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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **494**

01/28/2019 Authored by Dehn, Gomez, Howard, Hornstein, Lee and others
The bill was read for the first time and referred to the Housing Finance and Policy Division

1.1 A bill for an act
1.2 relating to landlord and tenant; providing for alternative notice periods of intention
1.3 to quit; specifying residential landlord notice requirements for intention to quit or
1.4 a rent increase; amending Minnesota Statutes 2018, section 504B.206, subdivision
1.5 3; proposing coding for new law in Minnesota Statutes, chapter 504B.

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

1.7 Section 1. **[504B.146] TIME PERIOD FOR NOTICE TO QUIT OR RENT**
1.8 **INCREASE.**

1.9 Subdivision 1. **Application.** This section applies to a residential lease that provides a
1.10 time period for the landlord to give a notice to quit the premises or a notice of a rent increase
1.11 that is different than the time period the tenant is required to give for a notice of intention
1.12 to quit the premises. For purposes of this section, "notice to quit" includes a notice of a
1.13 nonrenewal of a lease.

1.14 Subd. 2. **Tenant option to choose notice period.** The tenant may give a notice of an
1.15 intention to quit the premises using either:

1.16 (1) the time period provided in the lease for the tenant to give a notice of intention to
1.17 quit the premises; or

1.18 (2) the time period provided in the lease for the landlord to give a notice to quit the
1.19 premises or a notice of a rent increase.

1.20 Subd. 3. **Landlord notice requirements.** The landlord may not give a notice to quit the
1.21 premises or notice of a rent increase that is shorter than the time period the lease provides
1.22 for the tenant to give notice of an intention to quit the premises.

2.1 Subd. 4. **No waiver.** The requirements of this section may not be waived or modified
2.2 by the parties to a residential lease. Any provision, whether oral or written, of a lease or
2.3 other agreement by which any provision of this section is waived by a tenant is contrary to
2.4 public policy and void.

2.5 **EFFECTIVE DATE.** This section applies to leases entered into or renewed on or after
2.6 August 1, 2018.

2.7 Sec. 2. Minnesota Statutes 2018, section 504B.206, subdivision 3, is amended to read:

2.8 Subd. 3. **Liability for rent; termination of tenancy.** (a) A tenant who is a sole tenant
2.9 and is terminating a lease under subdivision 1 is responsible for the rent payment for the
2.10 full month in which the tenancy terminates. The tenant forfeits all claims for the return of
2.11 the security deposit under section 504B.178 and is relieved of any other contractual obligation
2.12 for payment of rent or any other charges for the remaining term of the lease, except as
2.13 provided in this section. In a sole tenancy, the tenancy terminates on the date specified in
2.14 the notice provided to the landlord as required under subdivision 1.

2.15 (b) In a tenancy with multiple tenants, one of whom is terminating the lease under
2.16 subdivision 1, any lease governing all tenants is terminated at the ~~latter~~ later of the end of
2.17 the month or the end of the rent interval in which one tenant terminates the lease under
2.18 subdivision 1. All tenants are responsible for the rent payment for the full month in which
2.19 the tenancy terminates. Upon termination, all tenants forfeit all claims for the return of the
2.20 security deposit under section 504B.178 and are relieved of any other contractual obligation
2.21 for payment of rent or any other charges for the remaining term of the lease, except as
2.22 provided in this section. Any tenant whose tenancy was terminated under this paragraph
2.23 may reapply to enter into a new lease with the landlord.

2.24 (c) This section does not affect a tenant's liability for delinquent, unpaid rent or other
2.25 amounts owed to the landlord before the lease was terminated by the tenant under this
2.26 section.