

## TENANTS REMEDIES

TENANTS REMEDIES ACTION (TRA)	RENT ESCROW ACTION
MINN. STAT. §§ 504B.001 (formerly § 566.18), 504B.395 (formerly § 566.19) <i>et. seq.</i>	MINN. STAT. §§ 504B.001 (formerly § 566.18), 504B.385 (formerly § 566.34), 504B.425 (formerly § 566.25)
Allows neighborhood groups and city and county attorney to sue in addition to tenant	Tenant brings action
Begins with Summons and Complaint	Begins with an affidavit sworn out by tenant
Tenant doesn't have to deposit rent into court to start the action; however, Court may order tenant to deposit rent into court after the first hearing	Tenant has to deposit rent into court to begin the action
Personal service by sheriff or process server	Court clerk serves by mail unless the cost of repairs is greater than the statutory limit
Hearing to be set not less than 5 days but not more than 10 days after tenant files complaint with the court	Hearing must be held ten to fourteen days after tenant files affidavit with the court and deposits rent
Relief is under § 504B.425 (formerly § 566.25)	<ul style="list-style-type: none"> <li>-Relief under § 504B.425 (formerly § 566.25)</li> <li>-Order escrowed rent released for repairs</li> <li>-future rent into court until all repairs are made</li> <li>-future rent abatement</li> <li>-retroactive rent abatement</li> <li>-compliance hearings</li> <li>-civil fines under § 504B.391 (formerly § 566.35)</li> <li>-Release rents</li> </ul>
Notice before commencing TRA action and Rent Escrow Action	
Code violations where apartment has been inspected by the City	Notice and Reasonable time to repair; no action filed until time for repairs has expired. <u>Exception:</u> where time given to make repairs is excessive.
Code Violations where apartment <b>has not</b> been inspected by the City	Demand for repairs and reasonable time to make repairs. Letter has to be sent to landlord fourteen days (14) before filling the action (Call inspections)
Lease Term violations	Written notice fourteen days (14) before filing
Notice Exceptions	Repairs were existent prior to or at time of rental and Landlord knew of problems (evidence of inspections reports with open orders or previous tenant testimony)

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<b>TENANTS REMEDIES ACTION (TRA)</b>	<b>RENT ESCROW ACTION</b>
Violations	-No notice required for an Emergency TRA -Health and Safety laws -Covenants of habitability -terms of oral or written lease

Presented by Charlene F. D'Cruz at HCBA, LL/T seminar, January 17, 1997  
Revised by Lawrence R. McDonough, October 24, 2000