Overview

This bill places limits on the amount a landlord can charge a prospective tenant for a screening fee, limits the number of screening fees a landlord may collect for a single vacant rental unit, requires refund of an unused screening fee, and provides for disclosure of certain information related to the screening fee.

Section

1 Applicant screening fee.

Subd. 1. Applicant screening fee cap. Caps an applicant screening fee for a prospective tenant at the landlord's average out-of-pocket expenses for using a screening service or consumer credit reporting service. Prohibits landlords conducting their own searches from charging a tenant more than the customary fee of a tenant screening service.

Subd. 2. Limit on number of applicant screening fees. Prohibits a landlord from charging a screening fee in cases where the landlord knows or should have known that no unit is or soon will be available.

Subd. 3. Return of applicant screening fee. Requires the landlord to return any unused portion of a screening fee if the landlord does not perform a background check or purchase a credit report or tenant screening report on the applicant. Allows the landlord to return the fee by mail, destroy the check upon applicant's request, or
make the fee available to be picked up by the applicant.

**Subd. 4. Disclosures to applicant.** Requires the landlord to disclose, orally or on the application form, the name, address, and telephone number of any tenant screening service used before accepting any application fees from a prospective tenant.

**Subd. 5. Remedies.**

(a) Provides that a landlord violating this section is liable to the applicant for the application fee plus a civil penalty of up to $100, court filing costs, and reasonable attorney fees.

(b) Provides that a tenant who provided material false information in connection with their rental application is liable to the landlord for a civil penalty of up to $100, court filing costs, and reasonable attorney fees.

2  **Repealer.** Repeals the section of statute which requires disclosure by the landlord of the name and address of any tenant screening service used when information in a screening report has been used to deny tenancy. (Subdivision 4 under section 1 of this bill would require disclosure of this information to all applicants, not just those denied tenancy due to a screening report.)