



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

New City Ordinances in Hennepin County

March 23, 2022 – 1:30-3:00 pm

Referee Tiffany Sedillos, Fourth Judicial District Housing Court

Eric Hauge, Executive Director

Mike Vraa, Managing Attorney & Hotline Director

Rachael Sterling, COVID-19 Eviction Response Coordinator & Housing Attorney

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 280,000 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 26, 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*



Eviction Moratorium Phaseout Resources

Timeline, Key Points, FAQ:
homelinemn.org/phaseout

Phaseout Webinar Series:
homelinemn.org/schedule

Previous Webinar Recordings:
homelinemn.org/webinars

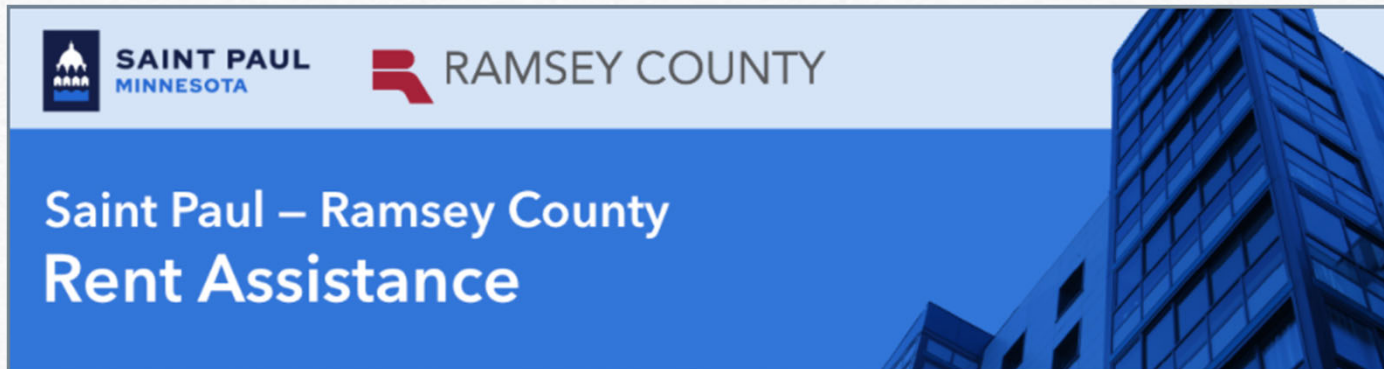


RENTHelpMN IS NO LONGER ACCEPTING APPLICATIONS



- If you submitted an application on or before the January 28 deadline, it will be reviewed. Eligible requests will be processed subject to funding availability.
- Local county, city and tribal programs may have funds remaining for renters who live within their program boundaries. Visit your local government website to check availability.
- Utility assistance is available through the [Energy Assistance Program](#).

COVID-19 Emergency Rental Assistance Saint Paul - Ramsey County Rent Assistance Program



More information:

<https://www.ramseycounty.us/residents/assistance-support/assistance/financial-assistance/emergency-assistance>

Application:

<https://submit.caprw.org/forms/cera>



Emergency Rental Assistance (ERA) Program



If you are a Washington County resident, please continue applying via [RentHelpMN](#) regardless of the state closure date.

Application:

<https://www.co.washington.mn.us/3279/Emergency-Programs-Due-to-COVID-19>

Phaseout Overview

As of March 23, 2022



Renter Protections

- The Phaseout protection for tenants with pending COVID-19 Emergency Rental Assistance protections is still in effect
 - Protection lasts through **June 1, 2022**
- A tenant who still has a pending application with a qualifying program cannot be evicted for non-payment of rent at this time, while the application is in a pending status.
 - If a tenant can reasonably access info they must provide the landlord or court with proof of the pending application and the reason, if any, for delay in processing the application
- **The tenant MUST show up to (virtual/Zoom) court for any scheduled eviction hearing**, whether they have a pending rental assistance application or not.
 - An eviction is almost certain to occur if the tenant does not show up to their hearing.
 - Tenants should seek legal advice about their situation before their court hearing.

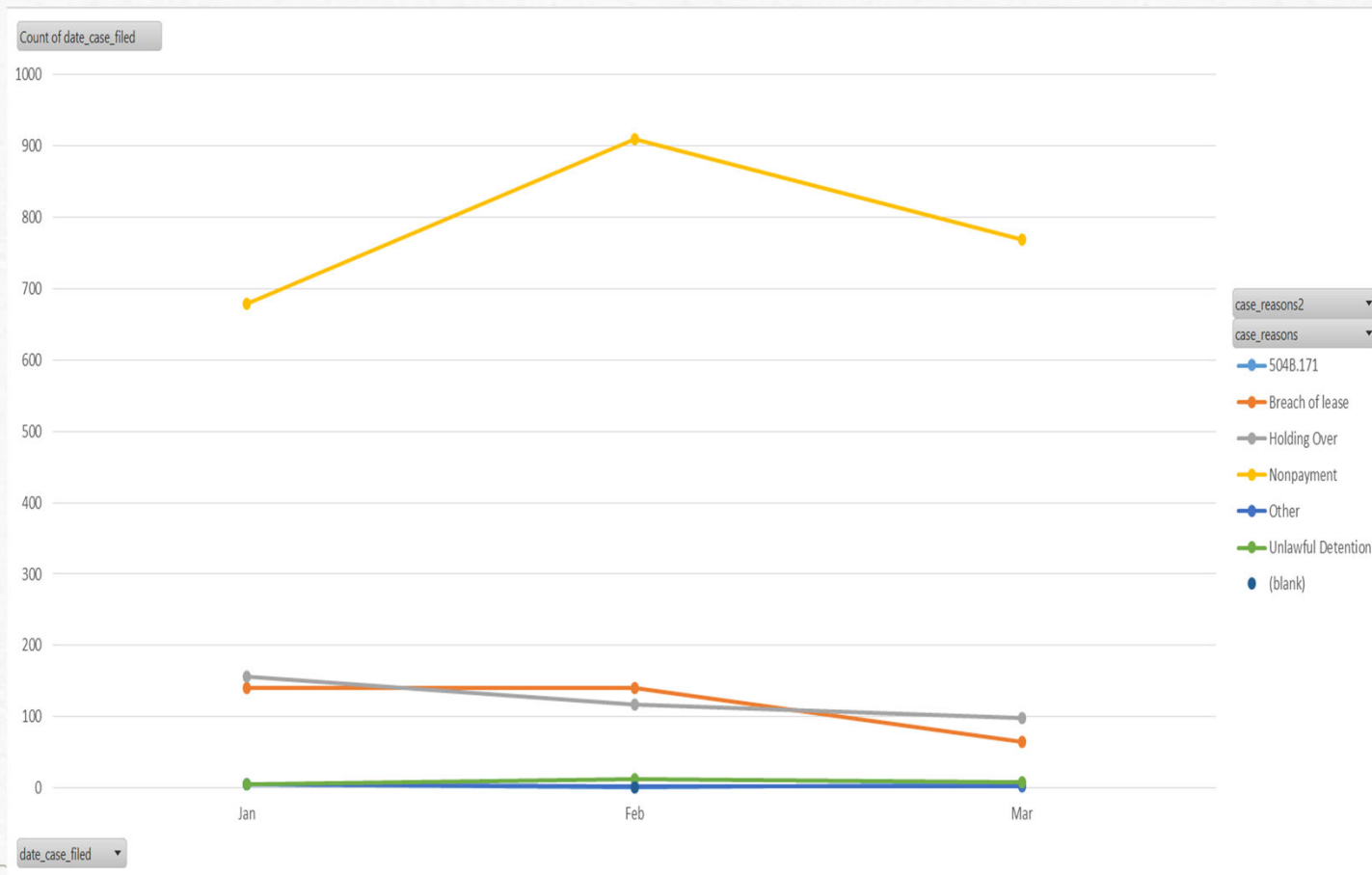


Pre-Eviction Filing Notice Requirements

- No more state level pre-eviction notice requirement
- Federal pre-filing eviction notice requirements for certain types of properties
 - CARES Act
 - HUD Properties
- Some cities have a pre-filing eviction notice requirements as well



What is happening with evictions?



Eviction
Reasons by
month (January
– March 21,
2022)

Updates on Hennepin Housing Court 2022



Public data													Hennepin Totals
Eviction Filings Hennepin	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	2019
	428	327	314	366	378	388	407	400	397	389	346	367	4,507
	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	2020
	437	317	213	10	12	13	19	24	25	27	26	21	1,144
	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	2021
	21	17	20	32	19	19	58	78	96	133	103	119	715
	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	2022
	149	226											375
													Statewide Totals
Eviction Filings Statewide	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	2019
	1448	1139	1163	1249	1312	1339	1439	1363	1354	1351	1137	1253	15,547
	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	2020
	1467	1215	563	61	54	102	120	121	135	159	111	130	4,238
	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	2021
	134	130	133	135	130	139	279	445	566	751	625	634	4,101
	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	2022
	782	984											1,766

Eviction filings

Pre-eviction filing notices

WHAT DO LANDLORDS AND TENANTS NEED TO KNOW?



State law/lease agreement

- ❑ If there is no provision in the lease agreement stating how much advance notice must be given to end the tenancy, the law provides that written notice must be received by the other party at least one full rental period before the last day of the tenancy. This means the day before the last rent payment is due.
- ❑ Some definite term leases spell out what kind of notice is needed to end the tenancy when the lease ends. Usually this is a written notice presented 30 to 60 days before the lease ends. Often such a requirement is part of an automatic renewal provision.

Federal law

CARES Act-(Coronavirus Aid, Relief, and Economic Security)

- ❑ Requires at least a 30-day notice to vacate prior to filing an eviction for nonpayment of rent if the building is covered by the CARES Act.
- ❑ Covered buildings include rental units that are federal subsidized, or you live in a building with 5 or more units and your building has federally insured mortgage loans.

Pre-eviction notices in Hennepin County

- ❑ Minneapolis 14 day notice
- ❑ St. Louis Park 7 day notice
- ❑ Brooklyn Center 30 day notice

Minneapolis

244.2060. - Notice required prior to initiating eviction proceedings.

(a) At least fourteen (14) days before bringing an eviction action alleging nonpayment of rent or other unpaid financial obligations in violation of the lease, a landlord must provide written notice to the residential tenant specifying the basis for future eviction action.

◦ (b) For an allegation of nonpayment of rent or other unpaid financial obligations in violation of the lease, the landlord must include the following in the written notice:

(1) The total amount due;

(2) A specific accounting of the amount of the total due that is comprised of unpaid rents, late fees, or other charges under the lease; and

(3) The name and address of the person authorized to receive rent and fees on behalf of the landlord.

(c) A notice provided under this section must:

(1) Provide a description of how to access legal and financial assistance through information posted on the city's website; and

(2) State that the landlord may bring an eviction action following expiration of the fourteen (14) day notice period if the tenant fails to pay the total amount due or fails to vacate.

(d) The landlord or an agent of the landlord must deliver the notice personally or by first-class mail to the address of the leased premises. The notice may, in addition to but not in place of personal delivery or first-class mail, be delivered by email or other electronic means to the residential tenant at the residential tenant's email address or electronic account on file with the landlord.

(e) If the tenant fails to correct the rent delinquency within fourteen (14) days of delivery or mailing of the notice, or fails to vacate, the landlord may bring an eviction action under Minnesota Statutes Section 504B.321.

(f) Enforcement. In addition to any other remedy available at equity or law, failure to comply with the provisions of this section may result in criminal prosecution, adverse rental license action, and/or administrative fines, restrictions, or penalties as provided in chapter 2 of this Code. A notice of violation, as described in section 244.150, shall not be required in order to establish or enforce a violation of this section.

St. Louis Park

Sec. 8-335. Notice required prior to initiating eviction proceedings.

(a) At least seven days before bringing an eviction action alleging nonpayment of rent or other unpaid financial obligations in violation of the lease, an owner must provide written notice to the residential tenant specifying the basis for future eviction action.

(b) For an allegation of nonpayment of rent or other unpaid financial obligations in violation of the lease, the owner must include the following in the written notice:

- (1) The total amount due;
- (2) A specific accounting of the amount of the total due that is comprised of unpaid rents, late fees, or other charges under the lease; and
- (3) The name and address of the person authorized to receive rent and fees on behalf of the owner.

(c) A notice provided under this section must:

- (1) Provide a description of how to access legal and financial assistance through information posted on the city's website.
- (2) State that the owner may bring an eviction action following expiration of the seven-day notice period if the tenant fails to pay the total amount due or fails to vacate.

(d) The owner or an agent of the owner must deliver the notice personally or by first class mail to the address of the leased premises. If the tenant has agreed in writing, notice may be delivered by email to the residential tenant at the residential tenant's email address on file with owner.

(e) If the tenant fails to correct the rent delinquency within seven days of delivery or mailing of the notice, or fails to vacate, the Owner may bring an eviction action under Minn. Stat. § 504B.321.

Brooklyn Center Section 12-912D. Tenant Protections

Passed by council on February 28, 2022

- The ordinance establishes new requirements for landlords to provide tenants a notice at least 30 days before filing an eviction action.
- Pre-Eviction Filing Notice. Except as provided otherwise in this subsection, an owner of an affordable housing unit shall provide at least 30 days' written notice to a tenant prior to filing an eviction action on the basis of either: (a) an alleged non-payment of rent; or (b) an alleged material breach of a lease. a. Notices for Non-payment of Rent. For an allegation of any non-payment of rent, the notice shall, at a minimum, include the following information:
 - (1) The name, mailing address, and telephone number of the person authorized to receive rent and fees on behalf of the owner;
 - (2) The total amount of money due and owing to the owner by the tenant;
 - (3) A specific accounting of the money due and owing to the owner by the tenant, including any past due rents, any late fees, and any other charges; and
 - 4) The deadline by which the total amount due and owing to the owner by the tenant shall be paid to avoid an eviction action, which shall be no earlier than 30 days from the date on which the notice is delivered.

Brooklyn Center Section 12-912D. Cont.

b. Notices for Material Breach of a Lease. For an allegation of a material breach of a lease, the notice shall, at a minimum, include the following information:

- (1) The name, mailing address, and telephone number of the owner;
- (2) A description of the specific conduct that the owner alleges is a violation of the lease, including the dates of the violations and the persons who committed the alleged violations;
- (3) Identification of the specific clause of the lease alleged to have been violated;
- (4) Notification that the tenant has the right to correct the alleged breach;
- (5) Notification of how the tenant may correct the alleged breach;
- (6) The deadline by which the alleged breach shall be corrected to avoid an eviction action, which shall be no earlier than 30 days from the date on which the notice is delivered; and
- (7) A copy of the lease attached to the notice.

Brooklyn Center Section 12-912D. Cont.

d. Additional Notice Requirements. All notices under this subsection shall also include the following information:

- (1) Notification that the tenant may be evicted if they do not pay the past due rent or correct the alleged breach of lease by the deadline, as applicable;
- (2) Information about accessing rental assistance by calling 211 or visiting <https://www.211unitedway.org/>; and
- (3) Information about accessing legal help by visiting the Law Help Website at <https://www.lawhelpmn.org/>.