

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF LYON

FIFTH JUDICIAL DISTRICT

Case Type: Other Civil  
(Consumer Protection)

State of Minnesota, by its Attorney General,  
Keith Ellison,

Court File No. 42-CV-20-540  
Hon. Tricia B. Zimmer

Plaintiff,

**CONSENT JUDGMENT AND ORDER**

vs.

Greg Taylor,

Defendant.

WHEREAS, Attorney General Keith Ellison (“Attorney General” or “State”) filed and served a Complaint and Motion for Temporary Restraining Order against Greg Taylor (“Taylor” or “Defendant”) in this matter on July 6, 2020;

WHEREAS, the State is represented in this matter by Elizabeth R. Odette, Assistant Attorney General, and Taylor is represented by Kevin Stroup, Esq., of Stoneberg, Giles, & Stroup, 300 South O’Connell St., Marshall, MN 56258-2638;

WHEREAS, the Attorney General and Taylor (collectively, the “Parties”) desire to resolve fully the claims set forth in the Complaint by this Consent Judgment and Order; and

NOW THEREFORE, the Attorney General and Taylor hereby agree to entry of an Order with the following terms and conditions:

## INJUNCTIVE RELIEF

1. Taylor, including his agents, independent contractors, affiliates, successors, as well as other persons in active concert or participation with Taylor who receive actual notice of this Order, shall comply with the following permanent injunctive terms and provisions for the duration of the peacetime emergency initially declared in Executive Order 20-01, or until Executive Order 20-14 is rescinded:

- a. Taylor shall not terminate or attempt to terminate Tenant's tenancy.
- b. Taylor shall not take any actions that interfere with Tenant's ability to live at the residential unit located at 1001 Dano Circle, Apartment 3, Marshall, MN (hereinafter "Property"), during the peacetime emergency in accordance with Governor Walz's Executive Order 20-14, including, but not limited to, interrupting, threatening to interrupt, causing to interrupt, or failing to address interrupted utility service or access to the leased premises, except as otherwise permitted by the same.
- c. Taylor shall maintain the habitability of Tenant's apartment by providing clean and working appliances, including the refrigerator, eliminating any obnoxious odors in Tenant's apartment from spoiled foods, and securing all accesses points including the patio door.
- d. For the duration of Tenant's tenancy, Taylor shall provide Tenant access to the apartment with matching keys and lock system for the front door.
- e. Until Executive Order 20-14 expires, Taylor shall not take any actions to increase Tenant's current monthly rent obligation of Five Hundred and Ninety Five dollars (\$595.00) per month to live at the Property and shall provide a two-and-a-half-month rent credit of \$1,487.50 to the Tenant.

f. Taylor shall fully comply with Executive Order 20-14, including but not limited to ceasing all conduct related to constructive or written termination of residential leases in accordance with Executive Order 20-14. The State agrees that Taylor retains the right, upon modification or expiration of relevant provisions of Executive Order 20-14, to provide a valid Notice of Termination of Tenancy, so long as such a Notice of Termination of Tenancy conforms with Minnesota law.

g. Taylor shall not retaliate against Tenant, including but not limited to impeding Tenant's ability to secure alternate housing.

h. Taylor shall fulfill the terms of this Consent Judgment and Order, and any affiliates and successors shall be bound by this Consent Judgment and Order as if they had signed this Consent Judgment and Order, so as to accomplish the full relief contemplated by this Consent Judgment and Order.

2. Taylor shall not effect any change in his form of doing business, organizational identity, organizational structure, affiliations, ownerships, or management composition as a method or means of attempting to avoid the requirements of this Consent Judgment and Order.

#### **STAYED CIVIL PENALTY**

3. Taylor shall pay a stayed civil penalty of Five Thousand Dollars (\$5,000.00) to the Attorney General upon application to the Court provided a showing by the Attorney General that Taylor has violated any of the terms of this Consent Judgment and Order. The Court shall decide whether the civil penalty shall be imposed upon a motion by the Attorney General and after an evidentiary hearing, should the Court deem such hearing necessary. The release referenced herein does not prevent the Attorney General from moving for, or collecting, the stayed civil penalty according to the procedure described herein.

## GENERAL TERMS

4. Nothing in this Consent Judgment and Order shall relieve Taylor of his obligation to comply with all applicable Minnesota and federal laws and regulations.

5. In consideration of the stipulated relief, the sufficiency of which is acknowledged, the Office of the Attorney General, by execution of this Consent Judgment, hereby fully and completely releases Taylor of any and all claims of the Attorney General connected with or arising out of the allegations the Attorney General's Complaint in the above-captioned action, up to and including the date of this Consent Judgment and Order. The Attorney General through this Consent Judgment and Order does not settle, release, or resolve any claim against Taylor or any other person or entity involving any private causes of action, claims, and remedies including, but not limited to, private causes of action, claims, or remedies provided for under Minn. Stat. § 8.31. This release does not apply in any way to claims of any other Minnesota state agency, department, official, or division.

6. Taylor neither admits nor denies the allegations in the Complaint.

7. This Consent Judgment and Order does not constitute an approval by the Attorney General of Taylor's practices, and Taylor shall make no representation or claim to the contrary.

8. This Consent Judgment and Order may be executed in counterparts, each of which constitutes an original, and all of which shall constitute one and the same agreement.

9. Taylor affirms that he has reviewed the language of the Consent Judgment and Order and, following consultation with counsel, acknowledges his knowing and intelligent agreement to be bound by the terms found herein.

10. This Consent Judgment and Order constitutes the full and complete terms of the agreement entered into by Taylor and the Attorney General.

11. This Consent Judgment and Order is governed by the laws of the State of Minnesota.

12. The Court shall retain jurisdiction of this matter for purposes of enforcing this Consent Judgment and Order. The Attorney General may make such application as appropriate to enforce or interpret the provisions of this Consent Judgment and Order or, in the alternative, maintain any action within his legal authority for such other and further relief as he determines is proper and necessary for the enforcement of this Consent Judgment and Order. The parties agree that, in any action brought by the Attorney General to enforce the terms of this Consent Judgment and Order, the Court shall have the authority to award equitable relief, including specific performance. The failure of a party to exercise any rights under this Consent Judgment and Order shall not be deemed to be a waiver of any right or any future rights.

13. Nothing in this Consent Judgment and Order shall be construed to limit the power or authority of the State of Minnesota or the Attorney General except as expressly set forth herein.

14. Each of the parties participated in the drafting of this Consent Judgment and Order, and agrees that the Consent Judgment and Order's terms may not be construed against or in favor of any of the parties by virtue of draftsmanship.

15. Taylor understands that if a Court of competent jurisdiction holds that Taylor has committed a violation of this Consent Judgment and Order, that such violation may subject Taylor to sanctions for contempt pursuant to Minn. Stat. § 8.31, subdivision 2b, and that the Attorney General may thereafter, in his sole discretion, initiate legal proceedings against Taylor for any and all violations of this Consent Judgment and Order.

16. Each party shall perform such further acts and execute and deliver such further documents as may reasonably be necessary to carry out this Consent Judgment and Order.

17. Taylor shall not state or imply, directly or indirectly, that the State of Minnesota or the Attorney General have approved of, condoned, or agree with any conduct or actions by Taylor.

18. Any notices required to be sent to the parties under this Consent Judgment and Order shall be sent by certified mail, return-receipt requested, or other tracked mail delivery service. The documents shall be sent to the following addresses:

For the State of Minnesota:

Elizabeth Odette, Assistant Attorney General  
Office of the Minnesota Attorney General  
445 Minnesota Street, Suite 1400  
St. Paul, MN 55101-2130

For Taylor:

Kevin Stroup  
Stoneberg, Giles, & Stroup  
300 South O'Connell St.  
Marshall, MN 56258-2638

19. The parties consent to entry of the foregoing judgment, which shall constitute a final judgment. The judgment shall take effect immediately upon entry by the clerk of this Court.

KEITH ELLISON  
Attorney General  
State of Minnesota

Date: 7/7/20

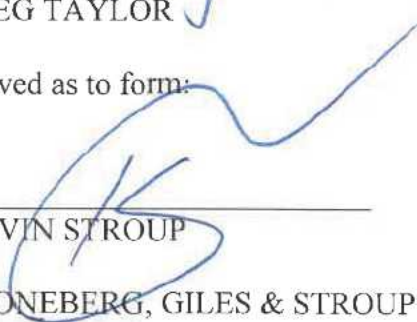
By: s/ Elizabeth R. Odette  
ELIZABETH R. ODETTE  
Assistant Attorney General  
445 Minnesota Street, Suite 1400  
St. Paul, MN 55101-2130  
(651) 728-7208  
elizabeth.odette@ag.state.mn.us

Date: 7/7/20

GREG TAYLOR

By:   
GREG TAYLOR

Approved as to form:

By:   
KEVIN STROUP  
STONEBERG, GILES & STROUP

300 South O'Connell St.  
Marshall, MN 56258-2638  
(507) 537-0591  
kevin@sgslawyers.com

**ORDER**

Based upon the foregoing Consent Judgment, it is SO ORDERED.

07/13/2020 09:52:11 AM

Date: \_\_\_\_\_

THE HON.   
JUDGE OF DISTRICT COURT

THERE BEING NO CAUSE FOR FURTHER DELAY, LET JUDGMENT BE ENTERED IMMEDIATELY.

07/13/2020 10:43:14 AM

I hereby certify that the forgoing order constitutes the Judgment of the Court

