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Chair Becker-Finn and Members of the Judiciary Finance and Civil Law Committee:

HOME Line is a statewide nonprofit organization who's tenant hotline offers free, confidential legal advice to renters throughout Minnesota, and we average over 1,000 households advised per month. We have

Given the ongoing impact of the public health crisis on the housing stability and safety of renters, we believe HF 12 is largely a measured plan for transitioning the suspension into statute, and later working to prevent nonpayment evictions by requiring a reasonable timeline with clear and detailed notices, as well as allowing expungements when appropriate. This thoughtful approach should help tenants and landlords remedy problems and secure rental assistance to prevent eviction. That being said, this situation presents a critical opportunity to ensure that any off-ramp of Minnesota's eviction suspension is linked to the timely ability to secure rental assistance now and after the peacetime emergency.

HOME Line has advised thousands of tenants on COVID-19 related rental housing issues, most commonly about lease terminations, evictions, and the need for rental assistance. Most tenants and landlords are complying with executive orders that impact rental housing. However, we have seen efforts to circumvent the eviction process by improperly using eviction suspension exceptions, when the primary motivation is due to nonpayment of rent. A shift in what is allowed for eviction and lease terminations before rental assistance is made widely available will lead to more tenants being displaced. We must wait to start an off-ramp until the public health emergency is safely behind us, which this bill mostly accomplishes.

However, there is room for improvement in House File 12. Here are a few of key concerns and recommendations:

1. HOME Line generally opposes allowing eviction and/or notices for a material violation/breach of the lease during the public health crisis, as it will lead to displacement, homelessness, and as a result, further negative health outcomes. We are hopeful that the intent behind this legislation is that a violation such as an "unauthorized occupant" who is a family member who has moved in to help a tenant for healthcare reasons— that would NOT be on the same level as seriously endangering the safety of others or causing significant property damage. We think the bill could be improved by carving out more specific exceptions like it already has for nonpayment of rent or fees—for example, unauthorized occupant should be an exception.

Further, on this broader issue:

- a. We are concerned that allowing informal notices to terminate or nonrenewal of leases for material violations will mean some landlords use this as an opportunity to terminate for non-payment of rent. Allowing these "informal" evictions will end up

creating extrajudicial displacements of tenants who either do not know their rights or are fearful of disputing such an intimidating notice. Many tenants will simply feel an obligation to move out instead of asserting their right to due process.

- b. If a new exception for eviction filings must be added for material violations, an appropriate notice period is essential. Under the proposed bill, it's currently 7 days during the peacetime emergency and zero days in the 12-month post-emergency period. A reasonable notice period would give tenants time to either remedy situations or choose to find a new home before the eviction is filed--keeping an eviction off their record and saving the landlord the time and expense of filing in court.
- c. On this same point, the notice period for material violation in this bill could end up being shorter for many tenants than the off-ramp bill recently heard in the Senate. This bill requires 7-day notice, while the Senate bill would create a timeline for evictions for material violation that could be as long as 45 days. Some reasonable notice period is needed both during the peacetime emergency and during the 12-month post-emergency outlined in Section 2 of House File #12. The bill's inclusion of a 60-day notice post-emergency for nonpayment evictions is a good model.

Sincerely,

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