



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

What to do with a Less than Perfect Background

August 21, 2024 – 1:30-3:00pm

Housing Link President, Sue Speakman-Gomez

HOME Line Housing Attorney, Andrea Palumbo

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 325,000 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 24, 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



Housekeeping

- This session is being recorded and will be available on HOME Line's website in a few days
- Please ask questions through the Q&A function located at the bottom of the Zoom window
- CLE credits will be applied for after this session



Upcoming Trainings

9/18/2024

Going to Conciliation Court

10/23/2024

New Shared Meter Regulations

**What to do with a less than
perfect record**

Landlords can and do screen tenants

- 90% of landlords use some type of screening to select tenants (Broken Records Redux, NCLC)
 - Screening services - available for a fee
 - Court records - available at courthouse and on internet



Federal Laws

- Fair Housing Act - 42 U.S.C. § 3631
 - Prohibits discrimination in housing related transactions
 - Applies to public, private and federally funded housing
- Fair Credit Reporting Act (FCRA) - 15 U.S.C. § 1681
 - Regulates how credit reporting agencies collect, use, access & share consumer data



Minnesota Laws

- Minn. Stat. 363A - MN Human Rights Act
 - More protected classes than federal law
- Minn. Stat. 13 - MN Data Practices Act
 - Classification of records created by government agencies
 - Procedures for access



Minnesota Landlord/Tenant Law

- Minn. Stat. 504B.173 -
 - Limitations on screening fees
 - Required disclosure of rental criteria
 - Remedies for violations

Minnesota Landlord/Tenant Law

- Minn. Stat. 504B.241 -
 - Required disclosures upon request by tenant
 - Procedure for corrections
 - Requirements for information from court data
- Minn. Stat. 504B.245 - Remedies for violations of 504B.241

What is a record

- Housing court records
 - Evictions
 - Rent Escrow
 - ETRA
- Other civil case records
- Criminal case records
- Credit reports

Most records are public

- Under MN law - presumption that court records are public
- Specific exceptions for some criminal and family law cases

Housing records

- Public from the time they are filed
- Will remain public unless expunged or made confidential

Criminal Records

- Most criminal convictions are public for 15 years
- After 15 years they move to private status
 - Can only be accessed with permission of subject
 - Applications give this authorization



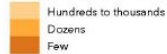
Credit/financial records

- Judgments are public
- Bankruptcy records are public

How does information get into a tenant screening report?



ESTIMATED # OF ENTITIES



TYPE OF INFORMATION



For more information visit consumerfinance.gov/TenantScreening

cfpb Consumer Financial Protection Bureau



Before applying

- Know what's on your record
 - Housing case records
 - Criminal cases
 - Credit report
- Make sure it's accurate

If you are turned down

- Find out why
 - May be able to dispute decision
 - May be able to get fee back
- Request the screening report
 - Make sure the report is accurate
 - Report is possible evidence for expungement



Long and short term fixes

- Short term
 - Dispute report with landlord
- Medium term
 - Eviction expungement
- Long term
 - Criminal expungement
 - FCRA suit

Resources

- Legal help for expungements
 - Legal Aid
 - Volunteer Lawyers Network
 - Self Help Centers at Courthouse
 - Pro Se clinic at Mitchell-Hamline
- Housing search resources



The background is a blue gradient with several overlapping, semi-transparent circular shapes in various shades of blue, creating a layered effect.

HousingLink Beyond Backgrounds

Housing**Link**



Mission:

Connecting people to affordable rental homes, increasing choice and access for all.

Advancing Equitable Rental Housing Access through Web-Based Resources

www.housinglink.org

HousingLink 

Select Language | ▼

Login

Renters ▼

Beyond Backgrounds ▼

Subsidized Housing ▼

Property Owner/Manager ▼

Data & Research ▼

About Us ▼

Where do you want to rent?

Enter a city, zip, or county

Distance ▼

Rent ▼

Bedrooms ▼

Subsidized Housing ▼

Building Type ▼

Seniors/Disabled ▼

Pets ▼

Programs ▼

Show Listings

Advanced Search

See Content For:

Renters

Owners / Managers

Waitlist Central

Donate



"The last few years I've had some unexpected life events seem to keep happening which caused me to move frequently. I don't have the best credit and owe previous landlords on top of that. I'm a single parent with no additional help. I was struggling to find a landlord who would rent to me. I posted on social media in need of resources and many people recommended Beyond Backgrounds. I found my current place three days before I had to move. The landlord gave me a second chance and I am forever grateful."

~ Tierra

Beyond Backgrounds Financial Assurance

What is it?

A fund that encourages rental properties to make exceptions to their screening criteria.

Beyond Backgrounds Financial Assurance

What does it cover?

- Unpaid rent
- Damages
- Legal fees
- Other expenses

Beyond Backgrounds Financial Assurance

Who is eligible?

- Renters - not a rent subsidy program
- Background barrier - self-identified

Beyond Backgrounds Financial Assurance

How does it work?

- Renter pays \$300 fee

Property gets access to up to \$2,000 at the end of the lease if there is a balance beyond security deposit.

Talking to properties

Connect with someone before applying

- Share your background
- Don't apply and waste application fee \$

Talking to properties

- Explain why things are different and better now
 - Job loss due to injury, now recovered
 - Previous substance use, now sober

Talking to properties

“If it makes a difference in your willingness to rent to me, I can purchase Beyond Backgrounds Financial Assurance.”

Talking to properties

“I pay \$300. You get access to up to \$2,000 above what my security deposit covers if there is unpaid rent, damage to the unit, or other expenses.”

Financial Assurance

Only apply at the property and purchase the Financial Assurance if they are willing to rent to you.

What properties are the best options?

Focus on private property owners/managers.

How to find them?

Look at their email address -@gmail.com,
@yahoo.com, @comcast.net

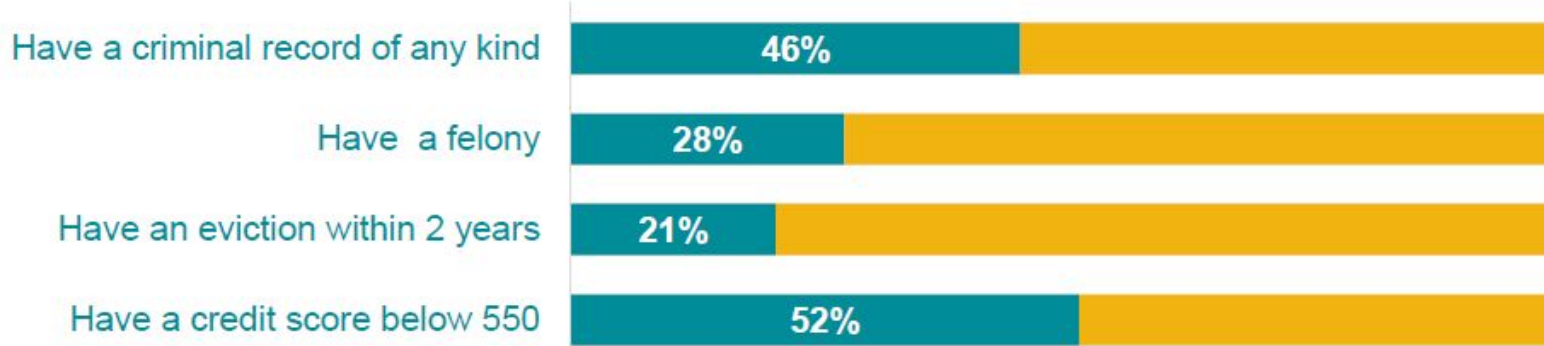
➡ not @“companyname”.com

Program Impact

- 771 housed using risk fund
- 349 properties participating
- 96% housed complete 12-month lease
- 6% risk fund claim rate

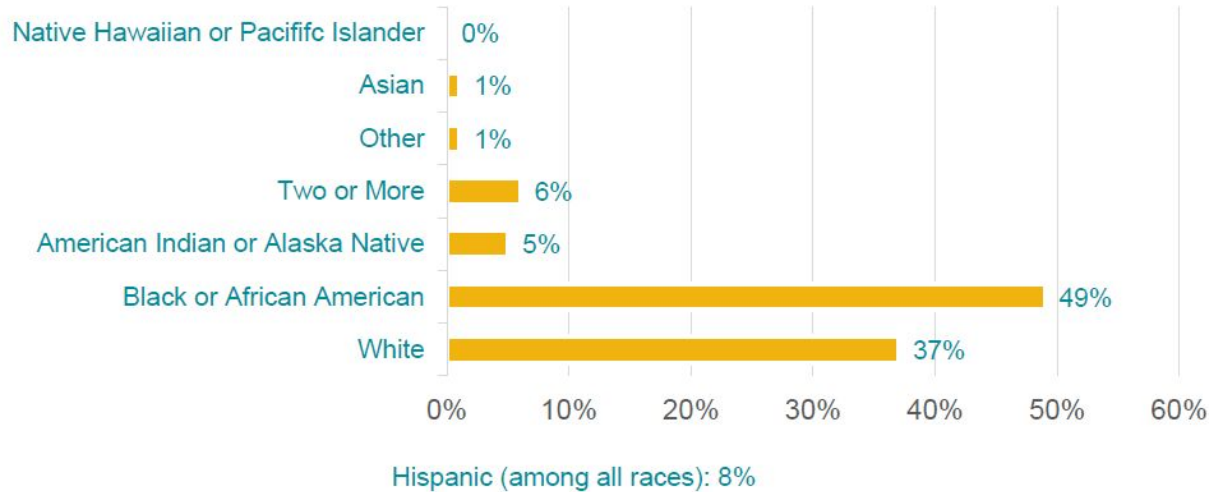
Program Impact

The Background Barriers of Renters who Found Housing Through Beyond Backgrounds



Program Impact

Race and Ethnicity of Renters Housed Through Beyond Backgrounds



Connect with us

www.housinglink.org

www.housinglink.org/newsletter

www.housinglink.org/beyondbackgrounds



Questions?



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- Peb lub koom haum HOME Line muaj neeg txhais lus Hmoob. Hais lus Hmoob, Hu 612-255-7104.



Thank You