

**Tenant Protections Amendments
Summary and Rationale**

Amendment	Rationale
<p>Defines an affordable housing building as one with five or more units (from three or more units).</p>	<p>Aligns with Saint Paul legislation and definitions (garbage service, street assessments, etc) as well as homesteading rules. Conformity with Minneapolis ordinance will engender greater understanding and compliance.</p>
<p>Adds the language below: “An eviction action pursuant to Minnesota Statutes Chapter 504B or other equivalents in other states if the action occurred three (3) or more years before the applicant submits the application. <u>or if the action occurred during the three years immediately preceding submission of the application but did not result in a judgment entered against the applicant.</u></p>	<p>Clarifies that only evictions that occurred in the last three years and that resulted in a judgment against the tenant may be considered in tenant screening.</p>
<p>Allows landlords to consider active or pending arrests or charges.</p>	<p>Landlords should be able to consider active or pending charges against a tenant that haven’t yet been resolved.</p>
<p>Allows an applicant to secure a unit by demonstrating a successful history of paying rent with a comparable income: rent ratio.</p>	<p>This ensures that a landlord is able to compare apples to apples when it comes to rental history. A tenant who successfully paid rent with income of 2X rent may not be successful in a new unit if his income is now just 1.5X rent.</p>
<p>Allows individualized assessment.</p>	<p>Gives landlords who wish to apply stricter screening criteria the ability to use a HUD-approved individualized assessment. This mirrors the Minneapolis ordinance which will engender greater understanding and compliance.</p>
<p>Clarifies that a landlord can not unilaterally terminate a lease without just cause but that a landlord and tenant can still mutually agree to terminate.</p>	<p>Mutually agreed-on terminations should be permissible.</p>

<p>Adds this language to the “Rehab and Renovation” “Rehabilitation or renovation that is required by a government agency to bring a property up to code is exempt as per section 8 below.”</p>	<p>Clarifies that rehab/renovation required by government code is exempt from relocation assistance.</p>
<p>Requires evaluation.</p>	<p>Evaluating the ordinance will help us understand its impacts on tenants, landlords and the accessibility of affordable housing - and make changes if necessary.</p>
<p>Requires adequate budget.</p>	<p>An adequate budget is essential to educating about and enforcing this ordinance.</p>
<p>Exempts public housing and individual landlords that participate in the Section 8 voucher program.</p>	<p>The PHA and landlords in the voucher program are already under federal guidance in the areas covered by this ordinance. Exempting landlords who accept housing choice vouchers would also incentivize more landlords to participate in this program, expanding housing choice.</p>
<p>Requires an Implementation Task Force made up of tenants, landlords and tenants’ and landlords’ advocates to develop rules and an implementation plan for this section.</p>	<p>Additional input from tenants, landlords and their advocates will be necessary to think through all the details of implementation.</p>
<p>Allows severability.</p>	<p>If one portion of the ordinance is found invalid, the rest of the ordinance remains intact.</p>
<p>Changes date when the ordinance takes effect for landlords with four or fewer properties from Jan. 1 to July 1, 2021.</p>	<p>This will give the Rules Task Force (see above) more time to discuss and promulgate rules and landlords more time to make changes in compliance with the ordinance.</p>