Involuntary Displacement in Minnesota: Patterns, Trends, & Insights

Conversations with Affordable Housing Stakeholders Regarding Extrajudicial Evictions

June 2024

Table of Contents

Introduction & Background……2

Methodology……3

Executive Summary……4

Insights……5

I. Common Demographics of Tenants……5

II. System-Level Barriers……6

III. Challenges & Barriers of Tenants……8

IV. Insights & Patterns Regarding Property Owners / Property Managers……11

V. Common Landlord Actions……14

VI. Opportunities for Positive Change……21

1. Increased awareness and enforcement of existing laws
2. Full funding to meet increased needs in affordable housing
3. Support for tenant organizing, advocacy, and education
4. Prioritizing a human-centered, compassionate approach to delivering housing supports
5. Just cause legislation at the state level
6. Additional ideas

Implications & Conclusion……25

Acknowledgements……26

References……27

Appendix 1: Project Participants……29

Appendix 2: Interview & Focus Group Questions, Combined……30

Appendix 3: Quote Bank Organized by Theme (separate attachment)

> ***"It's the fact that you keep raising our rent. We want to be self-sufficient, law abiding, contributing to society; we want to do all that. But, if there's all of these bricks that are steady getting piled and piled on top of us, it's hard for us to climb out of that hole, you know?"***
>
> ***- Tenant***

Introduction & Background

The Minnesota ERASE Campaign (End Rental Arrears and Stop Evictions) is an effort to ensure that the historic aid enacted by Congress reaches the lowest-income and most marginalized renters it is intended to help. The Campaign works to eliminate rental indebtedness caused by the pandemic, prevent evictions, and create support for long term policy changes to end housing instability and homelessness. Co-conveners of the campaign include ACER (African Career Education Resource); Housing Justice Center, and MHP (Minnesota Housing Partnership).

Involuntary displacement, or "extrajudicial eviction", refers to actions taken by landlords outside of the court system to move renters out of their homes. Over the last two decades, analysis of the negative consequences and impacts of evictions overall has grown. However, there is a lack of information and understanding about the scale and trends surrounding informal / extrajudicial evictions specifically, since these occur outside of the court system and are not tracked nor well documented. Better understanding involuntary displacement is critical to addressing housing instability, particularly since the onset of the COVID-19 pandemic.

In 2022, the ERASE Campaign initiated an initial project to evaluate involuntary displacement (extrajudicial evictions) of tenants in Minnesota, working with the Center for Urban and Regional Affairs (CURA) at the University of Minnesota and HOME Line as research partners. The research publication, "The Impact of the COVIC-19 Eviction Moratorium on Landlord-Initiated Displacement Actions" defined landlord-initiated displacement actions (LIDAs), or instances of residents/renter households forced to leave their residence with or without a formal eviction and analyzed the frequency and types of extrajudicial evictions. The project relied on multi-year data from HOME Line for analysis, revealing the extent of the issue in our state.

Then, in early 2024, the Minnesota ERASE Campaign engaged Minnesota-based community engagement practitioners from Consulting Powers to expand on the 2022 CURA research report. Utilizing qualitative research conducted from late January through early May 2024, this report aims to deepen learning about involuntary displacement in Minnesota and begin to explore potential policy and community solutions.

Methodology

The co-conveners of the Minnesota ERASE Campaign, along with Megan Powers and Jason Paschall of Consulting Powers, formed a joint project leadership team to determine the overall approach, learning objectives, methodology, and design of this qualitative research project. Learning objectives were identified by the project team as follows:

1. Bring the critical and timely issue of involuntary displacement / extrajudicial evictions to light, centering impacted renters' voices and perspectives.
2. Seek to better understand the factors and experiences in play around involuntary displacement / extrajudicial evictions in multiple contexts in Minnesota.
3. Frame the issue and explore possible policy and other solutions.

This project took an appreciative inquiry lens, meaning that it was asset-based and viewed impacted community members as the experts of their own lives. As such, this approach sought to engage stakeholders in dialogue to illuminate existing strengths, perspectives, insights, and opportunities for co-created change. The team's approach to the qualitative research was conversational and interactive, aiming to highlight individual stories and examples and use that information to illustrate the problem and distill patterns and themes. The joint project team aimed to have a maximum of 12-15 participants in each of the focus groups to allow for robust conversation as a large group as well as in smaller group breakouts (the latter during the tenant session). From the start of the project, it was identified to prioritize the voices of low-income renters, and to solicit perspectives both from those who live and/or work in the Twin Cities metropolitan area as well as in Greater Minnesota. A diversity of perspectives was sought. The Minnesota ERASE Campaign provided a stipend for renter participation.

The main information gathering methods carried out during the project included 1) an impacted renter focus group including a demographic poll, 2) a focus group of housing experts, advocates, organizers, and service providers, and 3) a set of interviews with housing stakeholders including advocates, policy/ program administrators, service providers, and a small-scale property owner. All methods were implemented in a virtual format using Zoom. In addition, a materials review was conducted of other existing research and analysis on this issue, particularly in Minnesota.

Initially, nearly 70 potential individuals and organizations were identified and recruited by Minnesota ERASE, its partners, and the consulting team for potential participation in the project and/or to surface other participants. At completion, 32 participants were engaged, using one or more methods. This included the two virtual focus group sessions as well as virtual interviews with 10 stakeholders. The complete project participant list can be found in Appendix #1.

Conversations were recorded and auto transcribed using Zoom and Otter.ai, and participant comments were kept anonymous by the research team. Organizing and analyzing the data, including tagging by

theme, was done with the assistance of Otter.ai and Excel spreadsheets. A combined list of focus group and interview questions can be found in Appendix #2.

Executive Summary

This report investigates the prevalence and drivers of involuntary displacement in Minnesota, drawing upon tenant experiences and stakeholder perceptions. Since so-called “extrajudicial evictions” occur outside of the court system and are not tracked nor well documented, there is a stark lack of information and understanding about the scale and trends of the problem. Stakeholders agreed that better understanding involuntary displacement is critical to addressing housing instability.

Through interviews and focus groups, consistent patterns emerged about the practice of involuntary displacement. This report begins by sharing the common sense that groups such as Black households, People of Color and Indigenous Minnesotans, low-income families, immigrants and refugees, and single-parent households tend to be most impacted by the issue in our state. Next, it highlights systemic issues within the housing market that contribute to tenant vulnerability and involuntary displacement, including a complex and inadequate affordable housing system. Participants expressed frustration with navigating bureaucracy and insufficient resources, leading to delays and ineffective assistance. The lack of deeply affordable units—compounded by rising rents—not only contribute to housing instability overall, but also increase the risk of an involuntary displacement scenario. High rental costs also overburden households, with many spending over 30% of their income on housing.

In addition, this project surfaced insights about the diverse motivations and behaviors of property owners and managers, as well as delving into which specific landlord actions are being practiced, and how prevalent they seem to be, when it comes to involuntary displacement. Some of the most common landlord actions were found to be nonrenewal of lease, refusal to make repairs, intimidation and/or retaliation, excessive fees, and more. These actions are often done deliberately to compel or force tenants to leave their homes.

Overall, stakeholders anecdotally observed an increase in involuntary displacements since the end of Minnesota’s eviction moratorium. A complex set of factors and actions can put tenants on the devastating path toward displacement. The report underscores the urgent need for reforms—both at the community level, through policy change, and through strengthening existing systems and mechanisms—in order to address Minnesota's housing crisis and support vulnerable communities facing displacement. Potential solutions may include tenant organizing, policy changes such as just cause and anti-retaliation laws, and improvements to existing housing services and enforcement of regulations to both prevent and address involuntary displacement. Together, these opportunities for change aim to address power imbalances, increase tenant protections, and enhance housing stability. Ultimately, however, more dialogue, analysis, collaboration, and piloting of solutions is needed to bring the problem of involuntary displacement to light.

Insights

I. Common Demographics of Tenants

One initial question we sought to address in this project was, "Who is involuntary displacement impacting in Minnesota, and are there certain vulnerable populations and communities who are affected more than others?" Although this was not an empirical study, we did hear some consistent patterns regarding what participants are seeing.

> *"Our BIPOC community has always been the one that's been exploited the most, and are most vulnerable, and are still highly being affected."*
> *– Housing provider / advocate*

In focus groups and interviews, the groups affected by involuntary displacement that were named most often included:

1. Black, Indigenous, and People of Color (BIPOC)
2. Individuals and families with the lowest income (i.e., less than 30% of AMI)
3. Immigrants, refugees, and asylum seekers, especially those who are undocumented or under documented and/or who have limited English proficiency
4. Families with children, especially single-parent, women-led households and larger families
5. Individuals who have mental health issue(s) or condition(s)

Although not named as frequently, additional vulnerable communities named by participants were those with criminal histories and/or transitioning out of the prison system, those living on a fixed income (particularly seniors and/or those living with a disability), people who have experienced homelessness, and those with poor credit and/or limited savings.

> *"The most vulnerable is our immigrant population, because of the language barrier, because of the status barrier, and culturally we have the bigger families, right?"*
> *– Housing provider / advocate*

In addition to the anecdotal information gleaned in the interview and focus group conversations, we gathered demographic data via an online snap poll of the 10 tenant participants. 90% of the participants identified as female. 90% of the participants identified as BIPOC. 60% were aged 30-52 and 40% were 52 and older. The types of rental units varied, with 40% living in single family homes, 30% in large (over 20 units) multi-family apartments, 20% in apartments with 5-20 units and 10% in two- to four-unit dwellings. 70% of participants were living with three or more people in their household. 80% of the tenants have been in their homes three years or less. 90% had an income of less than $30,000. (The annual income Federal Poverty Income guideline for a family of four is $31,200.) 40% of the participants were receiving partial or full subsidy rental assistance. Their average rent was $793 including subsidy and $1096 excluding subsidy. (Median rent for all property types in Minnesota is $1,500.)

> *"I have six children. So, to find a place that's affordable for myself and my husband is extremely hard. I have five girls and one boy. Girls need space, you know, and to be able to look at them and can't give them that, that's hard."*
> *– Tenant*

Both the anecdotal insights as well as our demographic data poll results are generally consistent with national research trends that find low-income, BIPOC women with children as the most vulnerable to eviction. In addition, the demographic patterns generally align with the Minnesota results of the last four years of the Household Pulse Survey by the US Census Bureau regarding perceived likelihood of eviction, perceived pressure to move, and monthly rent payment status.

II. System-Level Barriers

The most common insight that arose across this project's conversations was the inadequacy of the current affordable housing system in our state. System-level barriers combine to make it incredibly difficult for stakeholders to prevent and address situations of involuntary displacement. It is this housing landscape of systemic barriers and instability that many low- and moderate-income Minnesotans face when they are forced to leave their home.

> *"I just don't understand how everybody doesn't have access to this [resource and] information. Why? What is the secret? If this money is there to help us, why don't we know about the money that's there to help us?"*
> *– Tenant*

A. <u>User experience of the housing system</u>: When interviewing tenant participants about their lived experiences, many, if not all, related their individual situation as part of a larger context of navigating a housing system that is overly complex, dehumanizing, slow, and inequitable. Many low- and moderate-income tenants discussed the challenging navigation of a housing assistance system that consistently fails them in providing both housing assistance and compassion for their situation. Many tenants expressed their frustration and anguish in simply even knowing about what resources may be available and for whom, as well as the complex and time-consuming process of gathering and submitting paperwork and coordination among several different agencies, social services, court, and property managers to apply for and secure financial rental support. Navigating the many siloed and bureaucratic resource providers and systems often leaves low-income renters frustrated and ultimately without necessary and timely assistance.

> *"What I've found trying to access those funds in my county area is that it depends on who gets that grant to administer those funds. A lot of those agencies really suck at distributing funds, and they do it in a manner that doesn't get services to everyone. Then it's a problem and nobody really realizes that [the] money doesn't go where it's supposed to or it's so inaccessible for whatever reason, that you just can't use those services.*
> *- Tenant*

> *"They just beat you down. They beat you down and then they bank on folks throwing in the towel."*
> *– Tenant*

> *"They need to stop calling it emergency [funding]. Yes, I've applied for emergency [funding] a few times over the years, I have yet to get it. And what they do is they deny you, but they don't tell you for two or three months that you've [been] denied. You could be six feet under by then. So, they need to fess up and stop calling it emergency [funding]. Because it's not."*
> *– Tenant*

B. Lack of adequate resources: Minnesota's affordable housing system is not adequately resourced and funded to address our housing crisis. Participants shared that service staff are overloaded with cases, struggle with burnout, and at times lack lived experience of housing instability, all of which contributes to ineffective and/or racially and culturally insensitive service to vulnerable and often marginalized communities. In addition, participants spoke of how rental assistance amounts are not meeting demand. The data gleaned from MPH's 2024 State of the State's Housing Profile shows rents continue to climb as Minnesota's median rent saw its largest one-year increase in the past 10 years of eight percent. This saddles and overwhelms nonprofit providers and governmental assistance programs with the task to subsidize the shortfall.

> *"We know the barriers, and I'm pretty sure all these organizations knows that there are barriers. Some organizations act as if the money is coming out of their pocket, like you're bothering them. They act like, 'Oh, you should know this'. It's so funny that you could be in a position to help people, and this is how you use your position."*
> *– Tenant*

C. Insufficient supply of deeply affordable units: Minnesota is amid an extreme housing challenge as it confronts a perfect storm of a lack of affordable housing units, racial disparities in homeownership, and housing costs outpacing incomes. Our interviews highlighted the lack of stable, affordable, and quality housing options as Minnesotans suffer from a lack of deeply affordable rental units. In particular, focus group participants highlighted how difficult it is for larger families to find housing. In 2024, the high demand and low availability of housing units has created a situation where housing is unaffordable for half of all Minnesotans. According to data from the National Low Income Housing Coalition, there is a deficit of nearly 65,000 affordable and available housing units for extremely low-income households in the Minneapolis metro area. Minnesota overall has a deficit of over 100,000 units of all housing types. In addition, participants shared that available housing is not high quality; many units have fallen into disrepair, are overcrowded, or lack livable conditions such as a working kitchen and/or plumbing.

> *"We have so many luxury units, and maybe three deeply affordable ones at all times. Every single housing provider is trying to get their clients housed in those same three units."*
> *– Housing provider / advocate*

D. High rental cost burden for households: The insufficient supply of affordable housing units contributes directly to the high rental cost burden crisis for Minnesotan renters. As housing demand and rents have both increased, tenants' wages have not kept pace. We consistently heard in our interviews from tenants, advocates, and providers alike that the cost of rent is simply too high. According to the 2024 MPH State of the State's Housing Profile, 50% of all renter households are paying 30 percent or more of their incomes on housing, representing the highest renter cost burden percentage in the last decade and a one-year increase of nine percent. The problem is even worse for senior renters (66%) and low-income renters

> *"[We need to better] manage the way that affordable housing works and what that really means because mostly to the people who live there, it is not affordable housing."*
> *– Housing provider / advocate*

> *[To the question of how to better support renters in overcoming challenges of staying in their homes]: "Lower the rent, lower the rent. Simple."*
> *– Tenant*

(80%). Twenty-two percent of all Minnesotan children are living in a cost burdened home.

III. Challenges & Barriers of Tenants

A. Unequal power: Many project participants spoke about the imbalanced power dynamics that play into involuntary displacement. It almost goes without saying that property owners and property managers can wield coercive power; in other words, they have the leverage to take away a person's home. In addition, the landlord often possesses more positional power and perceived legitimacy in the tenant-landlord relationship. The landlord is commonly seen as having ultimate authority to initiate decisions. Compared to the tenant, the landlord may have other forms of power such as more financial or other resources, greater access to formal education, more connections or networks, and/or more knowledge about the law. In such an unequal power relationship, tenants may feel as though they don't have a choice and don't have any bargaining power.

> *"It's the landlords who have 100% of the leverage. The legal fiction of landlord tenant law, from a historical standpoint...was based on the idea that you are negotiating and bargaining over a contract to rent land, and the law treats it like you have equal bargaining power. But in practice, we know that's not true."*
> *– Housing provider / advocate*

Participants spoke about how, in situations like this, tenants are often highly motivated to immediately exit a situation with a landlord in which the tenant feels helpless, or where the relationship is negative or harmful. It may seem hasty or irrational from the outside, but in actuality, it can be a clear reflection of the lack of power and agency on the part of the tenant. The tenant chooses to take the path of least resistance when they don't have negotiating power or leverage; they simply decide to move on, avoid confrontation, and hope for something better.

B. Effects of chronic stress and trauma: Coupled with the power differential is the profound day-to-day stress that many low-income tenants experience as they try to navigate poverty. Several participants spoke of renters being "one crisis away" from losing their housing or other basic needs for themselves and their families, be it a health crisis, the loss of a job or having hours cut, domestic violence, or other situation. Participants reflected that the effects of chronic stress and trauma can lead to cognitive overload, making it difficult to navigate situations of housing instability, to understand and make informed choices, to have time and mental space to identify options and make decisions. In addition, several tenants described their experience(s) of involuntary displacement as being traumatic in itself, negatively impacting their mental health.

> *"They're already sending threatening letters for eviction. And it's just keeping people in a constant state of stress and worrying. It makes [it] hard for them to focus if they're trying to find ways to gain employment or other things."*
> *– Housing provider / advocate*

C. Lack of knowledge of tenant rights: This issue was raised by participants in multiple ways. First, those who work with tenants observed that tenants are not always aware of the law and their rights as it pertains to housing and evictions. Examples given included the right to organize, the 14-day notice that landlords must now issue in writing before filing an eviction for non-payment, the fact that filed evictions remain on a renter's record unless expunged, and the ability to negotiate legal terms before signing a lease. Some individuals pointed out that even in cases where tenants are aware of their rights, they may not have the capacity or ability to leverage those rights, such as being able to hire an attorney or having the time to seek out legal aid services. Secondly, participants highlighted that renters may not be aware of the options available to them before, during, and after a situation involving involuntary displacement. Service providers in particular spoke about many instances where a renter receives a threat, communication, or warning from a landlord that they will need to leave their home, and the renter immediately packs and exits, not knowing the choices or resources or help that may be available to them nor about the timing, requirements, and steps in a formal eviction process.

> *"With access to legal resources, or even just knowledge of legal resources: so many people don't know what their rights are. They don't know where to turn for legal advice, especially pro bono legal advice. And so that tends to be an issue."*
> *– Housing provider / advocate*

D. Lack of agency or choice: Another barrier identified was the lack of agency that renters often have in their own housing situation. Project participants named how renters may have little choice in accepting substandard housing, paying higher rent than they can realistically afford, or dealing with a difficult landlord, factors that can provoke eventual occurrences of involuntary displacement. Those in the lowest income category may feel they have the fewest choices. Of course, the lack of tenant choice is deeply connected to the larger systems issues and barriers referenced earlier, such as the dearth of affordable housing, cost burdens, inadequacy of rental assistance, and so on. Much more detail about lack of renter choice was explored in the recent "Illusion of Choice" report by CURA and Dr. Brittany Lewis, which was explicitly referenced by participants as well.

> *"Most of the folks that we're working with are 50% median income or less, and there's a sense [that] property management can just do whatever they want and get away with it. Because folks are disenfranchised and don't have a ton of resources. And what is anybody going to do? ...There's that kind of power dynamic and that kind of threatening aspect and what are folks really going to do, because they don't have a lot of resources."*
> *– Housing provider / advocate*

E. High rental arrears: This project revealed another current challenge in the affordable housing sector generally: high amounts of unpaid, overdue rent. Participants spoke of how, early in the pandemic, the eviction moratorium led to accumulation of arrears among more renters, in higher average amounts, and for longer periods of time. Not only do many renters owe back rent currently,

> *"During the moratorium...the amount of arrears that could be accumulated was much higher. How did the scale of the issue change post-pandemic because of those policies?...What impact is this going to have on housing access in the future? Who sees those arrears? Where is that being tracked? Where is that being documented?"*
> *– Housing provider / advocate*

but there are also greater instances of unpaid utilities. The extent of this part of the problem is not well tracked and not well understood. However, anecdotally, some participants are hearing that this phenomenon is leading to a greater number of involuntary evictions.

F. Having an eviction on record: Participants named how tenants and property owners alike can be highly motivated to avoid a formal writing eviction filing. On the tenant side, a formal eviction notice (formerly known as an unlawful detainer or UD) can negatively impact the person's ability to secure future housing, both because the eviction record is seen by potential landlords, and because it can reduce the likelihood of the tenant's Section 8 voucher being approved in the future. Unless expunged, the eviction record is treated almost like having a criminal record. Participants spoke of how, for both the tenant and the landlord, it can be a hassle, time-consuming, and sometimes costly to go through the formal written eviction process because of the need to gather evidence, coordinate and communicate with the legal system, appear before a Housing Court judge, and in some cases seek legal expert assistance.

> *"When it comes to extrajudicial evictions, we know that there is motivation on the part of both property owners and sometimes tenants to avoid the courts in many cases. They can save money, there is a desire to preserve the rental record, in some cases they buy time to figure out what is next. And they can mutually agree on termination, so that the next steps are clear. And yet in some cases, these kinds of displacements are happening because households may not know their rights."*
> *– Housing provider / advocate*

G. Acute challenges in Greater Minnesota: Many barriers that tenants face is common across the state. However, several challenges are reportedly more pronounced in Greater Minnesota. For example, due to larger geographic distances between towns in rural areas, low-income renters often have difficulty finding housing that is close enough to work. Paying for gas, having a car, navigating transportation to and from work and childcare–as well as finding childcare providers– all relate to this accentuated challenge of geographic distance. In addition, affordable housing providers and social service agencies are challenged to effectively reach and serve clients throughout a large service area. And participants shared about how, in many cases, the number of housing players is relatively small, and most people know each other. So, in these communities, landlords may often talk to each other about "problem renters"; tenants with a negative history or reputation that landlords may warn other landlords to avoid renting to, making it nearly impossible for those individuals to find stable housing. Finally, specifically connected to involuntary displacement, renters may be eligible to receive rental assistance but may still struggle with utilities, particularly in places where propane or wood are the only heating options and can be especially costly or not easily accessible. Renters may be choosing between paying their back rent or paying for utilities.

> *"In small town USA, where some of those landlords are powerful, powerful people in a sense, and there's not a wide variety of landlords either. So, if you get on [a list], if one of them doesn't like you, it really hurts. And they most likely know the other landlord from in that town too."*
> *– Housing provider / advocate*

IV. Insights & Patterns Regarding Property Owners / Property Managers

Since this project prioritized voices of low-income renters, we did not speak with many property owners or property managers directly. Most of the insights about landlord motivations and behavior came from those who partner with landlords as an agency or organization, as well as from the renter perspective of interacting with landlords. In addition, it is important to note that there are many types and sizes of property owners, from very large corporations that own hundreds of units down to small "mom and pop" landlords who may own 1-5 small properties, and companies in between. Also, some landlords work in partnership with affordable housing service providers while others do not. Participants noted that among this wide spectrum of property owners, both good and bad actors exist.

> *"At what point did it become acceptable for a landlord to be a full-time job? Like, why are you making your full-time money off of people's housing...such a basic thing...What you're paying should be covering the costs of taking care of the place, but beyond that, it starts to get gross. So, the whole issue of rental being a private business. The two just have difficulty going together."*
> *– Tenant*

A. Large property owners and extractive actions: Participants observed that property owners with the largest number of rental units correlate with a more negative experience of renters. Anecdotally, participants shared that the risk of involuntary displacement is higher in situations with large property owners (meaning, those who own and manage 50 properties or more).

> *"We're starting to uncover [that] there is a corollary between the size of the portfolio and the experience of the renter. So, when they live in [units] that are owned by [those with] larger portfolios—50 or more homes—they are reporting poorer conditions, poorer relationships with their housing providers, higher fees; just overall a more negative experience."*
> *– Housing provider / advocate*

B. Out-of-state corporate entities: Several participants noted the increased prevalence of large companies that are based outside of Minnesota and own rental properties in our state, particularly an increase in single-family rental properties. Although participants cautioned that this trend is less stark than in other parts of the country, it is notable nonetheless. This anecdotal observation tracks with recent research from the Urban Institute, "Who Owns the Twin Cities?", which found a major increase in investor ownership of this type of property in Hennepin and Ramsey Counties, from about 4 percent in 2005 to 14 percent in 2020. Among larger investors, those with 10 units or more increased their share from 2 to 8 percent during this 15-year period, and that statistic is likely underestimated due to shell corporations or tax addresses that are difficult to identify as a single owner of multiple parcels. In addition, the

> *"[One thing] we're seeing both in single family rentals, apartments, and in manufactured home communities is the way that out-of-state investors have been taking bigger and bigger chunks of the market...They're both controlling a larger share of the housing that's available, and they're buying [units] with the intention of pushing out current tenants, raising rents, and flipping from unsubsidized affordable to subsidized, not-as-affordable housing."*
> *– Housing provider / advocate*

Private Equity Stakeholder Project and Inquilinxs Unidxs por Justicia recently published a report in June 2023 highlighting this phenomenon, focusing on how one particular corporate landlord and its subsidiary have purchased many foreclosed homes for rent in North Minneapolis and other parts of Hennepin County over the last decade.

> *"These corporatized landlords...are very savvy in the ways that they interact with tenants and provide themselves cover."*
> *– Housing provider / advocate*

Participants provided additional reflections about how and why this pattern is harmful for low-income renters and their risk of involuntary displacement. First of all, in many cases the corporate landlord does not have close ties to the region. They contract with a separate property manager, so there is often a lack of context about the history of the neighborhood or ties to the community. The interaction is much more transactional rather than relational. This can contribute to a lack of accountability and healthy or productive two-way communication. Secondly, participants spoke of profit being the chief motivation of these types of landlords rather than providing safe and sustained housing for their residents, so patterns occur such as all current residents in a building not getting their leases renewed, and the landlord seeks to hike up the rent and gets a new batch of renters to pay the higher rates.

> *"To be able to track who actually owns properties... when tenants do feel empowered to organize or to speak up for themselves, who do they speak to? It's really hard to, in some cases, judge who is the actual owner of the property that you're living in."*
> *– Housing provider / advocate*

C. Mom & pop landlords: The situation of so-called small "mom & pop" landlords is often distinct from larger ones. This type of landlord tends to own 1-4 buildings at the most, each with 12 or fewer units. Participants shared how these landlords tend to have very thin profit margins on their properties. They may not have access to legal advice nor extensive knowledge of housing law themselves. Often, they may be seniors and/or are living on a fixed income themselves.

> *"I feel like the mom and pops, some of them get themselves into a little bit more of a hole because they've maybe been super flexible upfront. And now someone might owe them a lot of money. At times my heart goes out to them as well, because they've understood that humans need a home and they valued that over the revenue that they were hoping to make or to even break even with their home or their unit."*
> *– Housing provider / advocate*

Participants spoke of how a small-scale landlord may try to be more flexible with a tenant about rent owed, especially at first and especially if they have trust or communication with that individual or family. However, once the financial pressure becomes too great, the landlord may not be able to absorb the loss and still pay their mortgage(s) and/or taxes. They may seek to take some kind of immediate action to evict the tenant, whether formally through a writ of eviction or informally through phone communication about lease termination or other means. Some participants shared that lockouts are a more common action for this type of landlord. In addition, because mom & pop landlords tend to take on more of the unit

> *"The mom-and-pop landlords; folks in general have had better relationships with [tenants]...but as the ecosystem has continued to evolve, that's become less and less."*
> *– Housing provider / advocate*

maintenance themselves, participants shared that the landlord may defer needed repairs or can be reluctant or unable to afford paying professionals to perform needed building maintenance, leading to less livable units and contributing toward the likelihood of involuntary displacement due to unit conditions. Lastly, anecdotally there is a sense from some that mom & pops may be less flexible or understanding with tenants since the end of the moratorium.

D. Affordable housing providers: Participants shared how many nonprofit providers of deeply affordable housing are experiencing increased financial strain since the start of the COVID-19 pandemic. During the eviction moratorium, these providers experienced significant loss of revenue and increased wear and tear on their units, as tenants were in the home more frequently. Deferred maintenance was reported as a pattern among service providers, both for cost reasons, volume of requests, and in some cases a backlog due to the period in early COVID when landlords and maintenance staff avoided entering units to deter spread of the pandemic. In addition, tenants' experiences with job loss or having work hours cut, mental health, and substance use reportedly increased during this period as well. Of course, these pandemic-era challenges have negatively affected many stakeholders, including many different types of property owners and property owners. However, due to the unique financial position and revenue model of nonprofit housing providers, this myriad of challenges related to the pandemic and/or effects of the moratorium is reportedly straining the sustained operation of some housing providers.

> *"The eviction moratorium resulted in a lot of lost revenues from rental income, because people were unable to or didn't pay rent. At the height of the pandemic, people weren't able to go into units to make necessary maintenance, and repair to do maintenance and repairs. So, there was a lot of deferred maintenance on properties, there was a lot more wear and tear on units because people were home all day, every day…The combination of those things resulted in an operating loss for housing providers that they haven't been able to recover from…We have to better set up providers for success from the outset. We can't ask them to do so much on such thin margins [for what is needed] in deeply affordable housing."*
> *– Housing provider / advocate*

E. Numerous rules, regulations, jurisdictions, and practices: We learned that there is a patchwork of different regulations on landlords and property managers at city, county, state, and other levels. What's more, different housing agencies and providers in Minnesota have different rules about who is eligible for their services, who is prioritized, how much they're eligible for and for what length of time, and so on.

> *"What are the expectations for the government jurisdictions in which those properties are doing business? I think that we have right now a real patchwork. What are those [common] expectations? There aren't any. …In fact, very few [cities] have rental licensing, even if they do, they may not really have the staff to fully follow up on that."*
> *– Housing provider / advocate*

V. Common Landlord Actions

A central question we sought to better understand through this project was how widespread of an issue involuntary displacement is in our state, as well as people's perceptions of whether and how the phenomenon has changed or evolved in recent years. Although tenants mainly described their own personal experiences with displacement rather than broader patterns, most other project stakeholders reported anecdotally that they perceive an overall increase in the ***number*** of involuntary displacements that seem to be happening among those they work or partner with, as well as an increase in the ***kinds*** of tactics being used by landlords to force tenants from their homes without a formal eviction filing.

> *"The vibe I've gotten from community members, and from those working with those people directly; it's almost vindictive, like now that the moratorium is over, there's almost a 'gotcha'."*
> *– Housing provider / advocate*

> *"It does seem like ever since the eviction moratorium ended, property managers are really seeming to be a little bit more aggressive on [lease termination], even just with maybe a partial month due or just within that same month rent still due; not even having multiple months of back due rent."*
> *– Housing provider / advocate*

Many participants shared that the most frequent issue that leads to displacement or eviction is nonpayment of rent / back rent owed, which is further explained in the earlier sections of this report that highlight current trends and barriers in the housing system and external environment as well as the challenges tenants face. Although evictions as a result of nonpayment alone are legal in Minnesota since the end of the eviction moratorium, it is important to note they are connected to and fueled by this much larger and worrisome set of trends surrounding displacement. In addition, participants are reporting that in recent years, tenants are being evicted for much smaller amounts of back rent or utilities owed, in some cases for less than one month's rent and/or one month's utilities.

Through our conversations, the most frequently mentioned landlord action was termination of lease / nonrenewal, followed by problems with maintenance or repairs in the unit and landlord intimidation, hostility, or retaliation. A fourth action that was frequently mentioned was the landlord charging tenants different kinds of fees. Although the remaining landlord actions on the list below were less frequently named by participants ("Cash for Keys", increases in rent, turning off utilities and/or lockout, a lack of a written lease agreement, and deliberate exploitation), several of these actions have surfaced from other sources such as the two recent CURA (Center for Urban and Regional Affairs at the University of Minnesota) reports already referenced.

> *"It seems like the atmosphere has shifted to the point where [landlords] are just willing to displace folks, as opposed to working with tenants--in some cases, long-time tenants. Treatment in this atmosphere has become a lot more aggressive...the threat of displacement has become the main emphasis [from] property management...It's what I continue to see in the ecosystem."*
> *– Housing provider / advocate*

A. Nonrenewal of lease: Through project conversations, 12 participants explicitly identified the most common landlord action to remove a tenant as a nonrenewal of lease. For the purposes of this project, we are referring to "nonrenewal of lease" and "early termination of lease" as one phenomenon since the difference is mainly technical. Also, most participants spoke of both in the same breath, and both involve some kind of communication, initiated from the landlord, that the lease is being terminated, but is not a formal eviction filing / a written notice to vacate. This communication sometimes takes place verbally, via text, via email, or via a lease termination letter, but regardless, to the tenant, the message is the same.

> *"I would say at least 25% of my clientele are people who were victims of nonrenewal of lease."*
> *– Housing provider / advocate*

A nonrenewal or lease termination notice can feel like a particularly abrupt or unanticipated action to a tenant who is in a month-to-month lease arrangement, when a tenant is not proactively tracking the end date listed in their lease agreement, or when a property unexpectedly changes ownership. Generally, a landlord does not need to give a reason for nonrenewal. However, a landlord cannot legally discriminate when not renewing a lease, nor use nonrenewal as a form of retaliation against the tenant. The stories we heard about nonrenewal of lease were in direct response to the tenant asking for repairs, questioning fees and lease terms, issuing complaints to authorities about the landlords, and/or the tenant communicating and organizing with others. These examples point to ***retaliatory nonrenewal*** as a common cause of involuntary displacement.

> *"When they [tenants] calculate the stress involved, and the fact that you're not going to have representation, and with all of these other things that start to kick in mentally, well, they're [the landlords are] going to have the upper hand anyways. We're in a landlord friendly state...People will choose, right, wrong, or indifferent to just bow out and say it's not worth it."*
> *– Tenant*

Two things stand out when tenants and providers discussed nonrenewal of lease. One, the average person might assume that when a tenant knows and understands their rights, they may then possess more power, tools, and leverage, and thus, a greater likelihood of avoiding involuntary displacement. But in these examples, the opposite proved to be true; the tenant knew their rights and tried to take action to be able to stay in their home, but in the end, it prompted the landlord to displace the person or family. Two, we heard numerous stories of the tenant packing up and leaving immediately after learning that the landlord planned to terminate or didn't wish to renew their lease. This illustrates how a nonrenewal has the same outcome as a formal eviction notice, even when tenants know their rights. Many tenants would rather move than fight for a unit in which they feel unwelcomed.

> *"We'll get someone into our office very panicked because they just received a text message or a phone call or some kind of communication from their landlord, asking them to move out. It's not saying that they're going to be evicted…and [the tenant is] not knowing that it's not a formal notice. But there's a group of folks that just quickly pack up their things and get out of there to avoid confrontation."*
> *– Housing provider / advocate*

B. Refusal to make repairs: The issue of deferred maintenance and/or the refusal to make repairs was mentioned explicitly by 10 participants; both tenants as well as housing providers and advocates. This landlord action was characterized as significant repairs that affect the unit being livable and safe, with specific examples named as, for example, a broken refrigerator, a nonfunctioning A/C unit or furnace, widespread mold, pest infestations, lead or asbestos, or failed plumbing—rather than more minor or aesthetic repair issues such as wall damage, door scratches, or the need for repainting. According to participants, these more major repair and livability issues are a frequent driver of displacement. This is reinforced by the CURA LIDA report as well as general HOME Line estimates that in a typical year, 5,000 calls are about refusal to make repairs. According to participants, this landlord action is often deeply intertwined with landlord intimidation and/or retaliation. Tenants shared personal stories of their landlord taking action to displace them directly after (or as a direct result of) the tenant's repeated requests for needed repairs, or after the tenant filed a complaint with the City about the failure to make a repair. In Minnesota in a typical year, less than 500 cases are put into escrow for the failure to make legally required repairs and maintenance to units, which further alludes to hesitation on the part of many tenants to take action due to landlord intimidation and/or fear of the landlord retaliating. The problem of livability of units, deferred maintenance, and refusal to make repairs was named as a huge influence that can prompt involuntary displacement, as further illustrated in the quotes and examples on the next page of this report.

> *"Another thing we saw during the moratorium was property owners not making really significant repairs. So, not just repainting or wall damage or something like that, but things like not repairing a broken fridge or A/C unit or furnace. Things that are basic for someone to be able to live there safely. This was happening for all sorts of reasons; it's complex."*
> *– Housing provider / advocate*

The issue of repair and maintenance is complex, however. One participant shared how, in cases where an entire rental building is found to be in significant disrepair, the City may pull a rental license or the fire marshal may declare the building legally uninhabitable. Although not a landlord-initiated eviction action per se, this has the effect of displacing all current residents of that building. Other participant shared how high rental arrears have become an obstacle to some landlords' cash flow and their ability to invest money into making timely repairs. All in all, the prevalence of this issue cannot be understated, even with the complexity of why it is happening and how to potentially address it.

Stories and examples of deferred maintenance and refusal to make repairs:

"[My son] has sickle cell. So, if he gets really cold, he gets super sick. If he gets really hot, he can get super sick. And...our AC broke, and he [the landlord] was gone for three and a half weeks. But he didn't tell me that he was gone or going anywhere. So the temperature of my house was 92 degrees. And so I had to take my kids and go to my dad's...The repair, the whole thing needed to be replaced...When I reported him to the City, he filed an eviction against me. [I] didn't know anything until the day before, when he sent me a text."

– Tenant

"A lot of challenges that I have with management is just not doing what they need to do as management; repairs, or even answering the phones, they close the office, and they don't come back for the rest of the day. We can't get anybody to fix leaks...So when I did contact the City, [it was after] I've been dealing with this situation for over a year...I called you [the City] because I have no one else. I can't make management fix these problems. And...the repair issue wasn't [even] my biggest issue. The pest issue was my biggest concern, and nothing has been done about that...nobody should have to live like that."

– Tenant

"I found out that there was only one maintenance guy, and there's about 280 units in these apartments, and he quit. And the management at the time, the lady in the office, she quit with maintenance. So they had to change management, they had to get vendors out here, because what they said was that they couldn't afford a maintenance crew...I don't know what kind of situation that puts us in because if there's an emergency, there is no maintenance person to call. There's nobody on site for us."

– Tenant

"She [the housing service provider] got us information about how you can complain to the city. And as soon as I did that, that's when everything started. They [had given] them a certain amount of time to get things done that they needed to get done. I received lease violations after that. I received eviction notices after that. I've received fees for violations that don't even make sense…They're trying to evict me, I guess still. So, there's a whole lot going on…I had to get a lawyer. I've never had to get a lawyer ever in my life!…I have so much evidence and pictures, and I've been to city council meetings and everything…As soon as I decide to stand up and be like, 'Enough is enough,' that's when I get treated inhumane."

– Tenant

"We get 20,000 calls a year. That year [2022], we got like 19K, but repairs are constantly one of our top three issues. Usually, they are about a quarter of our total calls. But overall, just every call, a quarter of them are repairs, and 422 statewide are being filed [in escrow] here. And it's because people are terrified of retaliation. It comes down to retaliation."

– Housing provider / advocate

"We've seen other instances of cities where they're, when they pull a license because of repair issues, then nobody can live there. And they kick everybody out. And, and so that's another example where it's like, nobody's being evicted in the formal sense. But everybody in the building is receiving a notice that you can no longer live here. And if you stay after a certain period of time, you as the tenants are violating the law. And especially for folks who are like really struggling just in terms of housing access, and housing opportunity, they don't want another dig on their record. And so that's at that point, that's when people start moving really, really quickly, because they just don't have the time to sort of focus on anything else."

– Housing provider / advocate

C. Landlord hostility, intimidation, and/or retaliation: This landlord practice was mentioned by 10 participants. Each of these terms are related but have distinct definitions. Landlord hostility refers to an attitude of making the tenant generally feel unwelcome or unsafe in their own home, such as bringing in maintenance workers at an unreasonable time of the morning or night, or suddenly being overly attentive to possible lease violations. Intimidation by the landlord is using explicit threats, verbal, sexual, or physical harassment, or coercive tactics in an attempt to compel the tenant to leave. Although at times the landlord can present this as negotiation, which is legal, (such as offering Cash for Keys or stating that if the tenant leaves immediately they won't have to have an eviction on their legal record), they are often actually practicing coercion since tenants have less power and choice in the situation. Finally, retaliation means a displacement action by the landlord in response to a tenant asserting their rights in some way, such as the example of complaining to the authorities about failure to make repairs, and the landlord responding by ending their lease. All of these behaviors occur on a spectrum from mild to extremely threatening to the tenant's ability to remain in the home. Participants shared how all three of these landlord attitudes and behaviors—hostility, intimidation, and retaliation–are often followed by a termination of lease of a perceived "problem tenant". In many cases, the landlord's intimidation and the tenant's fear of retaliation are reasons tenants do not advocate for their legal rights or negotiate a different outcome to their situation.

> *"Some of these folks actually speak up to management to do right by them as far as what's on their lease, filling work orders, and things like that. We just see a lot of different tactics that landlords tend to use to dissuade tenants for speaking up for themselves. We see a lot of intimidation tactics."*
> *– Housing provider / advocate*

> *"I always tell people I agree with you; you are probably being retaliated against. But what evidence can you present to a judge that will convince them? Judges do not want to enforce [against] retaliation in this state."*
> *– Housing provider / advocate*

D. Predatory fees: Nine participants spoke of how they are observing or experiencing an increase in the amounts and types of fees that landlords are charging tenants. These include both fees on the front end of an arrangement (such as application fees, lease fees, holding fees, and double deposit fees) as well as fees during the course of an active lease agreement (such as monthly administrative fees, trash fees, and amenity fees), and finally fees that are incurred related to nonpayment or back rent owed (such as very high late fees, interest and finance charges, and so on). Some of these fees are illegal or exceed what is legally allowed (such as a maximum percentage of late fee amount that can be charged), but tenants or landlords or both may be unaware of the law. In other cases, the landlord may be charging fees as a deliberate tactic to deter the tenant from staying in the unit, knowing that the tenant will be unable to pay. Overall, fees were a particular and common cause of consternation among both tenants and housing providers/advocates.

> *"We recently had an applicant who was being charged $50 a day in late fees and she had essentially paid [the same amount as her] rent. So, it was essentially double rent. She had paid the equivalent of two months of rent in late fees but could not get caught up because all of her income was going to late fees."*
> *– Housing provider / advocate*

E. Cash for Keys: "Cash for Keys" refers to landlords offering money to incentivize tenants to leave as quickly as possible, which is frequently deployed as a tactic in order to deliberately avoid the cost, hassle, and time of a formal eviction filing. We heard about this action mostly from providers, whereas renters spoke more about refusal to make repairs, hikes in rent, landlord intimidation, retaliation, and fees. The prevalence of Cash for Keys is a difficult action to quantify. Many landlords and tenants can see this arrangement as mutually beneficial to avoid eviction court and its costs. In some cases, the eviction filing may have already occurred, but the hassle and time-consuming process compels the landlord to incentivize the tenant to instead leave immediately.

> *"And instead of even filing a formal eviction and going to housing court, the landlord may say, 'I'll give you back your security deposit,' or give you this lump sum of money to just turn over possession of the unit."*
>
> *"I have people in my network anecdotally that were like, 'I was behind on rent. I got filed on; I got told I had a court date for five months out. My landlord was like, 'I will pay you to just leave now. Forget the court date, I'll give you your security deposit back plus $1,500 to just go'."*
>
> *– Housing providers / advocates*

F. Hikes in rent: This landlord action was identified by 6 participants, and it was characterized as extreme or significant increases in the monthly rent amount. What we heard from tenants and providers was that rent hikes happened in various contexts, from unit "improvements and upgrades" to property ownership changing hands, to the wholesale stoppage of acceptance of a financial voucher program. What all of these increases have in common was the motivation of the landlord to get the existing tenant(s) to leave. This landlord action, combined with the practices mentioned earlier such as excessive fees and rental property being bought and sold by larger companies and developers, illustrate the central motivation of profit. For many landlords, there is no incentive to keep their properties affordable and preserve affordable housing options for future tenants. Renters are faced with fewer options and higher rent as landlords maximize their profits. The laws and practice around what is allowable for rent increases can be opaque for both tenants and landlords.

> *"And they were slapping dishwashers in there that didn't exist prior [and] the new people were going to [have to] pay $1100. Our rent was about $700 at the time for the same unit. So 96% of those people were gone within one year, and that was the plan."*
>
> *– Tenant*

G. Turning off utilities and lockout: This landlord action was mentioned by 4 participants. In many of these cases, the landlord is forcing the tenant to leave immediately, and without proper notice. This can consist of changing the locks, removing the tenant's belongings, or contacting the utility company to turn off the heat or air conditioning. Also, in a less extreme case, the landlord has access to the building's wifi connection and deliberately turns it off. These are the tactics of the hostile and retaliatory landlord. We heard from

> *"I do get a lot of calls from the classical lockout situation where the landlord says, I'm changing the locks. You can't stop me, it's my house.' This does not tend to be the practice of larger more corporatized landlords. This is the practice of mom and pops."*
>
> *– Housing provider / advocate*

providers that although the ***threat*** of turning off utilities and lockouts do happen and are of course illegal without following the proper legal notice and steps, these illegal threats are not always followed through to actual lockout.

H. Lack of written lease agreement: This action was only mentioned by 3 participants, but it is an intriguing phenomenon as it is very difficult to track and monitor and thus, its prevalence is unknown. The tenant is unlikely to seek social services or legal assistance in these cases, knowing that they don't have the paperwork in place to legally occupy the unit and thus wouldn't typically be able to access help. Immigrant communities and non-native English speakers were named as the most vulnerable groups to have rental "agreements" with no written lease. In addition, participants spoke of situations where a relative or friend may be the actual lease holder or the owner of the unit.

> *"When you're living with someone else at their whelm; there's no lease in your name, there's no mortgage in your name. And because of your lack of income, you can't get those things. So, it's always problematic. And yeah, it beats sleeping out in the street or being homeless, but it is not a comfortable situation by any means."*
> *– Tenant*

> *"In my old place, I took over somebody's lease. And then we came to the end of the lease in July of last year. And I'd had conversations [because] I wanted to get a lease in my name and rent. They assured me that they were going to do that. Long story short, they never did. We ended up going to court...and then...he gave me seven days to move out the week of Christmas...Yeah, it's just that instability and not being sure about where you're going to lay your head."*
> *– Tenant*

I. Deliberate exploitation: Several providers spoke to the landlord practice of exploitation. Whereas exploitative practices are not necessarily in and of themselves an action of forced displacement, they contribute to overall housing instability of vulnerable populations and can be among the tools of landlord intimidation. Providers discussed how landlords actively look to and recruit to vulnerable and low-income communities to rent subpar and dilapidated units because these renters frequently have no other option.

> *"He [the landlord] would show up at housing court for folks who are just evicted, and say, 'I'll give you somewhere to live'. Totally fine with offering crappy housing to desperate people; that was the model. Because people who couldn't find anywhere else to live were going to take where they could go."*
> *– Housing provider / advocate*

In addition to the nine categories of landlord actions identified in the list above, participants also shared a pattern they're seeing in terms of increased barriers to entry at the approval stage. Among these are the "front end" fees referenced earlier, which are being charged at the rental application phase as a further means of profiting from desperate applicants. These funds are often nonrefundable. In addition, several participants spoke of the increased use of credit checks to screen potential renters, sometimes without the explicit permission of the applicant to run the credit check. One participant also mentioned an increased landlord practice of charging a "double deposit" (two months' rent up front plus the security deposit). While these front-end barriers don't

> *"With the recent changes of having [an] eviction on your record…expunged, having them taken off. Now they're like, well, then we'll just start running credit checks instead. So, they're trying to add more barriers on to getting somebody approved."*
> *– Tenant*

directly contribute to forced displacement, they are worth mentioning in this report because they illustrate the level of competition, scarcity, and desperation for housing that many tenants are increasingly experiencing, and the common landlord tactics that are being increasingly practiced as a result. And as the CURA LIDA report had noted, sometimes the fees and deposits charged on the front end of a rental arrangement can end up being related to involuntary displacement at the end, when a tenant is being forced to leave and is feeling threatened or powerless while also trying to get their deposits back.

VI. Opportunities for Positive Change

We heard throughout the tenant and provider interviews a myriad of potential solutions to reduce the likelihood of involuntary displacement and strengthen tenant protections. Stakeholders also spoke to broader fixes to a "broken" housing system and ways to focus on wealth building to narrow the racial wealth gap that contextualize forced evictions. While there was majority view that involuntary displacement is an urgent and growing problem, there was not consensus among stakeholders of the most promising potential solutions. The Minnesota ERASE Campaign is particularly interested in five of the named solutions, described below.

1. Increased awareness and enforcement of existing laws

   Stakeholders identified that due to the myriad of system level barriers, the challenges facing renters, and the actions that landlords are deploying, the current infrastructure to ensure housing stability for low-income Minnesotans is simply not sufficient. Thus, it is critical to **increase public outreach, monitoring, and enforcement of existing tenant protection laws**. Chief among these concerns and examples were about livability standards and conditions. By law, a landlord must maintain a unit free of health and safety hazards as well as keep it in good repair. What we repeatedly heard from both tenants and providers were stories about tenants living in dilapidated units with mold and other health and pest hazards. Stakeholders told of unlicensed landlords, handshake rental agreements, unmet promises, incompetent vendors/contractor, and unscrupulous actors. Better enforcement of current laws includes city inspections of properties to ensure livable conditions, monitoring landlord retaliation practices in protecting tenant's rights to organize, and enforcing failure to comply with source of income (SOI) discrimination laws. Related, the most recent legislative session saw changes to the eviction process effective in 2024, including right to legal counsel, a 14-day eviction notice, and eviction expungement, all of which may further improve tenant protections if monitored and well implemented and enforced. At this point of the qualitative study, it is too early to determine the legislation's impact.

2. Full funding to meet increased needs in affordable housing

   A second solution identified by participants is the need to **increase the amount of funding and resources available to implement existing programs.** This relates to the strategy about enforcement of existing law, since improved enforcement also requires more financial resources. In particular, participants recognized that legal aid work is stretched too thin and requires more funding in order to serve people effectively when the threat of eviction arises. And others identified that rental assistance is not nearly covering the amounts of money and number of families who currently need it. Application delays,

denials, and inadequate assistance amounts are currently rampant in the system. For example, a tenant participant pointed out that some existing legal aid programs and resources require the client to already have an eviction letter in hand to be eligible for services, and by that point, the situation is far advanced. Others lamented the slow speed of emergency rental assistance, which sometimes doesn't arrive in time to forestall displacement. A specific suggestion was to use the proof of application and/or approval for emergency rental assistance to require forestalling a planned eviction, even if the emergency funds are still in process. According to participants, increased resources, staffing, and funding would enable the system to meet needs more quickly and effectively. Of course, the funding gap is not an easy problem to solve, and it comes down to political will. It also extends beyond the scope and subject of involuntary displacement as a specific issue. However, prevention of tenant displacement is deeply intertwined with and dependent upon the successful deployment of services, funding programs, community outreach and education, legal assistance, and enforcement of protections.

> *"I just think to wait until it gets to eviction is a risk because you can still be put out, and then you'd have a UD on your name...if you're waiting to the last minute. They need to have programs if they truly want to alleviate this problem, where you can keep your housing to ensure you're not even in that position."*
> *-- Tenant*

3. <u>Support for tenant organizing, advocacy, and education</u>

Participants spoke about **supporting tenants' right to organize, advocate for themselves,** and/or form a union. Since the time of these interviews, the 2024 Minnesota Legislature did adopt legislation to protect tenants' rights to organize in April 2024 (as part of the Tenant's Rights Policy Bill, SF3492/HF3591). This new law also includes protection for tenants from landlord retaliation when they assert any of their own rights or assert themselves on behalf of others. This is significant because it speaks to what participants highlighted in terms of instances and examples of landlord retaliation and the need to protect and support tenants from this landlord action. In addition to this new law, participants also spoke of organizations and networks supporting more avenues and options for tenants to understand their rights and to access legal assistance. One participant suggested that agencies staffing community justice workers is typically (i.e., someone deeply rooted within the community that is not a lawyer but develops generalized knowledge on affordable housing, tenant rights and choices, and housing law and shares information to the community in plain language) could be an effective way to amplify efforts to educate community members on their legal rights and options. Another stakeholder referenced tenants' need for greater understanding of the terms and implications of a written lease. Better understanding leases on the front end can help tenants have more agency in the relationship and can help mitigate the potential for displacement later. Both of these suggestions were specific examples of how to increase and bolster education of tenants on their rights and options.

> *"Even with the current laws that we have, we don't have the infrastructure to ensure that tenants are aware of their rights. We as an organization, we're always doing tenants' rights and advocacy, and there's not enough resources."*
> *-- Housing provider / advocate*

Some stakeholders shared their existing strategies of organizing and educating renters through workshops, tabling, and door knocking. While some degree of programming and outreach to educate tenants on their rights is already being practiced, as well as legal aid support, participants shared that the funding and infrastructure are insufficient for the demand for these services. More creative and robust avenues are needed to support tenants to advocate for themselves. Ultimately, this work is about shifting the balance of power toward people most impacted (and harmed) by housing instability.

> *"Make sure that a robust network of community organizers, legal advocates are being resourceful to be able to work with people."*
> *– Housing provider / advocate*

4. Prioritizing a human-centered, compassionate approach to delivering housing supports

A fourth theme on strengthening the infrastructure, according to participants, is to **support trauma-informed and culturally responsive approaches to delivering housing assistance**. Impacted tenants shared numerous experiences of being treated with impatience and without or compassion or being dismissed when they ask for help clarifying a requirement, how to fill out a form, or what steps to take to navigate the system correctly. Often, this treatment is by staff who lack lived experience of housing instability. Stakeholders felt strongly that, at a minimum, every person who tries to access housing resources must be treated consistently with dignity and respect. In this most recent legislative session, policy changes were enacted to require the Minnesota Housing Finance Agency (MHFA) to deliver emergency rental assistance in a way that is culturally responsive and trauma-informed, so that is one step, but more work needs to be done to put that work into action.

> *"Not just saying "trauma informed", but also defining what that means. Because, like a lot of phrases, it can really quickly get watered down and take away that accountability. And so, what does it look like for a system or for a person working within a system to be treating people with dignity or to be responding the way you need them to, rather than the way a lot of them currently are?"*

Stakeholders shared that a human-centered system also requires better coordination between and among agencies and jurisdictions. One of the questions we used was, "If you had a magic wand to change the housing system, what would you do?" Consistently, both providers and tenants said they wanted to see greater efficiency among agencies and resources to give and receive assistance in a timely manner before individual situations became a crisis. A way to do this, according to some, was to reduce the "patchwork" of widely varied eligibility, rules, priorities, and processes among the many service providers. In addition, people named the tensions around state and local

> *"Everybody has different rules, different expectations… Even when the contract is there, that accountability, it's up to the tenant. Some of us are working already two or three jobs to make ends meet. So we don't always have the time to sit there...[and] there's no set contract that every apartment [has to] have."*
> *– Tenant*

> *"At a state and a [local] agency level…they both have their own rules. So every agency is different, some are easier to work with than others."*
> *-- Tenant*

jurisdictions, as different levels are advancing very different policies. A common theme that arose in the interviews was the necessity for greater communication, coordination, and alignment between municipal, county, and state housing and resource systems. Specifics on this were not offered, but it is striking that it was a common sentiment among both tenants and providers.

5. Just cause legislation at the state level

The last solution that the Minnesota ERASE Campaign found especially intriguing was a recommendation from participants to **amend current eviction state statute around Just Cause**. This action came up from several stakeholders most familiar with policy and tenant organizing as a tool to prevent displacement and promote tenant stability. Simply, Just Cause requires a landlord to inform the tenant in writing of the valid reason that their lease is not being renewed. Currently, Minnesota law does not require a landlord to state why a lease will not be renewed after the end of the rental period. Just Cause protections are designed to prevent arbitrary, retaliatory, or discriminatory forced evictions by establishing that landlords can only refuse renewal to tenants for specific reasons and must provide documentation and written basis to the tenant of the nonrenewal. Under this scenario, specific conditions would be named that constitute allowable eviction. A landlord would need to establish just cause before giving a renter a notice to vacate and would identify the reason for nonrenewal or termination of lease; ensuring that the basis is one of the allowable just causes. Just Cause policy would offer protection against the landlord – tenant power imbalance and address what we heard from stakeholders around retaliatory non-renewal.

> *"I think there's a way to continue to explore how to structure a Just Cause Eviction policy…[so] that there is not a way for people to just ask people to leave for no reason."*
> *-- Housing provider / advocate*

> *"Wanting to support local jurisdictions…so that the local jurisdictions aren't taking on alone…such a threat of the landlord lobby, threatening to sue the city, like Brooklyn Center's experience in their time having the [just cause] policy on their books."*
> *-- Housing provider / advocate*

6. Additional ideas

In addition to the five solutions that the Minnesota ERASE Campaign finds to be of interest, participants surfaced numerous other ideas during the discussions. Ideas ranged from addressing illegal and/or excessive fees being charged to tenants (such as administrative, trash and utilities, amenity, convenience, holding, lease, deposit fees, and late fees beyond the legal limit), to creating more interim steps or actions at the "upstream" or pre-eviction stage (beyond the new 14-day notice of eviction rule) to allow tenants more time to explore their options, understand their

> *"[If] the landlord would establish any fees, additional costs; that should be [listed] on the first page of the contract. Not until the last [page]. If you're going to use an app to pay your rent, you should include that information on the front, [for] if your rent is past due, what is the amount you're going to charge? If you want to have an inspection…and the tenant fails to be in the apartment, are you going to charge them a fine?...Give them the awareness [of] these things that could lead them into an eviction."*
> *– Housing provider / advocate*

rights, try to pay their arrears, seek legal assistance, and/or make arrangements to find new housing. In addition, stakeholders spoke of specific programs that could be put into place or expanded on. One of these ideas was a Landlord Report Card, which would require a landlord to publicly disclose information about their rental ownership history and past complaints and court cases, or could highlight lists of "good" landlords who have a reputation for working honestly and in partnership. Another of these ideas was to expand the existing Landlord Risk Mitigation Fund program currently being piloted by the MHFA. All types of project participants named the problem of inequal power dynamics between property owners (and property managers) with tenants. As such, many of these potential solutions were about increasing the power and set of options that tenants could have, as well as ways to prevent harmful landlord actions that lead to tenants becoming displaced.

> *"Renters, we do go through a lot of screening. Why don't we do that reverse? Why doesn't a landlord have to have a score that talks about how many complaints they have, how many evictions they file…We should be able to know information about them before we decide we want to give them our money, too. I don't think that that's an unreasonable request."*
> *-- Tenant*

Lastly, participants emphasized the need for solutions to the urgent problem of rising rents across the state, low supply of deeply affordable housing, and their impacts. There are various debated solutions to this problem, from rent stabilization, to increasing incentives to build affordable housing, to taking steps to safeguard the affordability of existing housing. Although there may not be agreement on the optimal way forward on this issue, stakeholders agreed that the rental cost burden speaks to the heart of the housing crisis and must be addressed.

> *"One of the biggest things is the rent stabilization…Probably three or four or five years ago, we had a case where, [in] a building in Uptown, the landlord decided to increase [by] $100 and then only six months later, he decided to increase [by] $500 [more]. That is a lot."*
> *-- Housing provider / advocate*

Implications & Conclusion

At the end of this process of engaging and learning from affordable housing stakeholders, we can affirm that the project was able to advance its goals of bringing the critical issue of involuntary displacement to light, gaining an understanding of the key factors and experiences at play in the issue, and exploring potential solutions.

There are perhaps three fundamental takeaways from this work. First, given the challenge of lack of documentation around extrajudicial evictions, it has certainly been difficult for advocates and policy decision makers to understand the prevalence and trends around the issue, and this project's stakeholders articulated this challenge. Clearcut data does not exist on where involuntary displacement is happening in Minnesota, the extent of the problem among vulnerable communities, and how that problem has grown over time. However, in conversations across the board, stakeholders anecdotally observed an increase in involuntary displacements since the end of Minnesota's eviction moratorium. Stakeholders are seeing this issue rise in our state and reiterating that it needs to be addressed. This is important because the lack of

data may obscure the urgency and timeliness of this involuntary displacement. By the time the full extent of the crisis is well understood, it may be too late for many families. This reinforces the need to continue to listen and respond to those most impacted by the issue in real time, as much as possible.

Secondly, it is important to note that this project engaged an extremely diverse set of stakeholders—from impacted renters to housing organizers, from direct service providers to coalitions of organizations, from housing advocates to those who implement policy and support the housing ecosystem as a whole. However, the scope and scale of the project was relatively small, drawing upon previous research and speaking to 32 individuals over a three-month period. As such, while the report illuminates many dimensions of this issue and how to solve it, there is not yet consensus on precisely how to move forward. This qualitative research should be considered a first step; more dialogue and discussion of solutions—including testing out and vetting the most promising solutions—is a critical next step. It's recommended to explore hosting a broader convening of stakeholders to continue to advance this issue. Based on this report, the Minnesota ERASE Campaign has now begun early discussions of how they and their partners may prioritize among these solutions, particularly the five highlighted in Section VI of this report.

Lastly and closely related to the second takeaway is the importance of situating the problem of involuntary displacement in a broader understanding of structural oppression and racism. The implication for this work is to better uncover, understand, and address power imbalances between tenants and landlords at the individual level, and between impacted communities and the systems intended to serve them at a structural level. Since this is a complex and multi-faceted issue, solutions must be multi-faceted as well. This means that there is no single or silver bullet solution. Rather, a combination of community-centered and policy solutions should be deployed, along with stronger enforcement and increased funding. On the community front, actions to support the self-advocacy and self-determination of tenants is critical. On the policy front in the short-term, it is recommended to focus on solutions that directly address and ameliorate involuntary displacement, such as just cause at the state level and increasing protections against landlord retaliation. This can be paired with more attention to preventative measures in the medium and long term, so that fewer tenants are confronted with situations of involuntary displacement in the future.

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Appendix 1: Project Participants

Mayra Avila, Housing Justice Organizer, West Side Community Organization (WSCO)

Walter Battle, renter and board chair, Housing Justice Center

Brian Bosire, Program Manager, African Career Education & Resource, Inc. (ACER)

Jordan Boyum, Senior Housing Advocate, Three Rivers Community Action

Kirstin Burch, Program Director, Family Housing Fund

Katie Dillon, Director, Align Minneapolis

Michael Giovanis, renter and Co-Founder, Lived Experience Advocacy Network (LEAN)

Bridget Glass, Housing Locator, Prism

Elizabeth Glidden, Deputy Executive Director, Minnesota Housing Partnership

Meagan Hernandez, Family Development Director, Mahube Otwa Community Action Partnership

Allysen Hoberg, Program Director, Prism

Margaret Kaplan, President, Housing Justice Center

Sandy'Ci Moua, property owner

Ruth Paradise, chair, Golden Valley Affordable Housing Coalition

Rinal Ray, Assistant Commissioner, Minnesota Housing

Juan Luis Rivera-Reyes, Coalition Organizer, The Alliance

Nelima Sitati Munene, Executive Director, African Career Education & Resource, Inc. (ACER)

Linda Soderstrom, renter and board member, Housing Justice Center

Daniel Suitor, Housing Attorney, HOME Line

Nancy Urbanski, Program Manager, Minnesota Housing

Additional impacted renters who participated (last names omitted): Alexis, Amanda, Elizabeth, Janita, Jewelean, Maria, Marian, Marlena, Mike, Ranee, Shirley, Thandisizwe

Appendix 2: Interview & Focus Group Questions, Combined

1. What about your current housing situation do you appreciate and enjoy the most?
2. For you, what has gotten in the way of that?
3. Have you faced any issues or challenges with your landlord (current or past)? What has that looked like?
4. Can you describe specific examples where you felt unheard or unwelcomed in your interactions with your landlord?
5. Have you ever experienced or witnessed landlord pressure to move out as a tenant? What has that looked like?
6. Did you report these landlord actions or behaviors to any authorities or organizations? [if so] Who did you report it to, and what was the outcome or response?
7. Please discuss a situation where you felt forced or pressured to leave your home. How did the landlord communicate with you during this time?
8. Did you seek support when this happened, for example, legal advice, financial help, or other assistance?
9. Which specific resources, organizations, or services have you found helpful in addressing these challenges?
10. Besides the support you sought out, how have you overcome challenges or threats to stay in your home? What steps did you take?
11. What are your rights as a tenant? [OR] In your experience, do tenants generally know their rights? Do they generally know about the supports and services available to them? What are the barriers to this?
12. How can landlords, property managers, or housing authorities better support renters in overcoming these challenges?
13. If you had a magic wand, how would you resolve these challenges to stay in your home?
14. Tell us a little about you and your work.
15. This project focuses on actions by landlords to pressure or force tenants to move, which often is not documented or well understood since it occurs outside of a formal eviction court filing. Tell us a little about your awareness of or knowledge about this issue.
16. Are you familiar with other analysis or reports that exist on this topic?
17. What trends are you seeing in pressure from landlords to force tenants to move, aside from the

formal eviction process?

18. How widespread do you think the issue is? In your perception, has it changed or evolved in recent years and how?

19. Are you seeing any demographic trends of especially vulnerable tenants?

20. How do you support tenants who are experiencing feeling forced to move?

21. The most recent legislative session in Minnesota saw some significant changes at the state level in tenant protections. Do you think these changes are helping housing stability, and how?

22. What interventions, protections, or policies would you like to see in place that would address renter stability? How, specifically, does the intervention protect tenants?

23. How can policy prioritize renter stability and reduce displacement?

24. Are you aware of legislation or initiatives that have been tried in other states or jurisdictions? What has that looked like?

25. Who else should we be talking with?