



Tenant Hotline

Phone: 612-728-5767

Online: [homelinemn.org/email](https://www.homelinemn.org/email)

# Privacy Rights in Minnesota Landlord-Tenant Law

(Minn. Stat. § 504B.211)

February 18, 2026 — 1:30-3:00pm

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# What is HOME Line?

- HOME Line is a statewide nonprofit organization providing free legal, educational, and advocacy services to Minnesota renters.
- We provide free and confidential legal advice to residential tenants through our hotline in 4 languages.
- We have advised over 350,000 renters since 1992.



# Contacting the Hotline

- For English, call 612-728-5767
- Para Español, llame al 612-255-8870
- Af- Soomaali wac 612-255-8860
- Hais lus Hmoob, Hu 612-255-7104
- [homelinemn.org/email](http://homelinemn.org/email)
- [homelinemn.org/mandenos-un-e-mail](http://homelinemn.org/mandenos-un-e-mail)



# Housekeeping

- This session is being recorded and will be available on HOME Line's website in a few days
- Please ask questions through the Q&A function located at the bottom of the Zoom window
- 1.5 CLE credits are being applied for



# Upcoming Webinars

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- March 18, 2026 - Safe at Home
- April 22, 2026 - Terminating the Lease Early



# Agenda

- Basics of the Right to Privacy
- Legislative History Overview and Effect of Recent Changes
- How to Enforce & Prove Violations of the Privacy Statute
- Example Cases
- Other Privacy Questions



# Privacy Rights Overview

- Landlords must have a reasonable business purpose and make a good faith effort to give reasonable notice under the circumstances, that is at least 24 hours in advance, that provides a time window between the hours of 8am and 8pm
- Exceptions for emergencies
- Governed by Minn. Stat. 504B.211
- Can't be waived in lease



# Reasonable Business Purpose

- Landlords must have a reasonable business purpose to enter the tenant's unit
- Reasonable business purpose includes things like showing the unit, doing repairs, and allowing inspections by the state
- Scope of reasonable business purpose



# Right to Advance Notice

- Good faith effort
- Reasonable Notice under the circumstances
- At least 24 hours in advance
- Specifies a time or anticipated window of time
- Between the hours of 8 a.m. and 8 p.m.



# Bad Notice Examples

- Landlord gives tenant short notice
- Landlord gives tenant a blanket notice for a week
- Landlord says that the tenant's request for repairs is their notice of entry
- Landlord gives notice to enter in 3 hours
- Landlord leaves a physical note when they know the tenant is on vacation



# Emergencies

- A landlord may enter without notice in the case of emergencies
- Three statutorily defined emergencies
  - Preventing injury to people or property
  - Determining a tenant's safety
  - Complying with local ordinances regarding unlawful activity
- Landlords must leave a note if no one is home



# Penalties for Violation

- \$500 (\$100) civil penalty for each violation
- Rent Abatement
- Lease Termination
- Security Deposit Return
- Reasonable Attorney Fees



# Legislative Overview

- The original tenant privacy law passed in 1995 as 504.183 and didn't change significantly until 2024
- Subd. 3 slightly modified in 1996
- Recodified into Chapter 504B in 1999



# Changes in 2024

- Reasonable notice **plus** a minimum of 24 hours notice
- Entry must be between 8AM - 8PM
- “Substantially violates” requirement removed
- Penalty increased from \$100 to \$500 and reasonable attorneys fees added and can sue anywhere
- Now a violation of 504B.161



# Privacy as an Eviction Defense

- Affirmative defenses are limited in eviction cases
- A violation of the covenants of habitability is a defense to nonpayment under *Fritz v. Warthen*, 213 N.W.2d 339 (1973)
- *Aune v. Johnson*, No. A22-0914 (2023)
- Privacy is now a breach of the covenants of habitability
- Not aware of any cases yet



# Enforcing 504B.211

- Two basic options depending on whether the tenant has moved or not
- Conciliation court if the tenant has moved out
- Rent escrow if the tenant is still living there

# Filing in Conciliation Court

- Standard conciliation court procedure
- Can sue for penalties for each violation, rent reduction, security deposit, and reasonable attorney fees
- Tenant should wait until they know what has happened with their security deposit
- Tenant may include other claims



# Filing a Rent Escrow

- Send a written notice and wait 14 days
- Use Standard Court Form
- Can sue for penalties for each violation, rent reduction, security deposit, and reasonable attorney fees
- Be prepared to explain why a rent escrow is an appropriate case to file



# How to Prove Privacy Violations

- Case-by-case analysis
- Tenant has the burden of proving that privacy was violated.
- Proof could include video camera footage, invalid notices of entry, witness testimony, etc.



# Example Cases

- *Ta v. Ryan Rentals LLC*, No. A21-0264 (Minn. Ct. App. 2021)
- *Ghebrehiwet v. Ghneim*, No. A15-0397 (Minn. Ct. App. 2016)
- *Ndosi v. Snyder*, 27-CV-HC-13-7058 (2014)



# Other Privacy Questions

- Can the landlord touch or move my personal belongings?
- Can my landlord record or take pictures of my unit or belongings?
- Can the landlord talk about me to other people?
- Dealing with ICE





Questions?

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