582.01 ATTORNEY'S FEES.

Subdivision 1. **Contractual fees.** The mortgagor may, in the mortgage, covenant to pay or authorize the mortgagee to retain an attorney's fee in case of foreclosure; but such fees in case of foreclosure by advertisement shall not exceed the following amounts, and any provision for fees in excess thereof shall be void to the extent of the excess:

	Date of execution of mortgage		
The original principal amount secured by the mortgage	Before June 2, 1953	After June 1, 1953 and before June 1, 1971	After May 31, 1971
Less than $500	$25	$50	$150
$500-$1,000	50	75	150
$1,000-$5,000	75	125	150
$5,000-$10,000	100	175	225
Exceeding $10,000	200	225 plus $50 for each additional $10,000 or major fraction thereof	275 plus $35 for each additional $5,000 or major fraction thereof

Subd. 1a. **Foreclosure by advertisement.** Notwithstanding subdivision 1 to the contrary, the minimum fee for foreclosure by advertisement of mortgages executed after July 31, 1992, is $500.

Subd. 2. **Foreclosure by action.** The court shall establish the amount of the attorney's fee in case of foreclosure by action.

Subd. 3. **When default less than 30 days.** If at the time of the commencement of the foreclosure proceedings, all of the items constituting said default were less than 30 days past due, then upon redemption the mortgagor shall not be required to pay the attorney's fee authorized in this section. This subdivision shall apply only to mortgages executed after May 31, 1971.

History: *(9646) RL s 4499; 1953 c 454 s 1; 1971 c 833 s 2; 1992 c 463 s 34*