

504B.173 APPLICANT SCREENING FEE.

Subdivision 1. **Limit on number of applicant screening fees.** A landlord or the landlord's agent may not charge an applicant a screening fee when the landlord knows or should have known that no rental unit is available at that time or will be available within a reasonable future time.

Subd. 2. **Return of applicant screening fee.** If the landlord or the landlord's agent does not perform a personal reference check or does not obtain a consumer credit report or tenant screening report, the landlord or the landlord's agent shall return any amount of the screening fee that is not used for those purposes. The screening fee may be returned by mail, may be destroyed upon the applicant's request if paid by check, or may be made available for the applicant to retrieve.

Subd. 3. **Disclosures to applicant.** A landlord or the landlord's agent, prior to taking an application fee from a prospective tenant, must disclose on the application form or orally the name, address, and telephone number of the tenant screening service the owner will use, unless the owner does not use a tenant screening service.

Subd. 4. **Remedies.** In addition to any other remedies, a landlord who violates this section is liable to the applicant for the application fee plus a civil penalty of up to \$100, civil court filing costs, and reasonable attorney fees incurred to enforce this remedy.

History: 1999 c 150 s 1; 1999 c 199 art 1 s 174