



Tenant Hotline

Phone: 612-728-5767

Online: [homelinemn.org/email](https://homelinemn.org/email)

# Minnesota Landlord/Tenant Law During the COVID-19 Pandemic

April 22, 2020 — 1:30-2:30pm

Managing Attorney Michael Vraa

Executive Director Eric Hauge

# What is HOME Line?

- HOME Line is a statewide nonprofit organization providing free legal, educational, and advocacy services to Minnesota renters. We have advised approximately 250,000 renters since 1992.
- Our primary program is a free and confidential legal hotline any Minnesota renter can contact us to receive legal advice specific to their situation, in 4 languages.
- HOME Line has a staff of 17, including attorneys, tenant advocates, and tenant organizers. We also rely on volunteers and interns.



# Minnesota Eviction Moratorium

- Almost all evictions currently suspended (Governor's Executive Order 20-14)
  - Landlord can still evict a tenant that “seriously endangers” others
  - Landlord can still evict for specified unlawful activities (illegal drugs, illegal guns, contraband, prostitution)  
Minnesota Statute § 504B.171
- Landlords must “cease terminating residential leases during the pendency of the emergency...”
- Office of Attorney General can and has enforced this law (misdemeanor—up to \$1,000 plus up to 90 days imprisonment)
- Rent is still due



# Eviction Moratorium: How Long Will it Last?

- How long does the eviction ban last?
  - Currently through May 13, 2020 (the end of the most recent Peacetime Emergency declared by Governor: EO 20-35)
- Will it be extended?
  - Governor could extend
  - State legislature could extend



# CARES Act (Federal)

- Federal legislation passed late March, 2020
- Bans eviction filings/charging fees/penalties for nonpayment of rent
- Lasts until July 25, 2020, but then landlord must give 30 days notice (only after July 25)





# CARES Act: Who's Covered?

- Federally assisted rental housing programs
  - Public Housing
  - Section 8 Voucher Holders
  - Section 8 Project-Based Housing
  - Many others
- Properties with federally-backed mortgage loans
- Best guess: 30-50% of Minnesota rentals covered



# Minnesota Courts

- Evictions won't be scheduled (unless for endangering others/drugs/guns, etc.)
- ETRA's, Lock-outs, **can** be heard
- Rent Escrows **can't** be heard currently
- Conciliation Court is 'low' priority **can't** be heard



# Governor's Order: Price Gouging

- Covers “essential consumer goods or services”, includes “housing, shelter...”
- “Unconscionably excessive” means
  - More than 20% increase
  - “A gross disparity between the price of the good and the price of the same good ... 30 days’ before the peacetime emergency”
- Attorney General can enforce
  - Up to \$10,000 penalty per sale or transaction
- EO 20-10





# Governor's Shelter in Place Order

- People can leave for safety reasons
- Individuals are 'permitted to move to a new home or place of residence...'
- EO 20-33 (newer version)



# When Can the Landlord Enter the Rental?

- Tenant can allow landlord to enter
- Reasonable Business Purpose
- Reasonable Notice
- “under the circumstances”
- Minn. Stat. § 504B.211
- Can tenant refuse entry?





## Q & A

### Tenant Hotline:

Phone: 612-728-5767

Online: *[homelinemn.org/email](http://homelinemn.org/email)*

- HOME Line ofrece servicios en español. Para Español, llame al 612-255-8870.
- HOME Line waxay bixisaa adeeg ku baxa Afka-Soomaaliga. Af- Soomaali wac 612-255-8860.
- Peb lub koom haum HOME Line muaj neeg txhais lus Hmoob. Hais lus Hmoob, Hu 612-255-7104.



Thank You