



S.A.F.E. Housing Tenant Protections

Tenant Screening Guidelines

CITY OF SAINT PAUL

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S.A.F.E Housing Saint Paul Pre-Recorded Webinar Series

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What is S.A.F.E Housing Saint Paul?

The **S.A.F.E. Housing Saint Paul Tenant Protections** are a set of new rental housing policies being implemented to support a **Stable, Accessible, Fair, and Equitable** Saint Paul rental market.

Increase
Housing
Access

Decrease
Housing
Displacement

Affirmatively
Furthering
Fair Housing

Policy Goals



ORD 20-14 Chapter 193 Section 193.04



Rights and
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Tenant Screening Guidelines 193.04

The **Tenant Screening Guidelines policy** ensures fair access to housing by creating uniform guidelines related to the use of **criminal, credit** and **rental** history in applicant screening.

Summary of new rules for owners:

Establish screening criteria that incorporates the **Uniform Screening Guidelines** that:

Limits The amount of time an owner can consider the following information when screening a potential renter:

- Evictions – 3 years
- Misdemeanors – 3 years
- Felonies – 7 years
- Specific Felonies 10 years

2. **Restricts** the use the use of the following information when screening a potential renter:

- Credit Score
- Lack of Credit History
- Lack of Rental History
- Petty Misdemeanors
- Traffic Offenses
- Juvenile Crimes

3. **Set conditions** the use of the following information when screening a potential renter.

- Credit History
- Income Standards



Let's review each piece in more detail.



Screening Criteria made available.

Current Requirements that apply: As required by MN Statute 504B.173 and Chapter 54 of the Saint Paul Legislative code, if an owner charges an application fee, the owner must disclose to the applicant the criteria that will be used to screen a prospective tenant.

New Requirement: The screening criteria must reflect the Uniform Screening Criteria established in Section 193.04.

Let's look at the Uniform Screening Criteria details.



Criminal History

X A prospective renter cannot be disqualified for any of the following:

Can no longer use:

- Arrest or Charge without a conviction
- Participation in or completion of a diversion or deferral program
- Vacated or expunged convictions
- Crimes that are no longer illegal in MN
- Convictions or determinations in the Juvenile Justice System
- Petty misdemeanors
- Traffic offenses

Limited use

- Misdemeanors with dates of sentencing **older** than 3 years
- Felonies with dates of sentencing **older** than 7 years
- Specific Felonies with dates of sentencing **older** than 10 years including: first degree assault, first degree arson, aggravated robbery, first-third degree murder, first degree manslaughter, kidnapping, first degree criminal sexual conduct.



Criminal History continued



A prospective renter may be disqualified for any of the following:

Limited use


- Misdemeanors with dates of sentencing **less** than 3 years
- Felonies with dates of sentencing **less** than 7 years
- Specific Felonies with dates of sentencing **less** than 10 years including: first degree assault, first degree arson, aggravated robbery, first-third degree murder, first degree manslaughter, kidnapping, first degree criminal sexual conduct.

May use


- Extended juvenile jurisdiction convictions
- Traffic offenses that included injury to a person
- Illegal manufacturing or distribution of a controlled substance (section 102 of the controlled substance act 21 U.S.C. 802)
- The same offenses that mandate denial of tenancy in federally assisted housing, including Lifetime sex offender registrants



Credit Score and Credit History

 A prospective renter cannot be disqualified for any of the following:

- Credit Score
- Insufficient credit history

 A prospective renter may be disqualified for any of the following:

- Relevant credit report information to the extent it demonstrates a failure to pay rent or utility bills
- Bad faith credit history withholding



Rental History and Income Guidelines



A prospective renter cannot be disqualified for any of the following:

- Eviction **older** than 3 years
- Eviction less than 3 years old that **did not** result in a judgment against the applicant
- Insufficient rental history
- Minimum income test **IF** the applicant **can** demonstrate a history of successful rent payments at a lower ratio of income to comparable rent.



A prospective renter may be disqualified for any of the following:

- Eviction **less** than 3 years old with a judgment for the landlord
- Bad faith rental history withholding
- Minimum income test **IF** the applicant **cannot** demonstrate a history of successful rent payments at a lower ratio of income to comparable rent.



Uniform Screening Guidelines

What are the Uniform Screening Guidelines?
Criteria that CAN and CANNOT disqualify an applicant.



TENANTS CAN BE SCREENED FOR:



RENTAL HISTORY:

- Rental references
- Eviction occurring within last 3 years



CREDIT HISTORY:

Relevant credit history (debt to former landlord or utility)



CRIMINAL HISTORY:

- Federal or state regulations, including:
 - Controlled Substances Act (21 U.S.C. 802)
 - Lifetime sex offender registration
- Misdemeanors with a sentencing date within the past 3 years
- All felonies with a sentencing date within past 7 years
- Select felonies with a sentencing date within the past 10 years
- See details on pg. 3

OTHER SCREENING CRITERIA:

- Income
 - Minimum income test
- ID verifications
- Other criteria defined by the landlord



TENANTS CANNOT BE SCREENED FOR:



RENTAL HISTORY:

- Evictions occurring three or more years prior
- Insufficient rental history



CREDIT HISTORY:

- Credit score
- Insufficient rental history (first time renter, no rental history)



CRIMINAL HISTORY:

- Arrests or Charges without a conviction.
- Participation in or completion of a diversion or deferral program
- Any conviction that has been vacated or expunged
- Any conviction for a crime that is no longer illegal in the state of MN
- Any conviction or adjudication in the juvenile justice system
- Petty Misdemeanors
- Traffic offenses



Enforcement

	Security Deposits	Tenant Screening Guidelines	Just Cause	Advance Notice
Section 1.05 of the Legislative Code provides that a violation of any provision of the Legislative code is a misdemeanor, punishable by a fine not to exceed seven hundred dollars (\$700.00) or imprisonment for a term not to exceed ninety (90) days, or both.	X	X	X	X
Private Right of Action Created: Any Tenant aggrieved by a Landlord's noncompliance with this section has the right to file a lawsuit in court.	X	X	X	X
Relocation Assistance: A payment in an amount equal to three (3) times the rental housing affordability limit at sixty (60) percent of the Area Median Income (AMI) for the Twin Cities. Updated annually by HUD			X	X



Have Questions or need more information?

**Visit: [StPaul.gov/SAFE](https://stpaul.gov/SAFE)
for more resources**