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CITY OF SAINT PAUL

TENANT PROTECTIONS — April 2025



Tenant Protections - Ordinance Overview

- Security Deposits and Pre-paid Rent
- Applicant Screening
- Written Notice for Nonpayment
- Notice of Sale
- Relocation Assistance
- Complaint Process & Penalties



Department of Safety & Inspections (DSI) will administer this ordinance.
Office of Financial Empowerment (OFE) will provide educational materials
and other resources in LEP languages.



Security Deposits and Pre-paid Rent



- **Security Deposits**
 - Limited to the value of a single month's rent
- **Pre-paid Rent**
 - Limited to the value of a single month's rent
- **Exceptions**
 - If an application could be denied under the tenant screening, the landlord may charge, accept, and retain an additional payment limited to the value of a single month's rent.



Tenant Screening

- **Availability**
 - Screening criteria must be made available to all applicants prior to accepting the application or any fee/deposit
- **Option 1- Uniform Criteria**
 - The screening criteria used must be uniform across applications
- **Option 2- Individual Assessment**
 - A landlord cannot deny an application using the criteria in 193.03 unless an individualized assessment is completed
- **Exception**
 - Local, state, or federal funding or loan requirements supersede these requirements





Merging of Chapters 54 and 193

- **Fee for Service**
 - The cost of the application fee cannot exceed the cost to process the tenant screening.
- **Collection**
 - Landlords may collect application fees but cannot cash it unless they actually screen the applicant.
- **Transparency**
 - All denials must include the name of the screening agency or other credit reporting agency used.



Uniform Screening Criteria

Criminal & Civil Case History

Disallowed Screening Criteria

- Arrest of charge that did not result in conviction
- Participation in or completion of a diversion or deferral of judgement program
- Court file that has been expunged, destroyed, or is not public
- Convictions that were vacated, expunged, or stayed
- Convictions for crimes that are no longer illegal in MN
- Juvenile convictions, other determinations, or adjudications
- Non-criminal petty misdemeanor offenses
- Misdemeanor or gross misdemeanors over 3 years old
- Felony convictions over 7 years old, excluding illegal manufacture or distribution of controlled substances
- Specific felony convictions over 10 years old



Uniform Screening Criteria

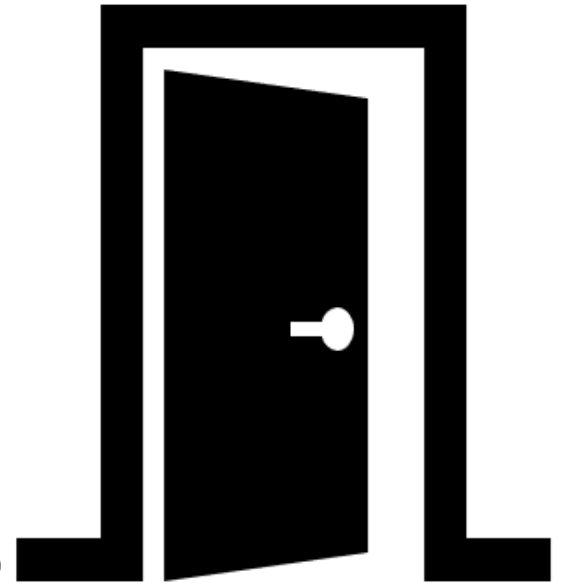
Credit & Rental History

Disallowed Credit History Screening Criteria

- Credit score by itself
- Insufficient credit history (unless it is withheld in bad faith to avoid denial)

Disallowed Rental History Screening Criteria

- A pending eviction action
- Any eviction action that has not resulted in a vacate judgement
- Eviction actions occurring 3 or more years before the application
- Insufficient rental history (unless it is withheld in bad faith to avoid denial)
- If using minimum income test ($\text{income} = 2.5 \times \text{rent}$), landlord must allow applicant to demonstrate history of successful rent payment





Individualized Screening Assessment

If a landlord intends to deny an application using more prohibitive screening criteria than uniform screening.

- They must consider all supplemental evidence provided to justify, explain, or negate the potentially negative information revealed during screening.

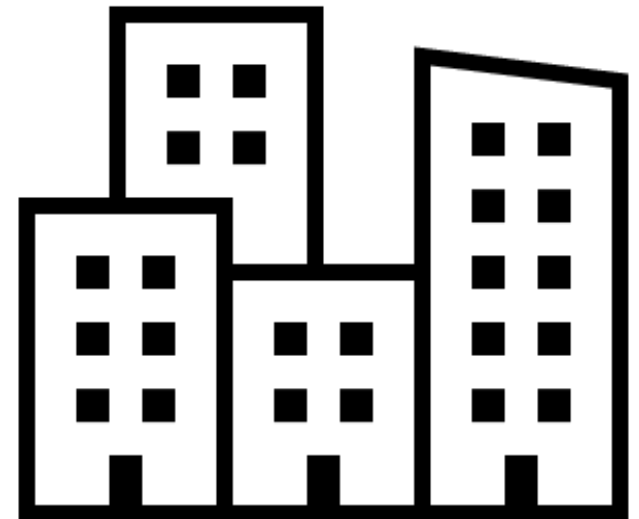
This may include:

- ✓ The nature and severity of the incidents that would lead to a denial
- ✓ The number and type of the incidents
- ✓ The time that has elapsed since the date the incidents occurred
- ✓ The age of the individual at the time the incidents occurred



Denials - Uniform Screening Criteria

- Before denying an applicant for criminal history, a Landlord must consider supplemental evidence provided by the applicant at the time of application.
- Landlord will notify the applicant in writing within 14 days of rejecting the application.
 - Must identify the specific criteria the applicant failed to meet.





Denials - Individualized Screening Assessment

The Landlord will notify the applicant in writing within 14 days of rejecting the application and include the following:

- The basis for denial
- Any supplemental evidence and an explanation of the reasons it did not adequately compensate for the factors that informed the landlord's decision to reject the application

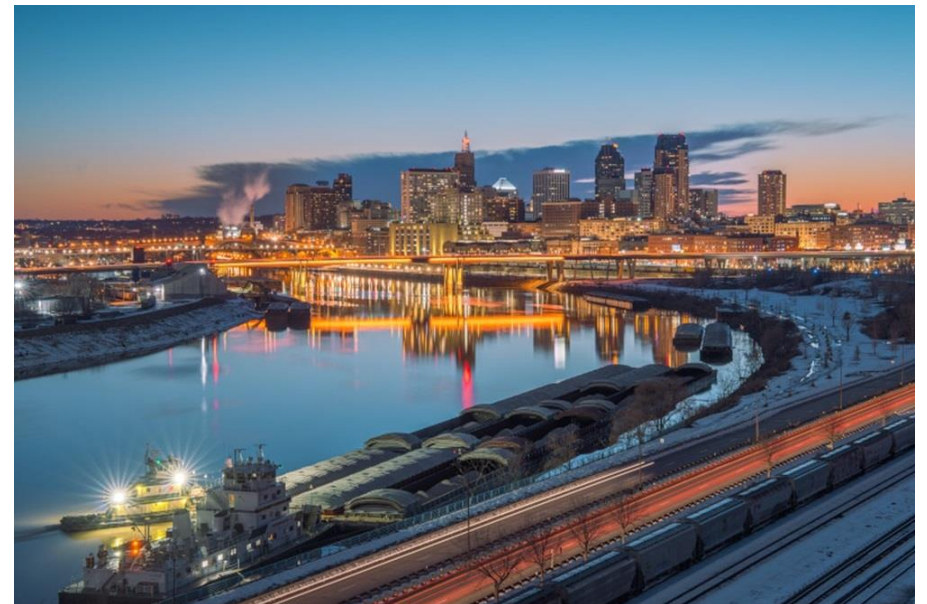
This notification is to be retained by the landlord for 2 years.





Affordable Housing – Definitions

- **Affordable Housing Building** – A residential building where at least 20 percent of the units are Affordable Housing Units.
- **Affordable Housing Unit** – A rental unit in an Affordable Housing Building that Rents for an amount that is **no more than one third of 60% percent or below** of area median income, as area median income was most recently determined by HUD for the Minneapolis-St. Paul-Bloomington, Minnesota-Wisconsin Metropolitan Statistical Area, as adjusted for household size and number of bedrooms.





Written Notice for Nonpayment of Rent

At least 30 days before an eviction action alleging nonpayment of rent or other unpaid financial obligation,

- Landlord must provide written notice to the Tenant
 - Total amount due
 - The specific accounting of the amount due
 - The name and address of the person or online location authorized to receive rent and fees on behalf of the landlord
 - Prescribed language on where to find legal assistance
 - Prescribed language that failure to pay the total within 30 days may result in an eviction filing
- The landlord or an agent of the landlord must deliver the notice personally or by first class mail to the residential tenant at the address of the leased premises.





Affordable Housing – Notice of Sale

- All tenants of Affordable Housing Units in Affordable Housing Buildings must be notified of the sale.
- During the protection period, the new Landlord of an Affordable Housing Building shall not
 - terminate a Tenant's Rental Agreement without Cause,
 - renew a Tenant's Rental Agreement without Cause,
 - raise Rent, or
 - rescreen existing Tenants...without giving the required notice and paying relocation assistance.
- “This is important information about your housing. If you do not understand it, have someone translate it for you now, or request a translation from your Landlord.” must be on all notices in the City's LEP languages.



Affordable Housing – Relocation Assistance

Relocation assistance shall be an amount equal to 3 months' rent per the Rental Agreement.

Landlord must pay relocation assistance to the Tenant of an Affordable Housing Unit **within 30 days** after receiving Tenant's written notice of termination of the Rental Agreement or within 30 days after the Landlord notifies the Tenant that the Rental Agreement will be terminated or not renewed.





Enforcement



Once administrative citations are established in ordinance, anticipate coming back with an amendment.



Other Needed Changes

- Admin Code Chapter 13 amendment for Department of Safety & Inspections authority
- Budget amendment for staffing and associated implementation funding
- Conflicts with Chapter 54, which will need to be repealed





Questions

