



MINNESOTA

NAHRO

SERVING MINNESOTA'S HOUSING &
COMMUNITY DEVELOPMENT NEEDS

TO: House Housing Finance & Policy Committee
FROM: Shannon Guernsey, Executive Director, Minnesota NAHRO
DATE: March 10, 2021

RE: Alignment of State Eviction Moratorium with federal CDC Order on Non-Payment of Rent & Opposition to HF12DE1

On behalf of Minnesota NAHRO and its members, thank you for the opportunity to provide comment on impact of the state eviction moratorium (EM) on housing authorities across the state. Minnesota NAHRO members own, manage or administer subsidized rental housing in Minnesota including all public housing plus the administration of the Housing Choice Voucher (HCV)/Section 8 program.

COVID has demonstrated that stable housing is central to helping families comply with stay-at-home orders, provide a place for distance learning and serve as remote workplaces. While the state eviction moratorium ensures that many households are able to remain in their homes, its overly broad scope has meant housing authorities have been unable to address harmful tenant conduct which impacts the health and safety of all of our residents. Specifically, housing authorities across the state face challenges when enforcing their leases and addressing unlawful activities that occur in our properties.

We recognize that the current state EM permits eviction actions for unlawful conduct and property damage. However, these issues are being challenged in court and there are vastly different outcomes depending on the jurisdiction. This uncertainty and the inconsistency of jurisprudence across the state has created an environment in which landlords are unable to address conduct that causes harm to other residents and/or property. For these reasons, Minnesota NHAHRO opposes HF12DE1.

It is our recommendation that the state eviction moratorium continue for non-payment of rent ONLY and, for the safety and wellbeing of all our public housing residents, that other eviction actions may proceed for breach of the lease, property damage or unlawful activities. This would mean that settled case law could be relied upon to guide landlords, the legal community, and the courts in addressing eviction actions going forward.

This approach would also be consistent with the federal CDC order currently in effect. Finally, it is imperative that the state address the backlog of unpaid rent. We are encouraged that the latest emergency rental assistance package provides resources to keep these households in their homes by addressing their arrears and ensuring landlords are made whole after seeing a significant loss of income throughout this pandemic.

Thank you again for the opportunity to outline our recommendations regarding the state eviction moratorium. As housing authorities, it is our mission to provide safe and affordable housing to our residents and we look forward to working with stakeholders as these discussions continue this Session.

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