

CHAPTER 176 — H.F.No. 509

An act relating to commerce; requiring disclosure in motor vehicle transactions; proposing new law coded in Minnesota Statutes, Chapter 168.

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

Section 1. [168.78] MOTOR VEHICLE PURCHASES; DISCLOSURE.

Subdivision 1. DEFINITION. For the purposes of this section: (a) The term "seller" means a person selling more than five motor vehicles in a calendar year and in the business of selling or leasing motor vehicles.

(b) The term "contract" means a written agreement between a seller and a purchaser for the sale of a motor vehicle, but not including a conditional sales contract entered into pursuant to a separate purchase agreement that contains the disclosures contained in this section.

Subd. 2. DISCLOSURE. A seller of motor vehicles shall include in any contract with a purchaser or prospective purchaser of a motor vehicle a statement in ten point bold faced all capital type located by a blank for the purchaser's signature stating: "IMPORTANT: THIS MAY BE A BINDING CONTRACT AND YOU MAY LOSE ANY DEPOSITS IF YOU DO NOT PERFORM ACCORDING TO ITS TERMS". If a forfeiture is not possible that part of the disclosure may be crossed out at the time of the purchaser's signature.

Subd. 3. PENALTY. Any contract not meeting the requirements of subdivision 2 is voidable at the option of the purchaser prior to the purchaser taking possession of the motor vehicle.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective August 1, 1982 and applies to contracts signed on or after that date.

Approved May 11, 1981

CHAPTER 177 — H.F.No. 886

An act relating to mobile homes; regulating lot rentals; specifying conditions on which a lessor may recover possession of land upon which a mobile home is located; amending Minnesota Statutes 1980, Sections 327.44; and 327.553, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 327.

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

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

Section 1. Minnesota Statutes 1980, Section 327.44, is amended to read:

327.44 TERMINATION FOR CAUSE.

A lessor may recover possession of land upon which an occupied mobile home is situated 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 45 days after expiration as provided in section 2;
- (g) The lessor seeking to recover possession on grounds of nonpayment of rent or utilities gives ten days written notice to the tenant, and to any party holding a security interest in the mobile home known to the lessor, to pay the amounts then owing and cure the default. If neither the tenant nor the secured party cures within ten days from receipt of notice, the lessor may commence legal proceedings to recover possession; or
- (h) The tenant has repeatedly committed serious violations of the lease or provisions of a local ordinance or state law or rule relating to mobile homes, and the lessor has given the tenant written notice of the violations and has given the tenant a written warning that any future violation will be treated as cause for eviction as provided in this paragraph, and within six months of

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receiving the warning the tenant violates any material provision of the lease or any provision of a local ordinance or state law or rule relating to mobile homes.

Sec. 2. [327.441] RECOVERY OF POSSESSION.

Subdivision 1. NOTICE. To recover possession of a mobile home lot as allowed in section 327.44, clause (f), a lessor must give the tenant written notice at least 60 days before the expiration of the lease. The notice shall state the date that the lease will expire and explain the tenant's rights as provided in this section to sell the home within the park. If the park gives the tenant the notice required by this section, the tenant must stop residing on the lot when the lease expires. If the tenant continues to reside on the lot after the expiration of the lease, the lessor may bring an action for possession.

Subd. 2. SALE AFTER NOTICE. After receiving the notice required by subdivision 1, the tenant may sell his mobile home within the park until the lease expires; provided, that the lessor may reserve the right to approve any buyer as a tenant. Approval shall not be unreasonably withheld.

Subd. 3. EXPIRATION OF LEASE PRIOR TO SALE. If the lease expires and the tenant has not sold his home, the tenant may keep the home installed on the lot for an additional 60 days solely for the purpose of selling the home within the park if: (a) at least 30 days prior to the expiration of the lease the tenant gives the lessor written notice that the home will remain in the park for the purpose of sale; (b) the tenant does not reside in the home or on the lot; (c) the tenant obeys all reasonable park rules and regulations relating to lot and home maintenance; and (d) the tenant pays rent and any applicable utility charges on time. The lessor may reserve the right to approve any buyer as a tenant. Approval shall not be unreasonably withheld. If the tenant fails to perform as required by this subdivision, the park may immediately bring an action for possession. If 61 days after the expiration of the lease the home has been neither removed from the lot nor sold to a buyer whom the lessor has approved as a tenant, the lessor may bring an action for possession.

Sec. 3. Minnesota Statutes 1980, Section 327.553, Subdivision 1, is amended to read:

Subdivision 1. DISCLOSURE REQUIRED. Prior to the consummation of the sale of any mobile home other than a new mobile home, each dealer shall disclose to all parties to the transaction all charges, payments, commissions and other fees paid or payable in connection with the transaction. The dealer shall also disclose to all parties the age of the mobile home and the policy, if any, of the mobile home park where the mobile home is located, with regard to the sale of a mobile home within the park after a mobile home is more than 15 years old. This subdivision shall not require any dealer to disclose any consideration received for having acted as an insurance agent, as defined in section 60A.02, subdivision 7, in connection with the transaction, nor

shall this subdivision require any dealer to disclose any consideration received in return for the dealer having agreed to any contingent liability in connection with the financing of the sale.

Sec. 4. EFFECTIVE DATE.

This act is effective August 1, 1981, and shall apply to all leases commenced, renewed, or extended on or after that date. It shall also apply to all leases of a term of one year or more commenced, renewed, or entered into prior to August 1, 1981, which are still in effect on that date.

Approved May 11, 1981

CHAPTER 178 — H.F.No. 932

An act relating to taxation; income; property tax refund; making technical corrections; deleting obsolete provisions; amending Minnesota Statutes 1980, Sections 290.01, Subdivisions 3, 19, 20, 21, 22, 23, 25, 26, and 27; 290.011; 290.032, Subdivision 2; 290.06, Subdivisions 1, 2c, 3e, 3f, and 11; 290.07, Subdivision 3; 290.071, Subdivisions 2 and 3; 290.075; 290.077, Subdivisions 1 and 2; 290.079, Subdivision 6; 290.08, Subdivision 8; 290.081; 290.085; 290.09, Subdivisions 1, 2, 4, 5, 6, 7, 10, 15, 18, 21, and 29; 290.095, Subdivision 2; 290.10; 290.101, Subdivision 9; 290.12, Subdivisions 1, 2, and 4; 290.13, Subdivision 5; 290.131, Subdivisions 1 and 3; 290.132, Subdivision 1; 290.133, Subdivision 2; 290.134, Subdivision 1; 290.135, Subdivision 1; 290.14; 290.16, Subdivisions 1, 3, 7, 8, 9, 12, and 13; 290.17, Subdivision 2; 290.18, Subdivisions 1 and 2; 290.21, Subdivisions 1, 3, 3a, 4, and 7; 290.22; 290.23, Subdivisions 3, 5, 9, and 15; 290.25, Subdivision 1; 290.26, Subdivisions 1, 2a, and 3; 290.281, Subdivision 2; 290.31, Subdivisions 2, 3, 4, 6, 9, 10, 11, 21, and by adding a subdivision; 290.32; 290.34, Subdivision 3; 290.35; 290.39, Subdivision 1; 290.42; 290.45, Subdivision 3; 290.46; 290.48, Subdivision 2; 290.49, Subdivisions 1 and 4; 290.50, Subdivisions 1, 3, and 5; 290.53, Subdivisions 1 and 4; 290.56, Subdivisions 2, 3, and 4; 290.92, Subdivisions 5, 6, 16, and 19; 290.93, Subdivisions 5 and 6; 290.932, Subdivisions 1 and 4; 290A.03, Subdivisions 3 and 13; 290A.04, Subdivisions 2 and 2c; 290A.06; and 290A.07, Subdivision 2; repealing Minnesota Statutes 1980, Sections 290.076; 290.08, Subdivisions 7 and 13; 290.131, Subdivisions 4, 5, 6, and 7; 290.133, Subdivision 3; 290.134, Subdivisions 2, 3, and 4; 290.135, Subdivisions 2, 3, and 4; 290.23, Subdivisions 1, 2, 6, 7, 8, 10, 11, 12, 13, and 14; 290.24; 290.25, Subdivisions 2, 3, 4, and 5; 290.26, Subdivisions 4 and 7; 290.27; 290.28; 290.60; 290.65, Subdivision 17; 290.931, Subdivision 4; 290.932, Subdivision 3; 290.933, Subdivision 3; and 290.934, Subdivision 6.

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

Section 1. Minnesota Statutes 1980, Section 290.01, Subdivision 3, is amended to read:

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