
Standing Order re Certain Real Property-Related Civil Cases

WHEREAS, effective October 1, 2014, the Fourth Judicial District's practice regarding certain real property-related cases has been to assign these cases to referees designated to handle Housing Court cases, to-wit:

- (i) Hazardous buildings (Minn. Stat. §§ 463.15-463.24);
- (ii) Hazardous excavation/vacant buildings (Minn. Stat. §§ 463.25-463.27);
- (iii) Tenant remedies actions (Minn. Stat. §§ 504B.395-504B.471);
- (iv) Emergency tenant remedies actions (Minn. Stat. § 504B.381);
- (v) Municipal building/housing code enforcement cases under the Uniform Declaratory Judgment Act (Minn. Stat. §§ 555.01-555.16);
- (vi) Public nuisance enforcement (Minn. Stat. §§ 617.80-617.87);
- (vii) Commercial and other non-residential property evictions;
- (viii) Mortgage foreclosures; and
- (ix) Contract for deed cancellations.

WHEREAS, certain of these real property-related cases do not involve residential rental housing and as such are not subject to the Fourth Judicial District's Housing Calendar Consolidation Program, and are not governed by Minn. Stat. § 484.013 (Housing Court Consolidation Program) or the Housing Court Rules incorporated into Title VII of the Minnesota General Rules of Practice; and

WHEREAS, the Minnesota Rules of Civil Procedure apply to real property-related cases that do not fall under the authority of the Housing Calendar Consolidation Program; and

WHEREAS, the hearing of these cases by referees familiar with real property-related issues including but not limited to those enumerated in the first WHEREAS clause above, allows for consistency and continuity in the disposition of such cases, and those referees have been hearing these types of cases as directed by the Chief Judge of Hennepin County District Court since October 1, 2014; and

WHEREAS, pursuant to Minn. Stat. § 484.70, "All referees are subject to the administrative authority and assignment power of the chief judge of the district ... and are not limited to assignment to family, probate, juvenile or special term"; and

WHEREAS, under Minn. Stat. § 484.70, the chief judge may assign to referees cases which do not fall under the authority of the Housing Court, including real property-related civil cases such as those above-described.

Now, Therefore, **IT IS HEREBY ORDERED:**

1. Referees currently assigned to hear Housing Court matters are hereby authorized to hear civil cases which are real property-related as described in the first WHEREAS clause above, but which do not involve residential rental housing.
2. Real property-related cases which do not involve residential rental housing shall be filed using the case type of Civil-Other (27-CV).

3. When a real property-related case not subject to Minnesota Statutes § 484.013 is filed with an “HC” designation, court administration is authorized to re-file the case and designate it “Civil-Other” and the petitioner/plaintiff shall not incur an additional filing fee.
4. Court administration is authorized to assign these designated real property-related Civil-Other cases to referees of the Fourth Judicial District in accordance with established policies and procedures.

BY THE COURT:

Dated: March 5, 2018

Ivy S. Bernhardson
Chief Judge
Hennepin County District Court