

## CHAPTER 214—H.F.No. 1107

*An act relating to landlord and tenant; authorizing emergency proceeding for loss of essential services; proposing coding for new law in Minnesota Statutes, chapter 566.*

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

Section 1. [566.205] EMERGENCY RELIEF PROCEEDING.

Subdivision 1. PETITION. A person authorized to bring an action under section 566.20 may petition the court for relief in cases of emergency involving the loss of running water, hot water, heat, electricity, sanitary facilities, or other essential services or facilities that the owner is responsible for providing.

Subd. 2. VENUE. The venue of the action is within the county where the building alleged to contain the emergency condition is located.

Subd. 3. PETITION INFORMATION. The petitioner shall present a verified petition to the district court that states the following:

- (1) a description of the premises and the identity of the owner;
- (2) a statement of the facts and grounds that demonstrate the existence of an emergency caused by the loss of essential services or facilities; and
- (3) a request for relief.

Subd. 4. NOTICE. The petitioner shall attempt to notify the owner, at least 24 hours before application to the court, of the petitioner's intent to seek emergency relief. An order may be granted without notice to the owner on finding that reasonable efforts, as set forth in the petition or by separate affidavit, were made to notify the owner but that the efforts were unsuccessful.

Subd. 5. RELIEF; SERVICE OF ORDER. The court may order relief as provided in section 566.25. The petitioner shall serve the order on the owner personally or by mail as soon as practicable.

Subd. 6. LIMITATION. The tenant remedy under this section does not extend to emergencies which are the result of the deliberate or negligent act or omission of a tenant or anyone acting under the direction or control of the tenant.

Subd. 7. EFFECT OF OTHER LAWS. The requirements of section 566.19 do not apply to a petition for emergency relief under this section.

Presented to the governor May 19, 1989

Signed by the governor May 22, 1989, 8:20 p.m.

New language is indicated by underline, deletions by ~~strikeout~~.