



# The Minnesota Fair Chance Access To Housing Act

# Agenda

- § *Introductions*
- § *Minnesota Fair Chance Access to Housing Act*
  - § Historical context and progress
  - § Bill provisions
- § *Q & A*
- § *What's next?*
- § *End*

## Until We Are All Free & Mission

The Mission of Until We Are All Free Movement is to re-enfranchise all those disenfranchised by mass incarceration, and our Vision is to live in a world where we are ALL free in mind, body and spirit.

# New Justice Project & Mission

New Justice Project MN is a Black-led organization focused on building power with low income & no income Black Minnesotans. We create change by:

- organizing with community members directly impacted by systemic racism
- developing leaders and trusting the expertise of Black workers and community members
- focusing on political education to understand how we can build power together!



# Vera Institute of Justice: Our vision, mission and focus

## Vision

Safe, Healthy, Empowered communities  
with truly just government institutions

## Mission

Fight mass criminalization and create anti-racist, reparative justice systems

### STRATEGIC AREAS OF FOCUS

1

Minimize the footprint of jails, prisons, and detention centers

2

Center dignity and minimize the harms of justice and immigration systems

3

Blueprint accountable Institutions that move resources to communities

# Minnesota Fair Chance Housing Access Act

# Minnesota Landscape

- In Minnesota, **more than one million residents** have some type of system involvement.
- There are **currently more than 13,000 people** in jail or prison in the state.
- Research shows that stable housing is the foundation for a successful transition from incarceration back into the community.
- People with housing are more likely to:
  - find and keep employment,
  - rebuild supportive networks, and
  - avoid additional convictions.

# Progress in the 2024 Session

- **February 20:** Introduced by Senator Zaynab Mohamed.
- **February 26:** Hearing in the Senate Committee on Housing and Homelessness Prevention
  - Passed and referred to Senate Judiciary and Public Safety Committee
- **March 18:** Hearing in the Senate Judiciary and Public Safety Committee
  - Died in committee



# Minnesota Fair Chance Housing Access Act

The Fair Chance Access to Housing Act would:

- Prohibit housing providers from asking rental applicants about their conviction histories during the **initial screening process**.
- Postpone any background check until the applicant receives a **conditional offer**.
- **Limit the use of system-involvement history screening** to specific types of convictions within established timeframes.
- Allow applicants to undergo an **individualized review** of their conviction histories and offer evidence of rehabilitation prior to denial by the housing provider.

# Minnesota Fair Chance Housing Access Act

What specific convictions could be considered during what timeframes?

- a conviction for arson or human trafficking
- whether the applicant is an individual who has been convicted of criminal sexual conduct and is required to register as a predatory offender
- any other felony conviction not listed under clauses (1) and (2) that have been adjudicated within 365 days immediately preceding the date the conditional offer was issued

What is the individualized review process like?

- Landlord must notify applicant in writing that they will conduct an IA + give reasonable time for an applicant to submit mitigating evidence

# Minnesota Fair Chance Housing Access Act

How do denials work?

- If a landlord withdraws a conditional offer, the landlord must, within 24 hours:
  - 1) send a written document to the applicant that informs the applicant of the specific reasons for the withdrawal; + that the applicant has the right to file a complaint with the commissioner of human rights; and (iii) informs the applicant that within 14 days of receiving this written document, the applicant has the right to request a copy of all the documents that the landlord relied on in making the determination to withdraw the conditional offer; and
  - (2) return any application fee or holding deposit collected from the applicant.

# Minnesota Fair Chance Housing Access Act

What happens if an applicant believes their rights have been violated?

- Applicants can file complaints with the Minnesota Department of Human Rights
  - If a violation is found, MDHR can impose fees of:
    - (1) \$500 per violation for a building with up to two units;
    - (2) \$1,000 per violation for a building with more than two but fewer than six units;
    - (3) \$2,000 per violation for a building with six or more units.
- Landlords who own four units, one of which is owner-occupied, are exempt from this law

## A Landlord can still say NO when...

- They review an applicant's conviction history, perform an individualized assessment, and determine that the withdrawal is necessary to fulfill a substantial, legitimate, and nondiscriminatory interest.
  - Provide a rationale for why this person's conviction history would disqualify them for the housing opportunity
- Remember: an applicant must pass through a landlord's general application process before a criminal background check is done (may include: credit check, references, salary requirements, etc.)

## Where else has this been passed?

- State Levels
  - Maryland (SB 514)
  - New Jersey (S250)
- County Levels
  - Cook County (Ord. No. 19-2394)
- City Levels
  - New Orleans (Fair Chance Amendment)

Questions?

# Looking to the Future: Our Plans for 2025–2026

- Continue gathering feedback from Minnesotans!
- Expanding the coalition
- Meeting with legislators this fall
- Building community support!
  - Testifying in committee hearings
  - Meeting with legislators
  - Signing on in support
- Re-introducing the bill in January



# Stay in Touch!

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# Resources on Fair Chance Housing in MN

Fair Chance Housing Sign-up Form

SF 4015/HF4785: Minnesota Fair Chance Access to Housing Act

How the Rental Application Process Will Work: MN Fair Chance Access to Housing Act Explainer

Factsheet: With SF 4015/HF 4783 Minnesota will Lead the Way in Increasing Access to Housing and Providing Second Chances

Frequently Asked Questions: Minnesota Fair Chance Access to Housing Act (SF 4015/HF 4785)

Thank You

