

CHAPTER 566

FORCIBLE ENTRY AND UNLAWFUL DETAINER

566.03 Recovery of possession; defenses.
566.051 Expedited proceedings.

566.18 Remedies for tenants; definitions.

566.03 RECOVERY OF POSSESSION; DEFENSES.

[For text of subds 1 to 4, see M.S.1992]

Subd. 5. (a) An action for recovery of the premises may combine the allegation of nonpayment of rent and the allegation of material violation of the lease, which shall be heard as alternative grounds.

(b) In cases where rent is outstanding, a tenant is not required to pay into court the amount of rent in arrears, interest, and costs as required under section 504.02 to defend against an allegation by the landlord that the tenant has committed a material violation of the lease.

(c) If the landlord does not prevail in proving material violation of the lease, and the landlord has also alleged that rent is due, the tenant shall be permitted to present defenses to the court that the rent is not owing. The tenant shall be given up to seven days of additional time to pay any rent determined by the court to be due. The court may order the tenant to pay rent and any costs determined to be due directly to the landlord or to be deposited with the court.

History: 1993 c 165 s 3

566.051 EXPEDITED PROCEEDINGS.

A landlord, agent, or other person acting under the landlord's direction or control may request expedited temporary relief by bringing an action under section 609.748 or filing a petition for a temporary restraining order, in conjunction with a complaint filed under section 566.05.

History: 1993 c 165 s 4

566.18 REMEDIES FOR TENANTS; DEFINITIONS.

[For text of subd 1, see M.S.1992]

Subd. 2. **Tenant.** "Tenant" means any person who is occupying a dwelling in a building as defined in subdivision 7, under any agreement, lease, or contract, whether oral or written, and for whatever period of time, which requires the payment of money or exchange of services as rent for the use of the dwelling unit, and all other regular occupants of that dwelling unit, and any resident of a manufactured home park.

[For text of subds 3 to 6, see M.S.1992]

Subd. 7. **Building.** "Building" means:

(a) a building used in whole or in part as a dwelling, including single family homes, multiple family units such as apartments, and structures containing both dwelling units and units used for nondwelling purposes, and also includes a manufactured home park, or

(b) an unoccupied building which was previously used in whole or in part as a dwelling and which constitutes a nuisance under section 561.01.

[For text of subds 8 and 9, see M.S.1992]

History: 1993 c 317 s 14,15