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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1902

03/16/2015 Authored by Clark and Mullery

The bill was read for the first time and referred to the Committee on Civil Law and Data Practices

1.1 A bill for an act
1.2 relating to housing; modifying the requirements for single-metered residential
1.3 buildings to provide additional remedies to tenants for utility billing; amending
1.4 Minnesota Statutes 2014, section 504B.215, subdivision 2a.

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

1.6 Section 1. Minnesota Statutes 2014, section 504B.215, subdivision 2a, is amended to
1.7 read:

1.8 Subd. 2a. **Conditions of separate utility billing to tenant in single-meter**
1.9 **buildings.** (a) A landlord of a single-metered residential building who bills for utility
1.10 charges separate from the rent:

1.11 (1) must provide prospective tenants notice of the total utility cost for the ~~building~~
1.12 unit for each month of the two most recent calendar ~~year~~ years, as well as the peak
1.13 amount, the low amount, and the average monthly bill amount;

1.14 (2) must predetermine and put in writing for all leases an equitable method of
1.15 apportionment and the frequency of billing by the landlord;

1.16 (3) must include in the lease a provision that, upon a tenant's request, the landlord
1.17 must provide a copy of the actual utility bill for the building along with each apportioned
1.18 utility bill and provide a public posting in the building of the right to this information and
1.19 any information available under Minnesota Rules, parts 7820.0200 and 7820.3500. Upon
1.20 a tenant's request, a landlord must also provide past copies of actual utility bills for any
1.21 period of the tenancy for which the tenant received an apportioned utility bill. Past copies
1.22 of utility bills must be provided for the preceding two years or from the time the current
1.23 landlord acquired the building, whichever is most recent; ~~and~~

2.1 (4) must perform an energy audit every four years and provide the report to current
2.2 renters at the time of the audit and a copy of the most recent audit to prospective renters
2.3 prior to occupancy;

2.4 (5) must provide notice in each utility bill that tenants have a right to request the
2.5 information in clause (3);

2.6 (6) must provide bills that have a defined due date;

2.7 (7) must provide a dispute resolution process to a tenant in the event the tenant
2.8 disputes the utility bill under this section; and

2.9 ~~(4)~~ (8) may, if the landlord and tenant agree, provide tenants with a lease term of one
2.10 year or more the option to pay those bills under an annualized budget plan providing for
2.11 level monthly payments based on a good faith estimate of the annual bill.

2.12 (b) By September 30 of each year, a landlord of a single-metered residential building
2.13 who bills for gas and electric utility charges separate from rent must inform tenants in
2.14 writing of the possible availability of energy assistance from the Low Income Home
2.15 Energy Assistance Program. The information must contain the toll-free telephone number
2.16 of the administering agency.

2.17 (c) A failure by the landlord to comply with this subdivision is a violation of sections
2.18 504B.161, subdivision 1, clause (1), and 504B.221.