

Bond Case Briefs

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HOUSING - MINNESOTA

Housing and Redevelopment Authority of Duluth v. Lee

Supreme Court of Minnesota - August 27, 2014 - N.W.2d - 2014 WL 4212688

Public housing authority (PHA) brought eviction action against tenant in Section 8 federally-subsidized housing after tenant failed to timely pay rent and late fees imposed by PHA for three consecutive months. The District Court granted summary judgment in favor of PHA, holding that monthly late fee assessed by PHA was reasonable, and that federal regulations preempted state law governing fees for late payment of rent. Tenant appealed.

The Supreme Court of Minnesota held that:

- State law capping late fee at eight percent of overdue rent was not preempted by federal law, and
- PHA was subject to eight percent limitation.