

APPENDIX 1a
HISTORICAL VERSIONS OF
MINN. STAT. § 504B.285, SUBDIVISION 1(a) & MINN. STAT. § 504B.301
FROM THE START OF STATEHOOD IN 1858 TO 2024

The rest of this page are the lists of each version of the two statutes in West's Minnesota Statutes Annotated. Pages 2-12 are copies of the versions of Minn. Stat. Ann. § 504B.285, subd. 1; pages 13-18 are copies of the versions of Minn. Stat. Ann. § 504B.301.

Minn. Stat. Ann. § 504B.285
Historical and Statutory Notes

Derivation:

Laws 2017, 1st Spec. Sess., c. 1, art 2, § 40
Laws 2014 c. 188, § 3
Laws 2013 c. 100, §§ 2,3
Laws 2012 c. 132, § 2-4
Laws 2011 c. 58, § 1
Laws 2010 c. 315, §§ 10-13
Laws 2009 c. 130, § 1
Laws 2008 c. 177, § 3
Laws 1999, c. 199, art. 1, § 38
St.1998, § 566.03
Laws 1993, c. 165, § 3
Laws 1986, c. 444
Laws 1984, c. 566, § 5
Laws 1976, c. 17, § 1
Laws 1971, c. 240, § 1
St.1927, 9149
Gen.St. 1923, § 9149
Laws 1917, c. 227, § 2
Gen.St. 1913, § 7658
Rev.Laws 1905, § 4038
Gen.St. 1894, § 6118
Gen.St 1878, c. 84, § 12
Rev.St. (Terr.), c. 87, § 12

Minn. Stat. Ann. § 504B.301
Historical and Statutory Notes

Derivation:

Laws 2023, c. 52, art. 19, § 22
Laws 1999, c. 199, art. 1, § 40
St.1998, § 566.02
Laws 1989, c. 305, § 2
Laws 1973, c. 611, § 7
St.1927, 9148
Gen.St. 1923, § 9148
Laws 1917, c. 227, § 1
Gen.St. 1913, § 7657
Rev.Laws 1905, § 4037
Laws 1897, c. 241;
Gen.St. 1894, §§ 6109, 6116
Gen.St 1878, c. 84, §§ 2, 9
Pub.St.1858, c. 77, §§ 2,9
Rev.St. (Terr.), c. 87, §§ 2,9

Versions of Minn. Stat. § 504B.285, Subd. 1 From 1858 to 2020

Minn. Pub. Stat. 1858, Chapter 77, Section 12

SEC. XII. When any person shall hold over any lands, tenements or other possessions, after a sale thereof on an execution against such person, and expiration of the time for redemption, or after a sale thereof under a mortgage upon foreclosure by advertisement, or after the termination of the time for which they are demised or let to him or her, or to the person under whom he or she holds possession, or contrary to the conditions or covenants of the lease or agreement under which he or she holds, or after any rent shall have become due, according to the terms of such lease or agreement, and shall remain unpaid for the space of three days; in all such cases, if the lessor, his heirs, executors, administrators, assigns, agent or attorney, shall make demand in writing of such tenant or person holding over, that he or she shall deliver possession of the premises held as aforesaid, and if such tenant or person holding over shall refuse, or neglect for the space of three days after such demand, to quit the possession of such lands or tenements, or to pay the rent therefor, so due and unpaid as aforesaid, upon complaint thereof to any justice of the peace of the county, the justice shall proceed to hear, try and determine the same, in the same manner as in other cases hereinbefore provided for: provided, proviso, that in all cases mentioned in this section, the justice shall impose no fine upon such tenants, or persons holding over.

Minn. Gen. Stat. 1866, Chapter 84, Section 11

SEC 11. When any person holds over any lands or tenements, after a sale thereof on an execution, judgment, or on foreclosure of a mortgage by advertisement, and expiration of the time for redemption, or after the detention of termination of the time for which they are demised or let to him or to the person under whom he holds possession, or contrary to the conditions covenants of the lease or agreement under which he holds, or after any becomes due, according to the terms of such lease or agreement, or when any tenant at will holds over after the determination of any such estate by notice to quit, in all such cases the party entitled to possession may make complaint thereof to any justice of the peace of the county, and the justice shall proceed to hear, try and determine the same, in the same manner as in other cases hereinbefore provided for; but he shall impose no fine upon such tenants, or persons holding over.

Minn. Gen. Stat. 1878, Chapter 84, Section 11

§ 11. **Proceedings to eject tenants, etc.** When any person holds over any lands or tenements, after a sale thereof on an execution, judgment, or on foreclosure of a mortgage by advertisement, and expiration of the time for redemption, or after the termination of the time for which they are demised or let to him, or to the person under whom he holds possession, or contrary to the conditions or covenants of the lease or agreement under which he holds, or after any rent becomes due, according to the terms of such lease or agreement, or when any tenant at will holds over after the determination of any such estate by notice to quit, in all such cases the party entitled to possession may make complaint thereof to any justice of the peace of the county, and

the justice shall proceed to hear, try and determine the same, in the same manner as in other cases hereinbefore provided for; but he shall impose no fine upon such tenants, or persons holding over.

Minn. Gen. Stat. 1894, Chapter 84, Section 6116

§ 6116. Judgment, when defendant is found guilty—Costs. If, upon the trial of any complaint under this chapter, the justice or jury shall find that the defendant or defendants, or either of them; are guilty of the allegations in the complaint, the said justice shall thereupon enter judgment for the complainant to have restitution of the premises, and shall impose such fine, not exceeding one hundred dollars, as he may deem just, and shall tax the costs for the complainant, and may issue execution in favor of said complainant, for such costs, and shall also award and issue a writ of restitution; but if the said justice or the jury find that the person complained of is not guilty, the justice shall tax the costs against the complainant, and issue execution therefor.

1905 Minnesota Revised Laws, § 4038.

4038 Tenant, etc., holding over—Removal—When any person holds over lands or tenements after a sale thereof on an execution or judgment, or on foreclosure of a mortgage by advertisement, and expiration of the time for redemption, or after termination of the time for which they are demised or let to him, or to the person under whom he holds possession, or contrary to the conditions or covenants of the lease or agreement under which he holds, or after any rent becomes due according to the terms of such lease or agreement, or when any tenant at will holds over after the determination of any such estate by notice to quit, in all such cases the person entitled to the premises may recover possession thereof in the manner hereinafter provided.

Minn. Gen. Stat. 1913, Chapter 76, § 7658

7658. Tenant, etc., holding over—Removal—When any person holds over lands or tenements after a sale thereof on an execution or judgment, or on foreclosure of a mortgage by advertisement, and expiration of the time for redemption, or after termination of the time for which they are demised or let to him or to the person under whom he holds possession, or contrary to the conditions or covenants of the lease or agreement under which he holds, or after any rent becomes due according to the terms of such lease or agreement, or when any tenant at will holds over after the determination of any such estate by notice to quit, in all such cases the person entitled to the premises may recover possession thereof in the manner hereinafter provided.

1917 Minn. Laws ch. 227, §2

Section 2. **Recovery of possession—**That section 7657 General Statutes 1913, be and the same is hereby amended so as to read as follows:

7658. When any person holds over lands or tenements after a sale thereof on an execution or judgment, or on foreclosure of a mortgage and expiration of the time for redemption, *or after termination of contract to convey the same*, or after termination of the time for which they are demised or let to him or to the persons under whom he holds possession, or contrary to the conditions or covenants of the lease or agreement under which he holds, or after any rent becomes due according to the terms of such lease or agreement, or when any tenant at will holds over after the determination of any such estate by notice to quit, in all such cases the person entitled to the premises. May recover possession thereof in the manner hereinafter provided. [italics in original to show new language]

Minn. Gen. Stat. 1923, Chapter 76, § 9149

9149. Recovery of possession—When any person holds over lands or tenements after a sale thereof on an execution or judgment, or on foreclosure of a mortgage and expiration of the time for redemption, or after termination of contract to convey the same, or after termination of the time for which they are demised or let to him or to the persons under whom he holds possession, or contrary to the conditions or covenants of the lease or agreement under which he holds, or after any rent becomes due according to the terms of such lease or agreement, or when any tenant at will holds over after the determination of any such estate by notice to quit, in all such cases the person entitled to the premises may recover possession thereof in the manner hereinafter provided. ®. L. '05 § 4038, G. S. '13 § 7658, amended '17 c. 227 § 2)

1971 Minn. Laws ch. 240, § 1

Section 1. Minnesota Statutes 1969, Section 566.03, is amended to read:

566.03 LANDLORD AND TENANT; FORCIBLE ENTRY; DEFENSES.

Subdivision 1. When any person holds over lands or tenements after a sale thereof on an execution or judgment, or on foreclosure of a mortgage and expiration of the time for redemption, or after termination of contract to convey the same, or after termination of the time for which they are demised or let to him or to the persons under whom he holds possession, or contrary to the conditions or covenants of the lease or agreement under which he holds, or after any rent becomes due according to the terms of such lease or agreement, or when any tenant at will holds over after the determination of any such estate by notice to quit, in all such cases the person entitled to the premises may recover possession thereof in the manner hereinafter.

Subd. 2. ... [new provisions about retaliation and unrelated to what is now denominated as “Subdivision 1” follow; underlining in original to show new language]

1976 Minn. Laws ch. 17, § 1

[This was an amendment to parts of the statute other than subdivision 1]

1984 Minn. Laws ch. 566, § 5

Sec. 5. Minnesota Statutes 1982, section 566.03, subdivision 1, is amended to read:

Subdivision 1. When any person holds over lands or tenements after a sale thereof on an execution or judgment, or on foreclosure of a mortgage, and expiration of the time for redemption, or after termination of contract to convey the same, provided that if the person holding such lands or tenements after the sale, foreclosure, or termination is a tenant, he has received at least one month's written notice of the termination of his tenancy as a result of the sale, foreclosure, or termination; or when any person holds over lands or tenements after termination of the time for which they are demised or let to him or to the persons under whom he holds possession, or contrary to the conditions or covenants of the lease or agreement under which he holds, or after any rent becomes due according to the terms of such lease or agreement,; or when any tenant at will holds over after the determination of any such estate by notice to quit,; in all such cases the person entitled to the premises may recover possession thereof in the manner hereinafter provided. [underlining in original to show new language]

1986 Minn. Laws ch. 444

[This was the Revisor's bill to amend statutes into gender neutral forms without creating an substantive change.]

1992 Minn. Laws ch. 376, art. 1, § 10

Sec. 10. Minnesota Statutes 1990, section 566.03, subdivision 1, is amended to read:

Subdivision 1. The person entitled to the premises may recover possession in the manner provided in this section when:

(1) any person holds over lands or tenements after a sale thereof on an execution or judgment, or on foreclosure of a mortgage, and expiration of the time for redemption, or after termination of contract to convey the same, provided that if the person holding such lands or tenements after the ~~sale, foreclosure,~~ expiration of the time for redemption or termination is a tenant, the person has received:

(I) at least one month's written notice of the termination of tenancy as a result of to vacate no sooner than one month after the sale, foreclosure, expiration of the time for redemption or termination, provided that the tenant pays the rent and abides by all terms of the lease; or when

(ii) at least one month's written notice to vacate no later than the date of the expiration of the

time for redemption or termination, which notice shall also state that the sender will hold the tenant harmless for breaching the lease by vacating the premises if the mortgage is redeemed or the contract is reinstated;

(2) any person holds over lands or tenements after termination of the time for which they are demised or let to that person or to the persons under whom that person holds possession, or contrary to the conditions or covenants of the lease or agreement under which that person holds, or after any rent becomes due according to the terms of such lease or agreement; or when

(3) any tenant at will holds over after the determination of ~~any such~~ the estate by notice to quit; ~~in all such cases the person entitled to the premises may recover possession thereof in the manner hereinafter provided.~~ [underlining and strikeout in original to show new language]

1993 Minn. Laws ch. 165, § 3

[This was an amendment to parts of the statute other than subdivision 1]

Minn. Stat. § 566.03, subd. 1 (1998)

566.03 Recovery of possession; defenses.

Subdivision 1. The person entitled to the premises may recover possession in the manner provided in this section when:

(1) any person holds over lands or tenements after a sale thereof on an execution or judgment, or on foreclosure of a mortgage, and expiration of the time for redemption, or after termination of contract to convey the same, provided that if the person holding such lands or tenements after the expiration of the time for redemption or termination is a tenant, the person has received:

(I) at least one month's written notice to vacate no sooner than one month after the expiration of the time for redemption or termination, provided that the tenant pays the rent and abides by all terms of the lease; or

(ii) at least one month's written notice to vacate no later than the date of the expiration of the time for redemption or termination, which notice shall also state that the sender will hold the tenant harmless for breaching the lease by vacating the premises if the mortgage is redeemed or the contract is reinstated;

(2) any person holds over lands or tenements after termination of the time for which they

are demised or let to that person or to the persons under whom that person holds possession, or contrary to the conditions or covenants of the lease or agreement under which that person holds, or after any rent becomes due according to the terms of such lease or agreement; or

(3) any tenant at will holds over after the determination of the estate by notice to quit.

1999 Minn. Laws ch. 199, art. 1, § 38, subdivision 1

Sec. 38. [504B.285] [[EVICTON ACTIONS; GROUNDS; RETALIATION DEFENSE; COMBINED ALLEGATIONS.]

Subdivision 1. [GROUNDS.] The person entitled to the premises may recover possession by eviction when:

(1) any person holds over real property:

(I) after a sale of the property on an execution or judgment;

(ii) on foreclosure of a mortgage and expiration of the time for redemption; or

(iii) after termination of contract to convey the property, provided that if the person holding the real property after the expiration of the time for redemption or termination is a tenant, the person has received:

(A) at least one month's written notice to vacate no sooner than one month after the expiration of the time for redemption or termination, provided that the tenant pays the rent and abides by all terms of the lease; or

(B) at least one month's written notice to vacate no later than the date of the expiration of the time for redemption or termination, which notice shall also state that the sender will hold the tenant harmless for breaching the lease by vacating the premises if the mortgage is redeemed or the contract is reinstated;

(2) any person holds over real property after termination of the time for which it is demised or leased to that person or to the persons under whom that person holds possession, contrary to the conditions or covenants of the lease or agreement under which that person holds, or after any rent becomes due according to the terms of such lease or agreement; or

(3) any tenant at will holds over after the termination of the tenancy by notice to quit.
[underlining in original]

2008 Minn. Laws ch. 177, § 3

Sec. 3. Minnesota Statutes 2006, section 504B.285, subdivision 1, is amended to read:

Subdivision 1. **Grounds.** The person entitled to the premises may recover possession by eviction when:

(1) any person holds over real property:

(i) after a sale of the property on an execution or judgment; or

(ii) ~~on foreclosure of a mortgage and~~ after the expiration of the time for redemption; on foreclosure of a mortgage, or

~~(iii) after termination of contract to convey the property, provided that if the person holding the real property after the expiration of the time for redemption or termination is~~ was a tenant, the person during the redemption or termination period, the person entered into the lease of any duration after the date of the notice of mortgage foreclosure or contract for deed cancellation and prior to the expiration of the time for redemption or termination, and the person has received:

(A) at least ~~one month's~~ two months' written notice to vacate no sooner than one month after the expiration of the time for redemption or termination, provided that the tenant pays the rent and abides by all terms of the lease; or

(B) at least ~~one month's~~ two months' written notice to vacate no later than the date of the expiration of the time for redemption or termination, which notice shall also state that the sender will hold the tenant harmless for breaching the lease by vacating the premises if the mortgage is redeemed or the contract is reinstated;

(2) any person holds over real property after termination of the time for which it is demised or leased to that person or to the persons under whom that person holds possession, contrary to the conditions or covenants of the lease or agreement under which that person holds, or after any rent becomes due according to the terms of such lease or agreement; or

(3) any tenant at will holds over after the termination of the tenancy by notice to quit.
[underlining and strikeout in original]

2009 Minn. Laws ch. 130, § 1

Section 1. Minnesota Statutes 2008, section 504B.285, subdivision 1, is amended to read:

Subdivision 1. **Grounds.** The person entitled to the premises may recover possession by eviction when:

(1) any person holds over real property:

(I) after a sale of the property on an execution or judgment; or

(ii) after the expiration of the time for redemption on foreclosure of a mortgage, or after termination of contract to convey the property, provided that if the person holding the real property after the expiration of the time for redemption or termination was a tenant during the redemption or termination period, ~~the person entered into the~~ under a lease of any duration and the lease began after the date of the notice of the mortgage foreclosure or contract for deed cancellation and was executed but prior to the expiration of the time for redemption or termination, and the person has received:

~~(iii)~~ after termination of contract to convey the property, provided that if the person holding the real property after the expiration of the time for redemption or termination ~~is~~ was a tenant, the person during the redemption or termination period, the person entered into the lease of any duration after the date of the notice of mortgage foreclosure or contract for deed cancellation and prior to the expiration of the time for redemption or termination, and the person has received:

(A) at least ~~one month's~~ two months' written notice to vacate no sooner than one month after the expiration of the time for redemption or termination, provided that the tenant pays the rent and abides by all terms of the lease; or

(B) at least ~~one month's~~ two months' written notice to vacate no later than the date of the expiration of the time for redemption or termination, which notice shall also state that the sender will hold the tenant harmless for breaching the lease by vacating the premises if the mortgage is redeemed or the contract is reinstated;

(2) any person holds over real property after termination of the time for which it is demised or leased to that person or to the persons under whom that person holds possession, contrary to the conditions or covenants of the lease or agreement under which that person holds, or after any rent becomes due according to the terms of such lease or agreement; or

(3) any tenant at will holds over after the termination of the tenancy by notice to quit.
[underlining and strikeout in original]

2010 Minn. Laws ch. 315, § 10-13

[These sections modified the foreclosure provisions in section 504B.285 to bring them into line

with the federal Protecting Tenants at Foreclosure Act.]

2011 Minn. Laws ch. 58, § 1

[This section modified the language in the 2010 law to limit the protections therein, which had covered all tenants (probably a drafting oversight) to only residential tenants.]

2012 Minn. Laws ch. 132, § 2-4

[These sections modified the foreclosure provisions in section 504B.285 as to a sunset date.]

2013 Minn. Laws ch. 100, § 2-3

[These sections modified the foreclosure provisions in section 504B.285 as to a sunset date by eliminating the sunset date.]

2014 Minn. Laws ch. 188, § 3

Sec. 3. Minnesota Statutes 2012, section 504B.285, subdivision 1, is amended to read:

Subdivision 1. **Grounds.** (a) The person entitled to the premises may recover possession by eviction when:

(1) any person holds over real property:

(I) after a sale of the property on an execution or judgment; or

(ii) after the expiration of the time for redemption on foreclosure of a mortgage, or after termination of contract to convey the property;

(2) any person holds over real property after termination of the time for which it is demised or leased to that person or to the persons under whom that person holds possession, contrary to the conditions or covenants of the lease or agreement under which that person holds, or after any rent becomes due according to the terms of such lease or agreement; or

(3) any tenant at will holds over after the termination of the tenancy by notice to quit.

(b) A landlord may not commence an eviction action against a tenant or authorized occupant solely on the basis that the tenant or authorized occupant has been the victim of any of the acts listed in section 504B.206, subdivision 1, paragraph (a). Nothing in this paragraph

should be construed to prohibit an eviction action based on a breach of the lease. [underlining in original to show new language]

2017 Minn. Laws 1st Spec. Sess., c. 1, art 2, § 40

Sec. 40. Minnesota Statutes 2016, section 504B.285, subdivision 1, is amended to read:

Subdivision 1. **Grounds.** (a) The person entitled to the premises may recover possession by eviction when:

(1) any person holds over real property:

(I) after a sale of the property on an execution or judgment; ~~or~~

(ii) after the expiration of the time for redemption on foreclosure of a mortgage, or after termination of contract to convey the property; or

(iii) after the expiration of the time for redemption on a real estate tax judgment sale;

(2) any person holds over real property after termination of the time for which it is demised or leased to that person or to the persons under whom that person holds possession, contrary to the conditions or covenants of the lease or agreement under which that person holds, or after any rent becomes due according to the terms of such lease or agreement; or

(3) any tenant at will holds over after the termination of the tenancy by notice to quit.

(b) A landlord may not commence an eviction action against a tenant or authorized occupant solely on the basis that the tenant or authorized occupant has been the victim of any of the acts listed in section 504B.206, subdivision 1, paragraph (a). Nothing in this paragraph should be construed to prohibit an eviction action based on a breach of the lease. [underlining in original to show new language]

504B.285 EVICTION ACTIONS; GROUNDS; RETALIATION DEFENSE; COMBINED ALLEGATIONS..

Subdivision 1. **Grounds.** (a) The person entitled to the premises may recover possession by eviction when:

(1) any person holds over real property:

(I) after a sale of the property on an execution or judgment;

(ii) after the expiration of the time for redemption on foreclosure of a mortgage, or after termination of contract to convey the property; or

(iii) after the expiration of the time for redemption on a real estate tax judgment sale;

(2) any person holds over real property after termination of the time for which it is demised or leased to that person or to the persons under whom that person holds possession, contrary to the conditions or covenants of the lease or agreement under which that person holds, or after any rent becomes due according to the terms of such lease or agreement; or

(3) any tenant at will holds over after the termination of the tenancy by notice to quit.

(b) A landlord may not commence an eviction action against a tenant or authorized occupant solely on the basis that the tenant or authorized occupant has been the victim of any of the acts listed in section 504B.206, subdivision 1, paragraph (a). Nothing in this paragraph should be construed to prohibit an eviction action based on a breach of the lease.

Versions of Minn. Stat. § 504B.301 From 1858 to 2020

Minn. Pub. Stat. 1858, Chapter 77

SEC. II. Any justice of the peace shall have authority to inquire as hereinafter directed, as well against those who may make or forcible entry into lands, tenements, or other possessions, and detain the same, as against those who having lawful and peaceful entry into lands, tenements, or other possessions, unlawfully and forcibly detain the same; and if it be found upon such inquiry, that an unlawful or forcible entry hath been made, and that said lands, tenements or other possessions are unlawfully detained by force and strong hand, or that the same, after a lawful entry, are so held or detained unlawfully, then such justice shall cause the party complaining to have restitution thereof.

SEC. IX. If, upon the trial of any complaint under this chapter, the justice or jury shall find that the defendant or defendants, or either of them, are guilty of the allegations in the complaint, the said justice shall thereupon enter judgment for the complainant, to have restitution of the premises, and shall impose such fine, not exceeding one hundred dollars, considering all the circumstances, as he may deem just, and shall tax the costs for the complainant, and may issue execution in favor of said complainant, for such costs as in other actions ex delicto, and the said justice shall also award and issue a writ of restitution; but if the said justice or the jury, find that the person complained of is not guilty, the complaint, in their opinion, not having been supported, the said justice shall tax the cost [sic, not plural] against the complainant, and issue execution therefor.

Minn. Gen. Stat. 1866, Chapter 84

SEC. 2. Any justice of the peace has authority to inquire as hereinafter directed, as well against those who may make or forcible entry into lands or tenements, and detain the same, as against those who having lawful and peaceful entry into lands or tenements, unlawfully and forcibly detain the same; and if it be found upon such inquiry, that an unlawful or forcible entry has been made, and that said lands or tenements are unlawfully detained by force and strong hand, or that the same, after a lawful entry, are so held or detained unlawfully, such justice shall cause the party complaining to have restitution thereof.

SEC. 9. If, upon the trial of any complaint under this chapter, the justice or jury shall find that the defendant or defendants, or either of them, are guilty of the allegations in the complaint, the said

justice shall thereupon enter judgment for the complainant, to have restitution of the premises, and shall impose such fine, not exceeding one hundred dollars, as he may deem just, and shall tax the costs for the complainant, for such costs, and shall also award and issue a writ of restitution; but if the said justice or the jury find that the person complained of is not guilty, the justice shall tax the costs against the complainant, and issue execution therefor.

Minn. Gen. Stat. 1878, Chapter 84

§ 2. **Justices of peace to have jurisdiction, etc.** Any justice of the peace has authority to inquire as hereinafter directed, as well against those who may make or forcible entry into lands or tenements, and detain the same, as against those who having lawful and peaceful entry into lands or tenements, unlawfully and forcibly detain the same; and if it be found upon such inquiry, that an unlawful or forcible entry has been made, and that said lands or tenements are unlawfully detained by force and strong hand, or that the same, after a lawful entry, are so held or detained unlawfully, such justice shall cause the party complaining to have restitution thereof.

§ 9. **Judgment, when defendant is found guilty – costs.** If, upon the trial of any complaint under this chapter, the justice or jury shall find that the defendant or defendants, or either of them, are guilty of the allegations in the complaint, the said justice shall thereupon enter judgment for the complainant, to have restitution of the premises, and shall impose such fine, not exceeding one hundred dollars, as he may deem just, and shall tax the costs for the complainant, for such costs, and shall also award and issue a writ of restitution; but if the said justice or the jury find that the person complained of is not guilty, the justice shall tax the costs against the complainant, and issue execution therefor.

Minn. Gen. Stat. 1894, Chapter 84

§ 6109. **Justices of peace to have jurisdiction, etc.** Any justice of the peace has authority to inquire as hereinafter directed, as well against those who may make or forcible entry into lands or tenements, and detain the same, as against those who having lawful and peaceful entry into lands or tenements, unlawfully and forcibly detain the same; and if it be found upon such inquiry, that an unlawful or forcible entry has been made, and that said lands or tenements are unlawfully detained by force and strong hand, or that the same, after a lawful entry, are so held or detained unlawfully, such justice shall cause the party complaining to have restitution thereof.

§ 6116. **Judgment, when defendant is found guilty – costs.** If, upon the trial of any complaint

under this chapter, the justice or jury shall find that the defendant or defendants, or either of them, are guilty of the allegations in the complaint, the said justice shall thereupon enter judgment for the complainant, to have restitution of the premises, and shall impose such fine, not exceeding one hundred dollars, as he may deem just, and shall tax the costs for the complainant, for such costs, and shall also award and issue a writ of restitution; but if the said justice or the jury find that the person complained of is not guilty, the justice shall tax the costs against the complainant, and issue execution therefor.

1897 Minn. Laws ch. 241

SECTION 1. That section two (2), chapter eighty-four (84) , of the general statutes of one thousand eight hundred and seventy-eight (1878), be amended so as to read as follows:

“SEC. 2. Any justice of the peace has authority to inquire, as hereinafter directed, as well against those who may make unlawful or forcible entry into lands or tenements and detain the same, as against those who, having lawful or peaceful entry into lands or tenements, unlawfully and forcibly detain the same; and if it is found upon such inquiry that an unlawful or forcible entry has been made, and that said lands or tenements are unlawfully detained by force and strong hand, or that the same, after a lawful entry, are so held or detained unlawfully, such justice shall cause the party complaining to have restitution thereof. All acts or parts of acts inconsistent with this section are hereby repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 23, 1897.

1905 Minnesota Revised Laws, § 4037.

4037. Forcible entry or detainer -- Restitution -- When any person has made unlawful or forcible entry into lands or tenements, and detains the same, or having peaceably entered, unlawfully and forcibly detains the same, he shall be fined, and the person entitled to the premises may recover possession thereof in the manner hereinafter provided. (6109, 6116, ‘97 c. 241)

Minn. Gen. Stat. 1913, Chapter 76, § 7657

7657. Forcible entry or detainer -- Restitution -- When any person has made unlawful or forcible entry into lands or tenements, and detains the same, or having peaceably entered, unlawfully and forcibly detains the same, he shall be fined, and the person entitled to the premises may recover possession thereof in the manner hereinafter provided. (4037)

1917 Minn. Laws ch. 227, §1

Section 1. **Unlawful detention of lands or tenements subject to fine.** — That section 7657 General Statutes 1913, be and the same is hereby amended so as to read as follows:

7657. When any person has made unlawful or forcible entry into lands or tenements, and detains the same, or, having peaceably entered, unlawfully detains the same, he shall be fined, and the person entitled to the premises may recover possession thereof in the manner hereinafter provided.

Minn. Gen. Stat. 1923, Chapter 76, § 9148

9148. When any person has made unlawful or forcible entry into lands or tenements, and detains the same, or, having peaceably entered, unlawfully detains the same, he shall be fined, and the person entitled to the premises may recover possession thereof in the manner hereinafter provided. (R.L. '05 § 4037, G.S. '13 § 7657. amended '17 c. 227 §1)

Minn. Stat. 1927, Chapter 76, § 9148

9148. When any person has made unlawful or forcible entry into lands or tenements, and detains the same, or, having peaceably entered, unlawfully detains the same, he shall be fined, and the person entitled to the premises may recover possession thereof in the manner hereinafter provided. (R.L. '05 § 4037, G.S. '13 § 7657. amended '17 c. 227 §1)

1973 Minn. Laws ch. 611, § 7

Sec. 7. Minnesota Statutes 1971, Section 566.02, is amended to read:

566.02 UNLAWFUL DETENTION OF LANDS OR TENEMENTS SUBJECT TO FINE. When any person has made unlawful or forcible entry into lands or tenements, and detains the same, or, having peaceably entered, unlawfully detains the same, ~~he shall be fined, and the~~ person entitled to the premises may recover possession thereof in the manner hereinafter provided.

1989 Minn. Laws ch. 305, § 2

Minnesota Statutes 1988, section 566.02, is amended to read:

566.02 [UNLAWFUL DETENTION OF LANDS OR TENEMENTS SUBJECT TO FINE.] When any person has made unlawful or forcible entry into lands or tenements, and

detains the same, or, having peaceably entered, unlawfully detains the same, the person entitled to the premises may recover possession thereof in the manner hereinafter provided. A seizure under section 7, subdivision 1, for which there is not a defense under section 7, subdivision 3, constitutes unlawful detention by the tenant.

Minn. Stat. § 566.02 (1998)

566.02 Unlawful detention of lands or tenements subject to fine. When any person has made unlawful or forcible entry into lands or tenements, and detains the same, or, having peaceably entered, unlawfully detains the same, the person entitled to the premises may recover possession thereof in the manner hereinafter provided. A seizure under section 609.5317, subdivision 1, for which there is not a defense under section 609.5317, subdivision 3, constitutes unlawful detention by the tenant.

1999 Minn. Laws ch. 199, art. 1, § 40

Sec. 40. [504B.301] [EVICTION ACTION FOR UNLAWFUL DETENTION.] A person may be evicted if the person has unlawfully or forcibly occupied or taken possession of real property or unlawfully detains or retains possession of real property.

A seizure under section 609.5317, subdivision 1, for which there is not a defense under section 609.5317, subdivision 3, constitutes unlawful detention by the tenant.

Minn. Stat. § 504B.301 (2020)

504B.301 EVICTION ACTION FOR UNLAWFUL DETENTION.

A person may be evicted if the person has unlawfully or forcibly occupied or taken possession of real property or unlawfully detains or retains possession of real property.

A seizure under section 609.5317, subdivision 1, for which there is not a defense under section 609.5317, subdivision 3, constitutes unlawful detention by the tenant.

2023 Minn. Laws ch. 52, art. 19, § 22

Minnesota Statutes 2022, section 504B.301, is amended to read:

504B.301 EVICTION ACTION FOR UNLAWFUL DETENTION.

A person may be evicted if the person has unlawfully or forcibly occupied or taken possession of real property or unlawfully detains or retains possession of real property

~~A seizure under section 609.5317, subdivision 1, for which there is not a defense under section 609.5317, subdivision 3, constitutes unlawful detention by the tenant.~~