



Tenant Hotline

Phone: 612-728-5767

Online: homelinemn.org/email

Minnesota Landlord/Tenant Law During the COVID-19 Pandemic

Featuring Guest Speakers:

Attorney Katherine Pauk (Legal Services of NW MN)

Attorney John Buhta (Southern Minnesota Regional Legal Services)

February 10, 2021— 1:30-3:00pm

Managing Attorney & Tenant Hotline Director 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 over 260,000 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 23, including attorneys, tenant advocates, and tenant organizers. We also rely on volunteers and interns.



What is HOME Line?

HOME Line Tenant Hotline:

612-728-5767

Toll-free: 866-866-3546

- Para Español, llame al 612-255-8870
- Af- Soomaali wac 612-255-8860
- Hais lus Hmoob, Hu 612-255-7104
- Online: [homelinemn.org/email](mailto:homelinemn.org)



HOME Line COVID-19 Resources & Webinars

TWO WEEKS FROM TODAY: **Wednesday, February 24**, 90-minute webinar
1:30 – 3:00 pm for both tenants and landlords

MN Legislative priorities in response to COVID-19 rental housing issues

With guest speakers:

**Rep. Alice Hausman (DFL, 66A) – Chair of the House Housing Finance and
Policy Committee**

**Rep. Tama Theis (R, 14A) – Republican Lead on the House Housing Finance
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on our website:

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When will MN evictions be filed again?

- Minnesota Moratorium
 - Governor's Executive Orders—Feb. 12, 2021 is current Peacetime Emergency Declaration End
 - Been renewed by Governor ten times already
 - No more special sessions required until at least May
 - Could be some legislative agreement ending Peacetime Emergency or ending state eviction ban
 - Court challenge? *Heights v. Walz*, unsuccessful challenge by landlords in federal District Court





Katie Pauk

Staff Attorney

Legal Services of Northwest Minnesota (LSNM)

<https://lsnmlaw.org/>

1-800-450-8585

PRESENTATION WITH HOMELINE ABOUT EVICTIONS IN GREATER MN

John Buhta, Attorney

Southern MN Regional Legal Services, Inc.

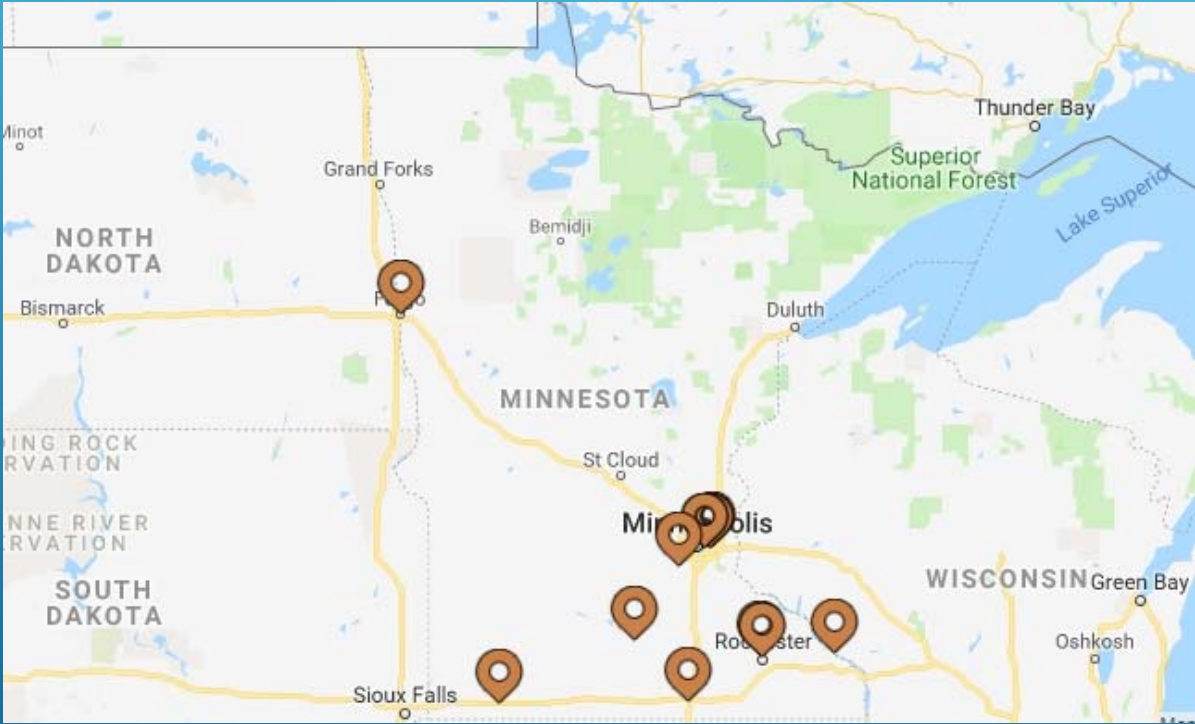
New Client Intake: (888) 575-2954

www.smrls.org

SOUTHERN MN REGIONAL LEGAL SERVICES, INC. (SMRLS)

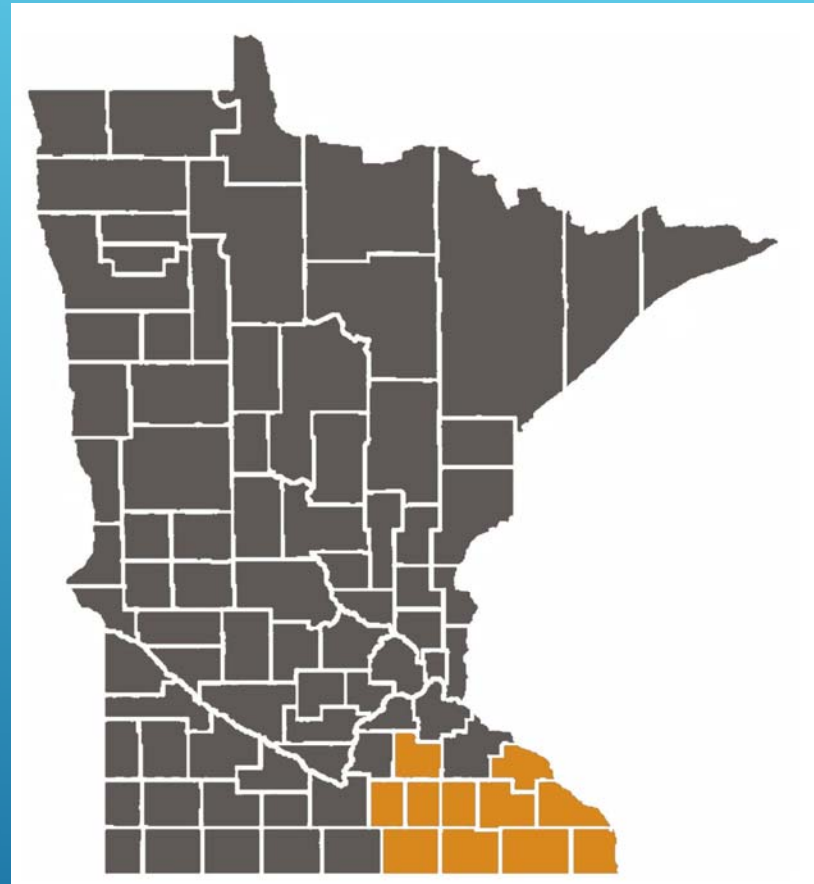
- Founded in 1909 (oldest legal aid provider in the state)
- Serve 33 counties in Southern Minnesota
- Three regions: Metro (St. Paul), Southwest, and Southeast, plus Fargo (AWP)
- Southeast (my region) serves 11 counties

SOUTHERN MN REGIONAL LEGAL SERVICES, INC. (SMRLS)



THIRD JUDICIAL DISTRICT

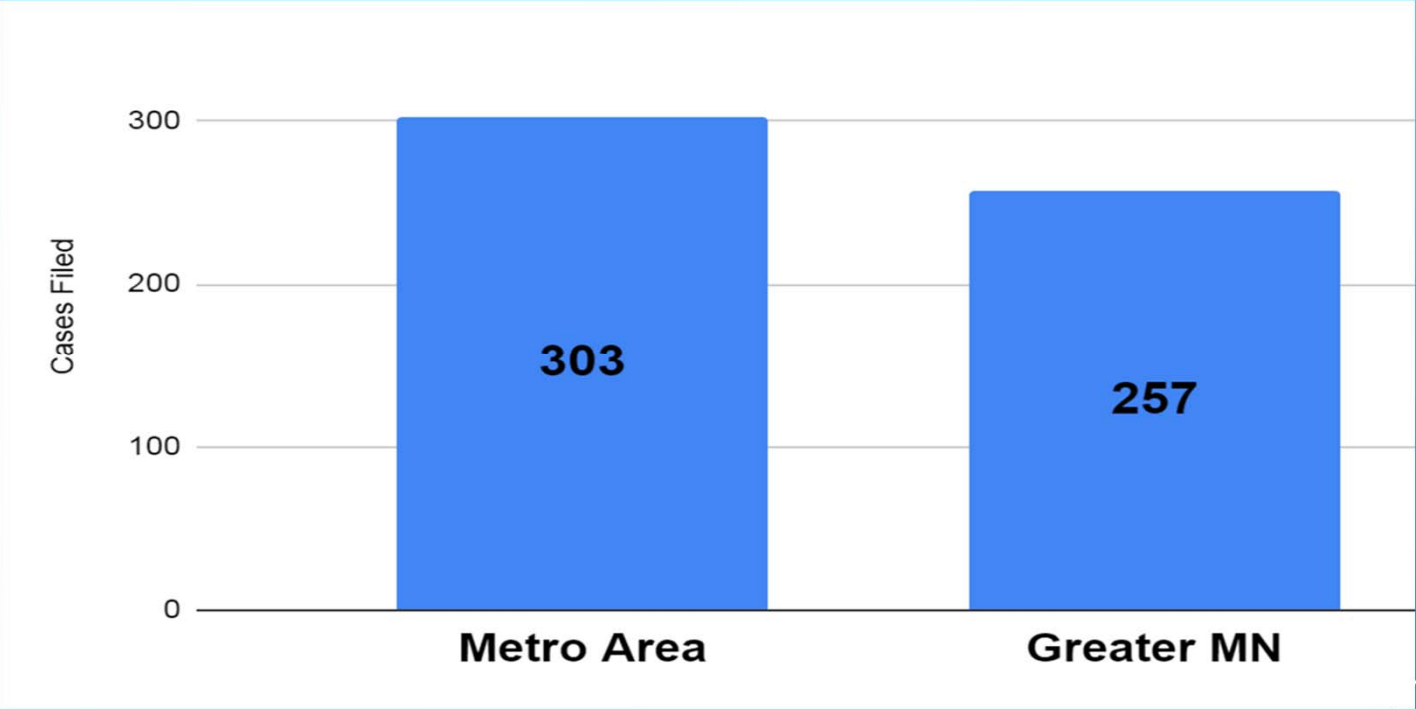
- Dodge
- Fillmore
- Freeborn
- Houston
- Mower
- Olmsted
- Rice
- Steele
- Wabasha
- Waseca
- Winona



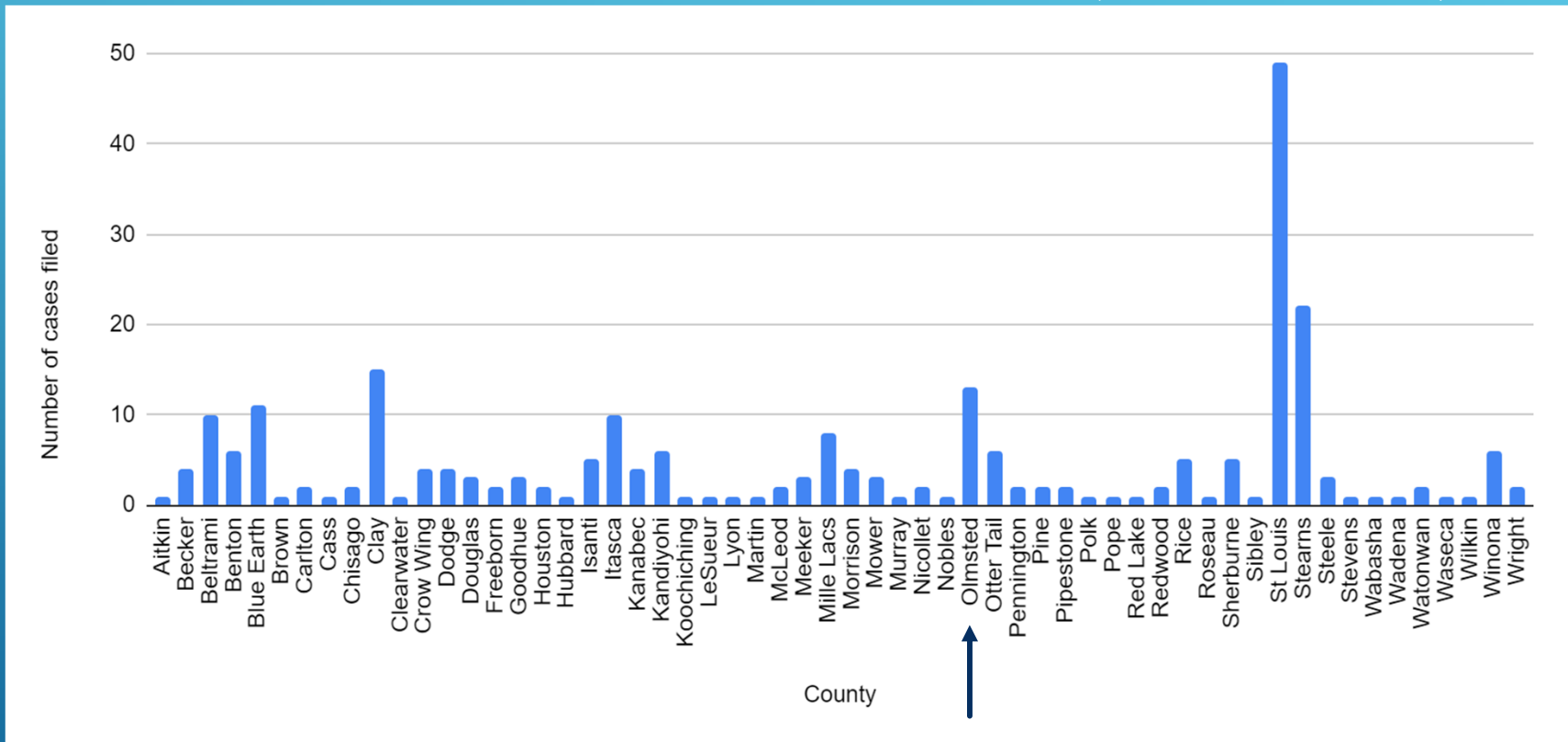
EVICTION STATISTICS (CREDIT TO LARRY MCDONOUGH AND HOMELINE)

- 16,381 eviction court actions were filed in Minnesota in 2017, or 1,333 per month
- In 2017, approx. 12,000 evictions in the Metro (Anoka, Carver, Dakota, Hennepin, Ramsey, Washington, Scott) compared to 4,000 in Greater MN (75/25 ratio)
- From March to October 2020 (first nine months of the pandemic), approx. 303 eviction in Metro, and 257 in Greater MN (almost 50/50 ratio)

TOTAL CASES 3/23/2020 – 10/16/2020



GREATER MN 3/23/20 – 10/16/20 (257 CASES)



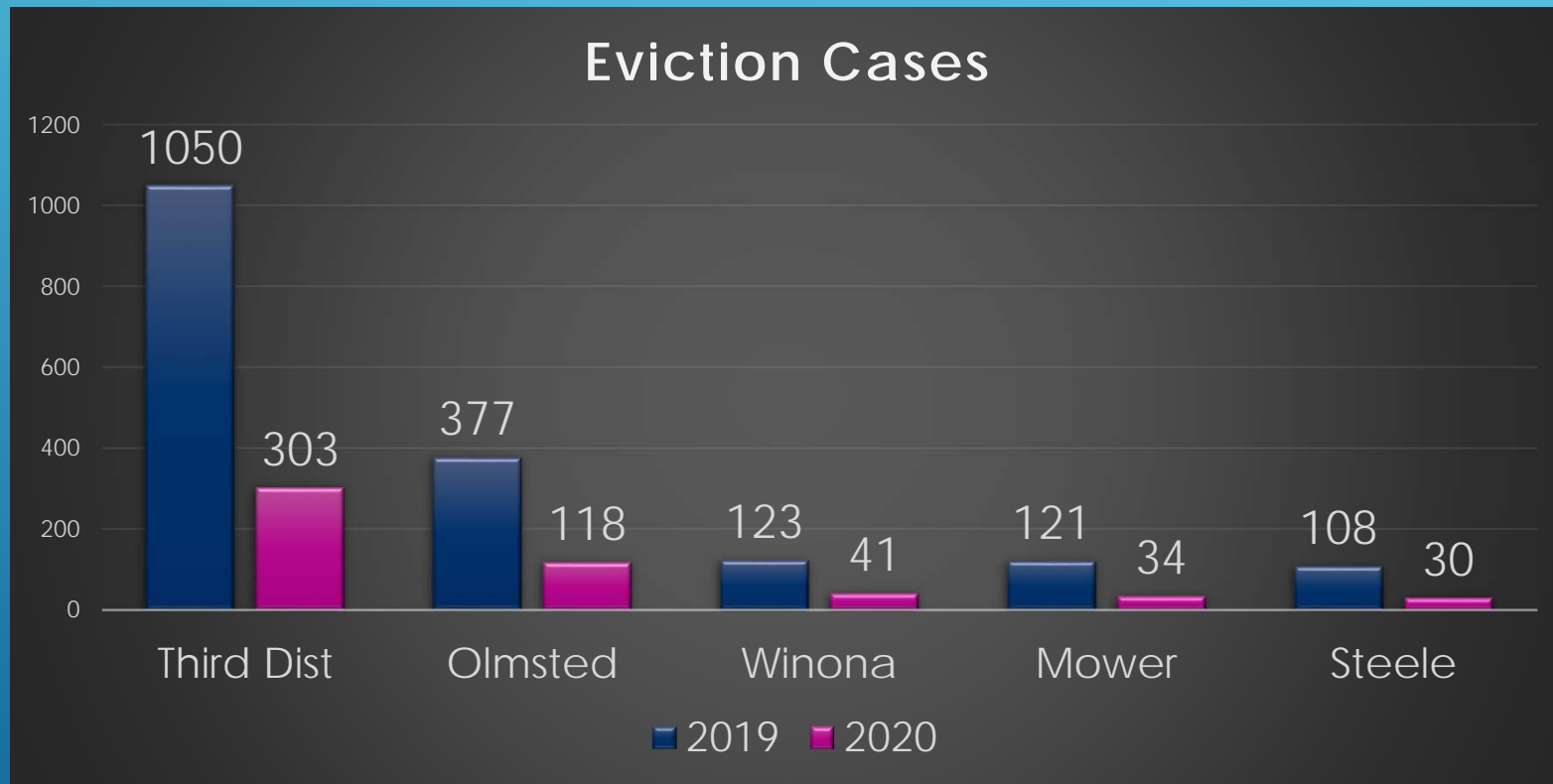
EVICTON CASES – THIRD JUDICIAL DISTRICT

- In 2019, there were approx. 1050 (88/month) eviction actions filed in the Third Judicial District
- Olmsted County: 377, or 31 per month*
- Winona County: 123, or 10 per month
- Mower County: 121, or 10 per month
- Steele County: 108, or 9 per month

EVICTION CASES – THIRD JUDICIAL DISTRICT

- In 2020, there were approx. 303 (25/month) eviction actions filed in the Third Judicial District (this includes the first three months of the year – pre-pandemic)
- Olmsted County: 118, or 10 per month
- Winona County: 41, or 3 per month
- Mower County: 34, or less than 3 per month
- Steele County: 30, or less than 3 per month

EVICTIION CASES – THIRD JUDICIAL DISTRICT



EVICTION CASES – POSTPANDEMIC

A conservative estimate of ten times the number of pre-pandemic evictions for the **first month** of nonpayment of rent evictions:

- Statewide - 13,330
- Hennepin - 5,000
- Olmsted County - 310 (77/week)
- Winona and Mower - 100 each (25/week)
- Steele - 90 (22/week)

EVICTION PREVENTION PROJECTS

- Olmsted County Eviction Prevention Project (EPP)
 - Collaboration with Legal Assistance of Olmsted County, Lutheran Social Services and Olmsted County Financial Services
 - Began on January 1, 2019
 - 514 total evictions in 2019 (137 cases expunged)
 - SMRLS/LAOC represented 254 tenants (not all settled, but most)
 - 89% of the evictions were due to non-payment of rent
 - 91% of the cases were settled with an agreement for expungement (137 cases expunged)

EVICTION PREVENTION EXPANSION PROJECT

- Dodge, Mower, Steele, & Winona Eviction Prevention Expansion Project (EPEP)
 - Beginning when court resumes eviction hearings
 - Collaboration between the counties to have one judge hear all eviction hearings via Zoom on Fridays
 - Three week continuance for nonpayment cases to allow tenants to obtain financial assistance
- Diversion (pre-filing) Project – call (507) 292-0080

CARES ACT 30-DAY NOTICE REQUIREMENT STILL IN EFFECT

1. A “covered housing program” as defined by the Violence Against Women Act (VAWA),
2. Participates in the “rural housing voucher program” (Section 542 USDA housing), OR
3. Has a “federally backed” mortgage loan

Covered housing program cannot evict a tenant *for any reason except on 30 days' notice.* § 4024(c)

OTHER CARES ACT PROTECTIONS STILL IN EFFECT(SECTION 4023)

- Authorizes forbearances on certain federally-backed multifamily mortgage loans
- Prohibits borrowers (owners) from charging late fees or evicting tenants for non-payment of rent or other charges while such forbearance is in effect
- Forbearance protections currently extended through the end of March 2021

CDC ORDER IS APPLIED ON A CASE-BY-CASE BASIS

CDC Order DOES NOT apply in situations where the state (i.e., EO 20-79) provides the same or greater level of protection than the CDC Order.

However, it SHOULD apply in situations where state provides less protection than the CDC Order (e.g., family member exception)



Q & A

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- 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.

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Thank You