



S.A.F.E. Housing Tenant Protections

Overview

CITY OF SAINT PAUL

March 2021



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

S.A.F.E.
Housing
Overview

Security
Deposit
Limitations

Tenant
Screening
Guidelines

Just Cause
Notice

Advance
Notice



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



What are the new Tenant Protections? ORD 20-14 Chapter 193

Rights and
Responsibilities
Information

Security
Deposit
Limitations

Tenant
Screening
Guidelines

Just Cause

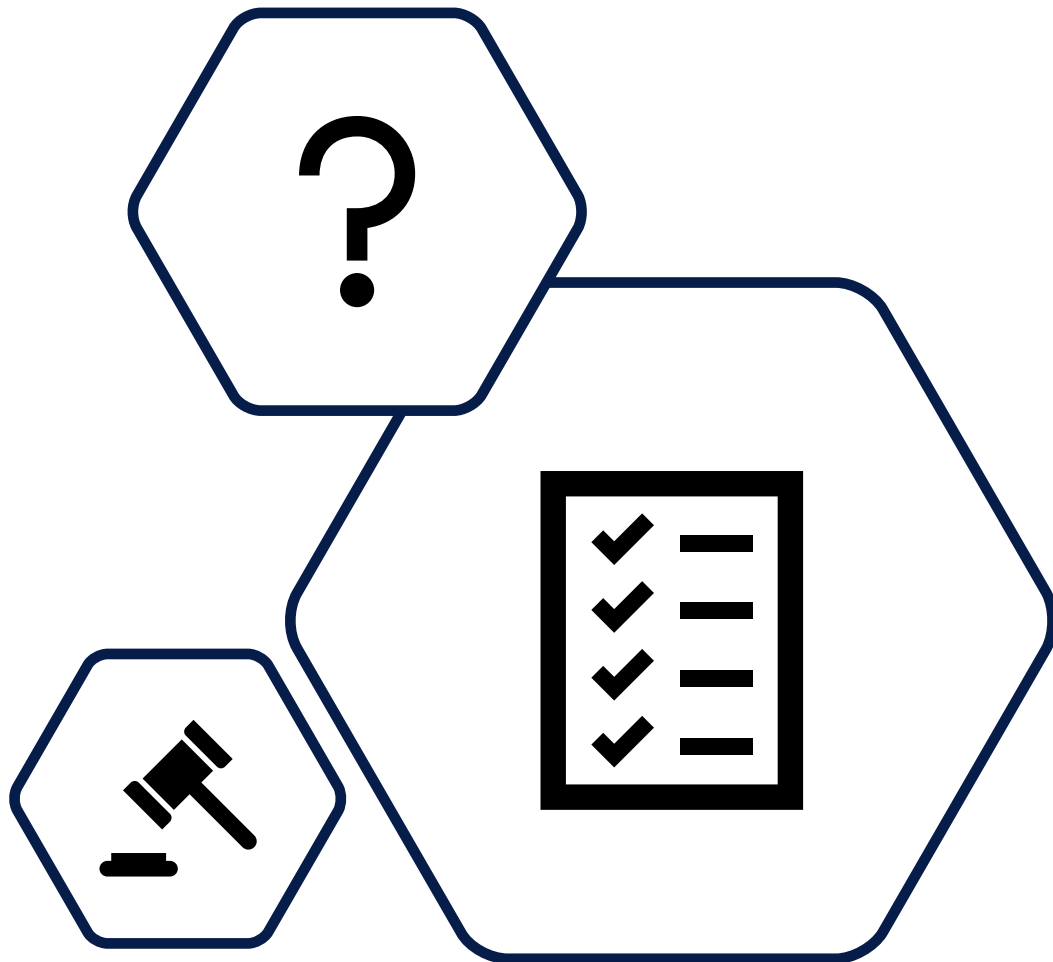
Advance
Notice



Rights and Responsibilities Information

The City will also make a **Rights and Responsibilities** packet and poster available support owners and renters in understanding their rights, responsibilities, and the resources available to them.

Coming Soon





Security Deposit Limitations 193.03

The **Security Deposit Limitation policy** ensures equitable access to housing by limiting the upfront charges related to Security Deposits and Prepaid Rent.

Summary of new rules for owners:

The Security Deposit Limitation policy establishes the maximum amount that may be charged for a Security Deposit and Prepaid Rent.

- **Security Deposit** cannot exceed One (1) months' rent
- **Prepaid Rent** cannot exceed One (1) months' rent





Tenant Screening Guidelines 193.04

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



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



Just Cause Notice 193.05

The **Just Cause Notice policy** improves housing stability by ensuring owners establish one (1) of ten (10) **Just Causes** and provide renters with written **Just Cause Notice** in order to not renew a renter's lease.

1. Nonpayment of rent

2. Repeated late payment of rent

3. Material non-compliance

4. Refusal to renew

5. Occupancy by property owner or family member

6. Building demolition and dwelling unit conversion

7. Rehab and Renovation

8. Complying with a government order to vacate

9. Occupancy conditioned on employment

10. Exceeding occupancy



Advance Notice and Notice of Sale 193.06 & 193.08

The **Advance Notice** policy supports the preservation of housing that serves low and moderate income residents and provides stability and transparency to renters of changes that may impact their homes. It ensures that a **notice of a proposed sale** be provided to the City and renter before a property that has **affordable rents** is placed on the market and new owners provide a **notice of sale** after the transfer of ownership occurs, coupled with a **Tenant Protection Period**.

- This policy applies to buildings defined below as “Affordable Housing Buildings”.
- This policy does **not** apply to subsidized affordable housing already subject to federal, state, or local rent or income restrictions that continue to remain in effect after the sale or transfer.

Affordable rent is any dwelling unit with a contract rent at or below 80% Area Median Income (AMI)



Affordable Housing Building Any rental housing building where twenty (20) percent or more of the units have Affordable rents.



Affordability Limits rent limits as defined and updated annually by HUD

| Size | 80% AMI rent limit |
|------------|--------------------|
| Efficiency | \$1448 |
| 1 bed | \$1552 |
| 2 beds | \$1860 |
| 3 beds | \$2150 |
| 4 beds | \$2400 |



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**