

REPAIR CASES UNDER MINNESOTA LAW

	Tenant's Rights to Possession	Tenant's Rights to Habitability	Tenant's Rights to Quiet Enjoyment
Types of Cases	<ol style="list-style-type: none"> 1. LL rents an apartment that has been declared unfit for human habitation or has been condemned. 2. LL doesn't have a required rental license to rent the unit. 	<ol style="list-style-type: none"> 1. Emergency loss of services and facilities. 2. Repairs that are breaches of covenants of habitability, violation of code, state, and federal law. 	<ol style="list-style-type: none"> 1. Wrongful eviction (lock-out/ouster: actual and constructive) 2. Constructive Eviction 3. Actual Evictions (UDS) 4. Violation of Privacy law
Statutes	ETRA, Lock-Out, Rent Escrow or TRA. Add actions under Minn. Stat. §§ 504B.204 (formerly § 504.245), 504B.195 (formerly 504.246), and Consumer Protection statutes	ETRA, Rent Escrow, TRA, Lock-Out and Ouster. Add actions under Minn. Stat. §§ 504B.204 (formerly § 504.245), 504B.195 (formerly 504.246), 504B.221 (formerly § 504.26), Consumer protection statutes	Lock-Out, Minn. Stat. §§ 504B.375 (formerly § 566.175); Ouster, 504B.231 (formerly § 504.255), 504B.195 (formerly 504.246), 504B.211 (formerly § 504.183), 504B.215 (formerly § 504.185).
Relief	<ol style="list-style-type: none"> 1. Rescission of lease 2. Specific Performance 3. Repairs 4. Replacement housing both permanent and temporary 5. Relocation costs 6. Damages per statutes 7. Rent abatement 8. Bad faith damages per statute 9. Injunctive relief 10. Fines, 504B.391 (formerly § 566.35) 11. Attorneys fees per statute 	<ol style="list-style-type: none"> 1. Repairs 2. Repair and deduct 3. Replacement housing, permanent and temporary 4. Relocation costs 5. Damages per statutes 6. Rent abatement 7. Bad faith damages 8. Injunctive relief 9. Fines, 504B.391 (formerly § 566.35) 10. Attorneys fees 	<ol style="list-style-type: none"> 1. Restoration of premises through <i>ex parte</i> relief, § 504B.375 (formerly § 566.175). 2. Repairs 3. Restoration of utilities 4. Bad faith and punitive damages 5. Damages 6. Fines

Presented by Charlene F. D'Cruz at HCBA, LL/T seminar, January 17, 1997

Revised by Lawrence R. McDonough, October 24, 2000