

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

Step One: Initial Screening

A housing provider may screen a rental applicant on standard criteria, including income, rental history, and credit score.

A housing provider cannot consider the applicant's conviction history at this stage in the application process.



If the housing provider decides to move forward with a qualified applicant, they will issue a conditional offer of tenancy.



Step Two: Criminal Background Check

After issuing a conditional offer, a housing provider may choose to run a criminal background check. However, the housing provider can only consider felony convictions within the previous year, any convictions for arson or human trafficking, and whether the applicant is required to register on the sex offender registry.



If a background check reveals any of the above offenses, the housing provider must conduct an individualized assessment.

This means they must consider various factors related to the offense, including its nature and severity, age of the applicant at the time of the offense, and whether the offense was connected to a rental property in which the applicant previously lived. As part of the assessment, the applicant can provide documentation of rehabilitation efforts.



If the housing provider withdraws the conditional offer after the criminal background check, they must issue a written notice to the applicant stating the reason for the denial and instructions on how to file a complaint with the Minnesota Department of Human Rights, as well as return any application fee. The applicant may request the documents used by the housing provider to make their determination and can file a complaint with the Minnesota Department of Human Rights if they believe their rights under the Fair Chance Access to Housing Act have been violated.