

**CHAPTER 183—H.F.No. 680**

*An act relating to landlord and tenant; clarifying a provision relating to utility metering and billing; amending Minnesota Statutes 2004, section 504B.215, by adding a subdivision.*

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

Section 1. Minnesota Statutes 2004, section 504B.215, is amended by adding a subdivision to read:

Subd. 2b. **De minimis exception.** Any tariff approved by the Public Utilities Commission regarding a violation of subdivision 2 shall include a de minimis exception. The de minimis exception shall provide that electrical service in a common area that does not exceed an aggregate 1,752 kilowatt hours per year, which service is measured through a meter serving an individual residential unit, shall not cause a building to be a "single-metered residential building" as used in this section. The amount of common area usage may be determined by actual measurement or, when such measurement is not possible, it may be determined not likely to exceed 1,752 kilowatt hours per year by a licensed tradesperson or a housing inspector. The landlord shall bear the burden and cost associated with proving an exception.

If a tariff is not adopted this subdivision shall have no effect.

Presented to the governor April 25, 2006

Signed by the governor April 27, 2006, 9:20 a.m.