d) The tenant conducts himself upon the mobile home park premises in a manner which substantially annoys or endangers the health or safety of other tenants or causes substantial damage to the mobile home park premises and has received 30 days written notice to vacate, except the park owner may require the tenant to vacate immediately if the tenant violates this clause a second or subsequent time after receipt of the notice;

(e) The mobile home park owner intends to make improvements to the mobile home park premises which necessitate removal of the tenant's mobile home from the park and the tenant has received 90 days' written notice; or

(f) A lease of a term of at least one year expires and the lessor seeks to recover possession within 15 days after expiration.

Sec. 8. Minnesota Statutes 1978, Chapter 327, is amended by adding a section to read:

[327.451] ACCESS. Subdivision 1. A mobile home park owner, agent or employee has no right of access to a mobile home located within the park unless access is necessary to prevent damage to the mobile home park premises or to respond to an emergency.

Subd. 2. A mobile home park owner, agent or employee may enter onto a mobile home space or lot in order to inspect the space or lot, make necessary or agreed upon repairs or improvements, supply necessary or agreed upon goods or services or exhibit the space or lot to prospective or actual purchasers, mortgagees, tenants, workers or contractors.

Sec. 9. Minnesota Statutes 1978, Chapter 327, is amended by adding a section to read:

[327.452] RETALIATORY CONDUCT PROHIBITED. A mobile home park
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owner shall not increase rent, decrease services or bring an action for possession as a penalty for a tenant's:

(a) Good faith complaint to a government agency charged with responsibility for enforcement of a building or housing code or empowered to enforce chapter 327; or

(b) Good faith attempt to exercise his rights or remedies pursuant to chapter 327. The burden of proving otherwise shall be on the mobile home park owner if the action by the owner occurs within 90 days after the tenant has engaged in any of the activities described above. After 90 days the burden of proof shall be on the tenant.

Sec. 10. **EFFECTIVE DATE.** This act is effective the day following final enactment.

Approved May 29, 1979.

CHAPTER 265—S.F.No.27

An act relating to financial institutions; defining reverse mortgage loans; authorizing investments in reverse mortgage loans by certain financial institutions and insurance companies; providing for disregard of reverse mortgage loan proceeds in determining eligibility or amount of public assistance; providing tax deductions for accrued interest on reverse mortgage loans; allowing lenders to include accrued earned interest on such loans in their yearly earned income under certain circumstances; amending Minnesota Statutes 1978, Section 290.09, Subdivision 3; and Chapters 47, by adding a section; 256, by adding a section; and 290, by adding a section.

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

Section 1. Minnesota Statutes 1978, Chapter 47, is amended by adding a section to read:

[47.58] REVERSE MORTGAGE LOANS. Subdivision 1. DEFINITIONS. For the purposes of this section, the terms defined in this subdivision have the meanings given them.

(a) "Reverse mortgage loan" means a loan:

(1) Made to a borrower wherein the committed principal amount is paid to the borrower in equal or unequal installments over a period of months or years, interest is assessed, and authorized closing costs are incurred as specified in the loan agreement;

(2) Which is secured by a mortgage on residential property owned solely by the borrower; and

(3) Which is due when the committed principal amount has been fully paid to the

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