**Real Estate Development or Construction Consultant Fees Checklist and Acceptance Statement, LMC Model Form**

*League staff thoughtfully develops models for a city’s consideration. Models should be customized as appropriate for an individual city’s circumstances in consultation with the city’s attorney. Helpful background information on this model may be found in the information memo “*[*Subdivision Guide for Cities.*](https://www.lmc.org/resources/subdivision-guide-for-cities/)*”*

**This icon marks places where the city must customize the model. They offer additional provisions, optional language, or comments for your consideration. The icon, and language you do not wish to include, should be deleted from this model before use. Make other changes, as needed, to customize the model for your city**

*Starting Aug. 1, 2019, Minnesota Statute § 471.462 requires all cities to provide, upon request, a nonbinding estimate of consulting fees in connection with applications for permits, licenses, or other approvals relating to real estate development or construction.*

*An application is not complete until all four requirements of the statute in the checklist below are met. The following page is a model form that, once signed by the applicant and received by the city, meets the third and fourth requirements of the statute.*

Minnesota Statute § 471.462 does not apply unless (1) the application is for a permit, license, or other approval related to real estate development or construction, and (2) the applicant requests that the city provide a nonbinding estimate of consultant fees to be charged to the applicant. When applicable, the application is not complete until the following four requirements are met:

The city has provided the estimate of consultant fees to the applicant. The estimate of

consultant fees must be based on information available to the city at that time.

The city has received, from the applicant, all the required application fees.

The city has received a signed acceptance of the fee estimate from the applicant.

The city has received a signed statement that the applicant has not relied on the estimate of fees in its decision to proceed with the final application.

Minnesota Statute § 15.99 requires that cities must approve or deny written land use applications within 60 days (the “60-Day Rule”). An application is not complete for purposes of the 60-Day Rule until all four requirements of Minnesota Statute § 471.462 are met.

**Signed Acceptance and Non-Reliance Statement**

*Before providing this statement to the applicant cities should fill in the blank space with the company’s name, if applicable, as well as the approval being sought, the city’s name, and the specific amount of the estimated fees that was provided to the applicant.*

I, on behalf of *\_\_\_\_\_\_\_*, understand that in connection with an application for *\_\_\_\_\_\_\_*, I/*\_\_\_\_\_\_\_* requested the City of *\_\_\_\_\_\_\_* provide a written, nonbinding estimate of the consultant fees to be charged, relating to the application.

Based on the information available to the city, the city estimated it would charge *\_\_\_\_\_\_\_* in consulant fees. I acknowledge that I have received the written estimate of consultant fees and accept the fee estimate.

Furthermore, I acknowledge that I, on behalf of *\_\_\_\_\_\_\_*, have not relied on the city’s estimate of consultant fees in my decision to proceed with the final application for *\_\_\_\_\_\_\_*.

APPLICANT: DATED:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

TITLE:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ON BEHALF OF:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

RECEIVED BY CITY

DATED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_