HOME HIME

Tenant Hotline Phone: 612-728-5767 Online: <u>homelinemn.org/email</u>

Overview of New Tenant/Landlords Laws for 2024

January 17, 2024 – 12:00-1:00 pm Becky Huting, Assistant Attorney General

Minnesota Office of the Attorney General

AGO Landlord and Tenant Brochure: https://www.ag.state.mn.us/Brochures/pubLandlordTenants.pdf

What is HOME Line?

- HOME Line is a statewide nonprofit organization providing free legal, educational, and advocacy services to Minnesota renters. We have advised over 300,000 renters since 1992.
- Our primary program is a free and confidential legal hotline any Minnesota renter can contact us to receive legal advice specific to their situation, in 4 languages.
- HOME Line has a staff of 32, including attorneys, tenant advocates, and tenant organizers. We also rely on volunteers and interns.

What is HOME Line?

HOME Line Tenant Hotline: 612-728-5767

Toll-free: 866-866-3546

- Para Español, llame al 612-255-8870
- Af- Soomaali wac 612-255-8860
- Hais lus Hmoob, Hu 612-255-7104
- Online: *homelinemn.org/email*



Pre-Eviction Protections

Landlords must give their tenants 14 days' written notice before filing an eviction action for nonpayment against them in court.
Cities are allowed to enact and enforce their own stronger pre-filing notice requirements.



Eviction Expungement Reforms

- An Eviction expungement is when an eviction is removed from the public court record
- Eviction expungements will be mandatory in several situations. When:
 - 1) the tenant prevails;
 - 2) the case is dismissed;
 - 3) the parties agree to expungement or upon request of the tenant if the case is settled and the tenant fulfills the terms;
 - 4) the eviction was ordered three years ago.



MN Stat § 484.013 subd. 3

Transparency in cost of housing

•Requires landlords to disclose nonoptional fees (along with the rent) on the first page of the lease **and** in any advertisement or posting calling it the 'Total Monthly Rent.'



Fee Examples

Examples of common mandatory fees

- Portal fee •
- Administrative fee (usually annual so divide by # of months) Amenity fees Utilities fees, if charged by landlord
- ٠
- Internet/Cable
- ٠
- Lease Processing fee Utilities—specifically mentioned in law---"the landlord must disclose whether utilities are included or not included in the rent."

Examples of common optional fees

- Garage spot/parking fee
- Pet fee



Stronger Privacy Rules

- Requires 24-hour notice from landlords before entering a tenant's apartment unless the tenant & landlord agree otherwise.
 The landlord must specify an apticipated
- The landlord must specify an anticipated window of time of entry and may only enter between 8 AM and 8 PM unless the landlord and the tenant agree to an earlier or later time.



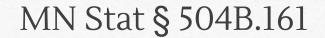
Tenant can break a lease when medically necessary

 Allows tenants to break their lease with a 2month notice if certain medical conditions determined by a medical professional require them to move to a medical facility.



Statewide Heat Code Minimum

 Landlords must supply a minimum of 68 degrees Fahrenheit in apartments from October 1st to April 30th if the tenant does not control the heat.





ETRA: What's New?

- List of Emergency Repairs Expanded: "When the landlord is responsible for providing"
 - Non-Working Refrigerator
 - Air Conditioning
 - Non-Working Elevator
 - Serious Infestation
 - Notice of Intent to Condemn, Revoked Rental License
 - Loss of any conditions, services or facilities that pose a serious and negative impact to health and safety

ETRA: What's Covered?

- List of Emergency Repairs
 - The loss of running water, hot water, heat, electricity, sanitary facilities
 - Non-Working Refrigerator
 - Air Conditioning (When the landlord is responsible for providing)
 - Non-Working Elevator (When the landlord is responsible for providing)
 - Serious Infestation
 - Notice of Intent to Condemn, Revoked Rental License
 - Loss of any conditions, services or facilities that pose a serious and negative impact to health and safety

Emergency Tenant Remedy Action

- What's the Process?
- 24 hour notice of repair
- File the Petition
 - Filing Fee?
- Hearing, Trial, Order

Reduced Court Fees

 Emergency Tenant Remedies Action / Lockout petition filing fees will be the same as the lower small claims court filing fee, making it more accessible for tenants facing serious and immediate housing repairs.

MN Stat § 504B.381 & § 504B.375



Changes to formal court eviction procedures.

- Multiple detailed changes to formal court eviction procedures: including before the case is filed, serving court papers & during and after the case
 slow down the eviction process,
 - give tenants a better chance at redeeming, and
 provide tenants with more information and greater protection
- § 504B.285, § 504B.291, § 504B.321, § 504B.331, § 504B.335, § **HOME** 504B.345, § 504B.371, § 504B.341

Pet Declawing/Devocalization

• Prevents Landlords from requiring pets be declawed/devocalized in rental housing.



Move-in/out Inspections

- Landlords are required to offer of movein/out inspections
- The tenant unilaterally decides if they want to do these inspections.
- Should help minimize security deposit disputes



Right to Counsel

- Tenants in Public Housing have the right to counsel in breach of lease eviction cases
- Does not impact most tenants
- Effective 8/1/23



Early Lease Renewals

• For leases 10 months or longer the landlord can't ask the tenant to renew for the next lease term during the first 6 months of the current lease term.



Limitations on Crime-free Lease Provisions

- Landlords can't evict a tenant for committing a nonviolent crime that happens somewhere other than on the rental property
- Can still evict if a crime of violence happens off-site if its against landlord, employee, another tenant, or tenant's guest
- This will be effective 6/1/24



Renters Credit Expansion

- Automatic, one-time increase for 2023 credits
- For rent paid in 2024 (2025 tax filings):
 - Renters can apply as part of their regular tax filings
 - The definition of income changes to adjusted gross income, making the filing process easier and increasing the amount in many cases.

MN Stat § 290A.04



Cannabis

- Landlords cannot stop a tenant from possessing cannabis in their rental unit
- A landlord can still prohibit smoking/vaping, whether it's cannabis, tobacco, etc.
- Multiple different effective dates on cannabis legislation, but the landlord/tenant change is effective Aug. 1, 2023





Thank You

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