



Legal Services Advocacy Project

April 6, 2021

The Honorable Alice Hausman, Chair
Housing Finance and Policy Committee
Minnesota House of Representatives
453 State Office Building
St. Paul, MN 55155

The Honorable Tama Theis, Republican Lead
Housing Finance and Policy Committee
Minnesota House of Representatives
201 State Office Building
St. Paul, MN 55155

The Honorable Michael Howard, Vice Chair
Housing Finance and Policy Committee
Minnesota House of Representatives
451 State Office Building
St. Paul, MN 55155

Re: Housing Omnibus Bill – HF 1077 DE1

Dear Chair Hausman, Vice Chair Howard, Lead Theis, and Members of the Committee:

The Legal Services Advocacy Project (LSAP) writes in support of HF 1077, the DE 1, in particular Article 2, Section 9 and Article 6. LSAP is a statewide division of Legal Aid, providing policy advocacy on issues affecting low-wealth Minnesotans, children, seniors, and Minnesotans with disabilities in legislative and administrative forums. Below we highlight a few of the key provisions that are particularly important for Legal Aid's clients.

TASK FORCE ON SHELTER RESIDENT RIGHTS AND SHELTER PROVIDER PRACTICES

(Article 2, Section 9)

Thank you for including this provision in the Omnibus Bill. LSAP has been working with a coalition, including Street Voices of Change, Freedom from the Streets, NAMI, Align Minneapolis, the Coalition for the Homeless, Catholic Charities, MICAH, Central Lutheran Church, and others on this bill to bring persons who have experienced homelessness and resided in shelter, shelter providers, impacted government agencies, and advocates for homeless individuals together to establish some coherence to the provision of shelter across the state and create a basic Bill of Rights for residents, while ensuring that providers are able to meet any new obligations and continue to provide the vital service they offer. This task force is the way that all interests will be met and all the complex and interrelated issues can be discussed and vetted to produce some standards and a better and uniformly dignified experience for those in need of shelter services.

RESIDENTIAL RENTAL HOUSING POLICY

(Article 6)

Thank you for including the provisions of Article 6 in the Omnibus Bill. In particular, we strongly support:

1. Eviction Reform

a. Pre-Eviction Filing Notice

(Section 16)

Forty-three states have requirements that, before a landlord can file an eviction, the tenant is entitled to notice. This gives the tenant the opportunity to make up the deficiency or vacate before getting an eviction on their record. Conversations with more than a dozen housing authority officials and tenant advocates from around the country in states that have such notices agree that such notices are helpful in giving tenants time to address defaults or move out and in allowing landlords to avoid court fees and court processes. Minnesota should join the majority of the country in enacting this important provision.

b. Eviction Court Reforms

(Sections 5, 17 – 25)

Minnesota's eviction court process is among the fastest in the country. The vast majority of tenants finding themselves in court on an eviction are unrepresented. But, in our experience, a large percentage of our clients have a valid legal defense. Simply put, under current law there is just not enough time for tenants to find legal help or prepare a defense, or find financial help. The provisions in HF 1077 – DE1 that are designed to provide adequate due process by giving tenants facing eviction and the loss of their home more time to seek and obtain justice will go far to evening the imbalance of power between the parties in these cases and ensuring fairness and better outcomes from the eviction process.

c. Expungements

(Sections 3 and 4)

LSAP appreciates the inclusion in the Omnibus Bill of reforms to the mandatory and discretionary expungement provisions under section 484.014. The removal of unnecessary and overly burdensome barriers to discretionary expungement is important, and adding such logical requirements for mandatory expungements, including where the tenant prevailed and the court has dismissed the case, are common sense improvements.

d. Tenant Screening Agency Reforms
(Sections 12 and 13)

LSAP appreciates the inclusion of these provisions that will ensure that expunged evictions and other inaccurate information are not reported to landlords by tenant screening companies on tenant screening reports. A recent report by the Family Housing Fund underscores the many mistakes that are made on these reports. These mistakes, while extremely difficult to correct, can have an impact on the future ability of persons to obtain housing for years to come. The provisions also ensure that the remedies for violation are meaningful. These are important improvements in the law.

2. Emotional Support Animal Documentation Provisions
(Section 6)

Legal Aid has worked with the Minnesota Multi Housing Association and other stakeholders on and is in support of this provision that balances the interests of landlords and persons with disabilities. This provision addresses the problem of questionable documentation provided by some who seek reasonable accommodations for emotional support animals in no-pets or fee-for-pets buildings, while preserving the rights of those persons with disabilities who demonstrate with supporting documentation a genuine need for the animal.

3. Service Dogs
(Sections 1 and 2)

LSAP appreciates the removal of the obsolete requirement under Chapter 256C that a service dog must have identification from a recognized school for service animals. LSAP also appreciates the deletion of an unnecessary provision of the Human Rights Act requiring a service animal to wear a physical identification about its training.

Thank you for the opportunity to express our support for the bill and in particular the provisions highlighted above. LSAP urges passage of HF 1077 – DE1.

Sincerely,



Ron Elwood
Supervising Attorney