

Minnesota HOA homeowner Right to Go Solar Statute

Who the law applies to

The law applies to you if you belong to an HOA and live in:

1. A detached home if you are the sole owner and are responsible for the roof maintenance or
2. A multifamily unit if you are the sole owner and responsible for the roof maintenance.

What it ensures

These HOA homeowners cannot be denied solar by the HOA as long as they follow rules set by the HOA. The HOA is limited in what those rules can be.

Some limited restrictions are allowed

HOAs can still impose *some* restrictions but those restrictions can't raise your cost of installing solar by more than \$1,000 or reduce your system's production by more than 10%.

- An HOA could not require that your solar not face the street if that is the most productive placement for solar on your home. This would reduce production by more than 10%.
- An HOA could require that your solar panels not go above the peak of your roof, that they follow the plane of the roof, or that you use a licensed contractor.

Approval timeline

In general your HOA has 60 days to approve or deny your project. If no action is taken in 60 days then it is considered approved.

- The timeline may be extended if the HOA determines that additional information is needed to make a decision. The HOA must request

additional information in writing within 60 days from the receipt of the application.

- If the request is made within 15 days of when the application was received then the HOA has 60 days from the date of receipt of the additional information.
- If the HOA makes the request more than 15 days after the initially received application, the HOA has 15 days after they receive the additional information or the end of the initial 60 day period, whichever is greater.

How to get approval from your HOA:

- Make your request in writing.
- Use your HOA's "Architectural Review Form" if they have one.
- Make sure to include:
 - Pictures that show where on the roof or property the panels will be installed.
 - The size of the solar array in kilowatts, number of panels, the estimated kWh per year of electricity generated and cost of the proposal. All of this should be in your proposal.
 - The name of your solar installer and their contractors license number.
 - A copy of the interconnection application submitted to the electric utility. You will need to get this from your installer.

Note: *Your solar application should be processed in the same manner as an application for an architectural modification to your property and by statute cannot be willfully avoided or delayed.*

An Example Statement For Your Application

Use this statement or write your own in your application to your HOA:

Attached is my application to install solar on my home. Minnesota Statute 500.216 gives me the right to install solar as my home is a detached dwelling and I am responsible for the roof maintenance. The statute limits

restrictions the HOA can impose to ones that do not increase the cost of the solar by more than \$1,000 or reduce the solar production by more than 10%. In addition, the HOA has 60 days to act on my request or is deemed approved. This timeline may be extended if you require more information from me. Please, let me know in writing as soon as possible if you need more information. Solar energy has been shown to increase the value of a home and I think the addition of solar is an improvement not just to my home but improves the appeal of our HOA as well. I look forward to working with you on the approval process.

For HOA's that do not have a clear process established you should submit the above information to the president of the HOA.