



Tenant Hotline
Phone: 612-728-5767
Online: [homelinemn.org/email](mailto:homelinemn.org@email)

Minnesota Landlord/Tenant Law webinar: New St. Paul ordinances & COVID-19 suspension updates

Featuring Guest Speaker Margaret Kaplan,
President of the Housing Justice Center

March 10, 2021— 1:30-3:00pm

Managing Attorney & Tenant Hotline Director Michael Vraa

HOME Line 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*



HOME Line COVID-19 Resources & Webinars

TWO WEEKS FROM TODAY: Wednesday, March 24
90-minute webinar from 1:30 – 3:00 pm
**MN Housing overview of new COVID-19 Emergency Rental Assistance
program**

**We'll be joined by Minnesota Housing Deputy Commissioner Rachel
Robinson who will provide an overview of the upcoming COVID-19
Emergency Rental Assistance program and process.**
We'll also cover any updates in the eviction suspension and leave time for
your questions.

More COVID-19 resources and registration for next weeks webinar
on our website:

homelinemn.org — “COVID-19” tab at top right



Another relevant CLE webinar

Almost Everything You Wanted to Know About Minnesota Residential Security Deposits

Speaker: Paul Birnberg, Former Senior Attorney with
HOME Line

Monday, March 29, 2021—12:00 PM to 1:00 PM

1.0 Standard CLE Credit

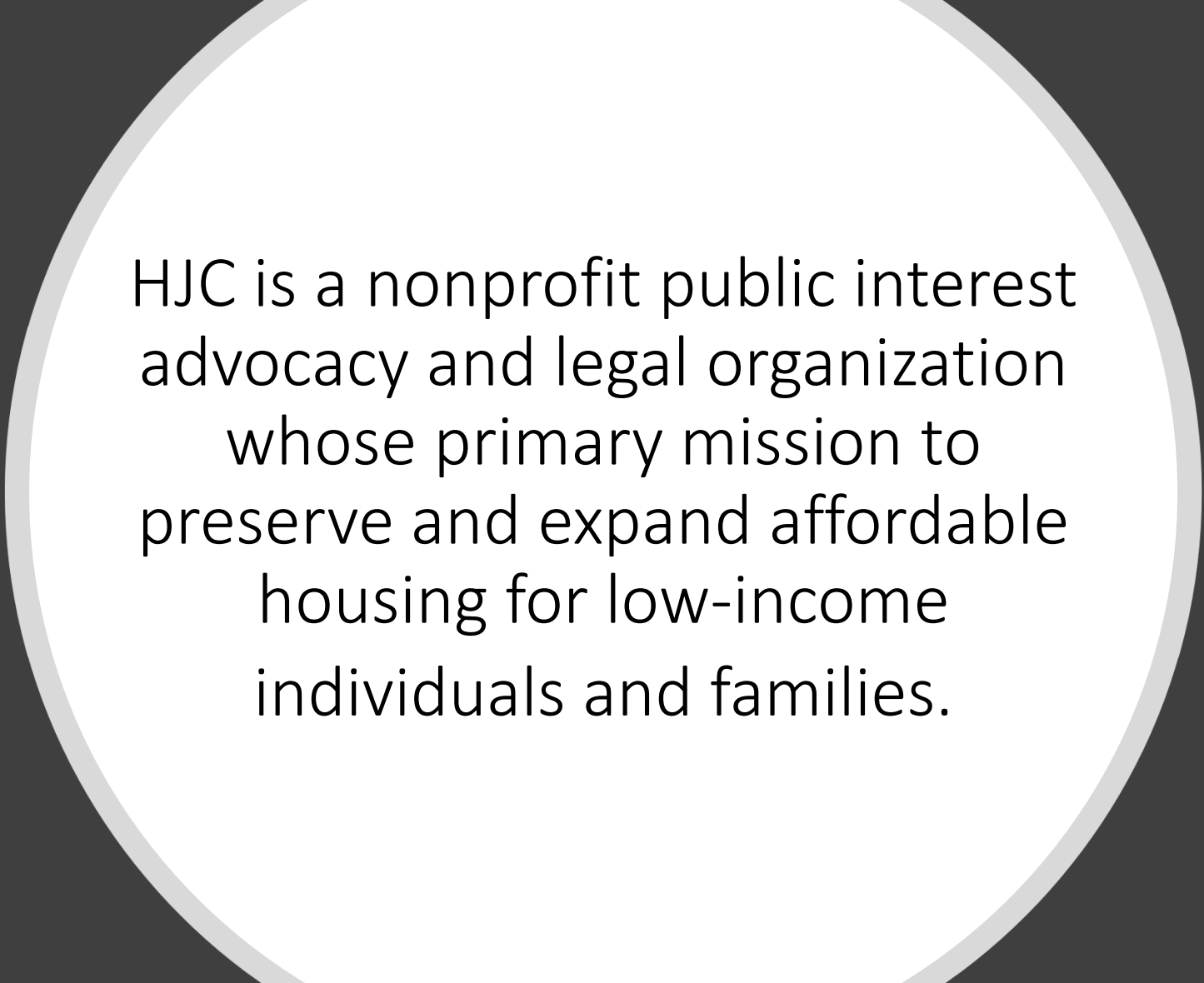
[https://www.mnbar.org/members/cle-events/hcba-
event?EventID=4468](https://www.mnbar.org/members/cle-events/hcba-event?EventID=4468)





Housing
Justice
Center

Saint Paul
Tenant
Protection
Ordinances



HJC is a nonprofit public interest advocacy and legal organization whose primary mission to preserve and expand affordable housing for low-income individuals and families.

S.A.F.E. Housing Ordinance:
Stable, Affordable, Fair,
Equitable

What are the
S.A.F.E.
Housing
Policies?
Ord. 20-14
Chapter 193

Rights and Responsibilities Information

Security Deposit Limitations

Tenant Screening Guidelines

Just Cause

Advanced Notice of Sale

Security Deposit Limitations

Section 193.03

Limits Security Deposit to one month's rent

Limits of pre-payment requirements to one month

Exception: The landlord can charge an additional month's rent equivalent if the prospective tenant does not meet screening criteria

Tenant Screening Criteria

Rental History

- Can use rental references and rental history
- Cannot use evictions that are more than 3 years old

Credit History and Income

- Can use relevant information from a credit report
- Cannot use credit score
- Can require tenants to meet income requirements, but not above 2.5 times the rent

Criminal History

- Based on the type of violation and the timing, there are time limits on using criminal history as a factor

Just Cause

Section 193.05

Just cause does not change
eviction law or process

Just cause limits the reasons for a
non-renewal of a lease agreement

Tenants and landlords can still
agree to mutual terminations

Just Cause

Allowable Just Causes

- Non-payment
- Repeated nonpayment
- Material breach
- Refusal to renew
- Occupancy by owner or family member
- Building demolition or conversion
- Rehab and renovation
- Government order to vacate
- Occupancy conditioned on employment
- Exceeding occupancy limits

Advanced Notice of Sale

Section 193.06

Before making a building available for sale, owner must provide notice to tenants and the city 90 days in advance

New owner must provide tenants notice within 30 days of transfer of ownership

After the sale there is a 90-day tenant protection period – landlord cannot raise rent or rescreen tenants unless they pay relocation costs

Learn more:

- www.stpaul.gov/departments/mayors-office/stable-accessible-fair-equitable-safe-housing

City website with a wealth of information for tenants and landlords



Housing Justice Center

Margaret Kaplan

President

Housing Justice Center

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www.hjcmn.org

Federal Moratorium on Evictions

CDC order status

- Currently expires March 31
- At least 4 Fed. District Courts have ruled on the Constitutionality of the CDC Order
- 3 of the 4 (LA, OH, GA) ruled in favor of the CDC's order
- *Terkel v. CDC*, (TX) court ruled against the CDC order



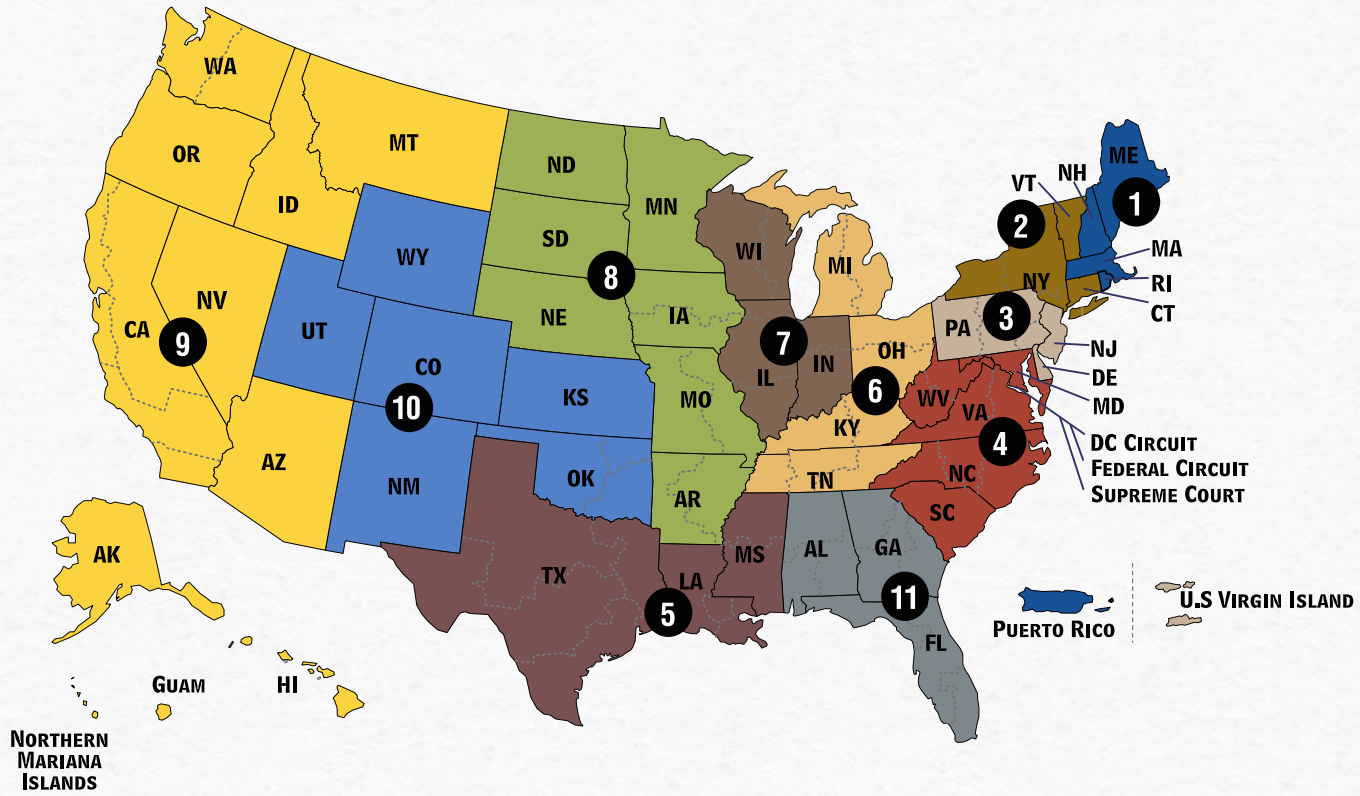
Terkel v. CDC, (TX)

- Federal District Court Judge sided with landlords challenging the CDC in late Feb.
- Found the government's argument that the CDC could regulate 'Interstate Commerce' unpersuasive
- Essentially finds the federal government is over-reaching into a state-exclusive area of the law
- "Although the COVID-19 pandemic exists, so does the Constitution."
- No injunction ordered---the Government has stated they will appeal the decision



Geographic Boundaries

of United States Courts of Appeals and United States District Courts



When will MN evictions be filed again?

- Minnesota Moratorium (EO-20-79)
 - Governor's Executive Orders—March 15, 2021 is current Peacetime Emergency Declaration End
 - Been renewed by Governor eleven times already
 - No more special sessions required until at least May
 - Could be some legislative agreement ending Peacetime Emergency or ending state eviction ban



When will MN evictions be filed again? Competing legislative bills

- Senate File 1470 and House File 12
- Both would add 'material breach' to exceptions for reasons for eviction
- Differing timelines on when various things occur
- Bills are at different legislative stages





Q & A

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Thank You