

March 16, 2024

Members of the Minnesota Senate Judiciary and Public Safety Committee

Re: Letter in Support of Senate File 4015

Dear Senator Latz and Members of the Committee:

We, the undersigned organizations and individuals, call on the state of Minnesota to pass the [Fair Chance Access to Housing Act](#) (SF 4015).

Housing is a human right, and every Minnesotan deserves a place to call home. However, for many Minnesotans, home is elusive. More than [one million residents of Minnesota](#) have some type of conviction history (including arrests) and, as a result, face immense barriers to accessing safe and stable housing.

Housing providers often use [background checks](#) when screening prospective tenants, excluding many people with conviction histories from securing housing. In the 2018 Minnesota Homeless Study, [29 percent of adults experiencing homelessness](#) reported that their past criminal legal system involvement has been a barrier to securing housing. This discrimination contributes to a cycle of homelessness and incarceration: people who are formerly incarcerated are [almost 10 times](#) more likely to be unhoused than the general public, and people who are unhoused are [11 times](#) more likely to be arrested due to increased interactions with police.

Due to structural inequalities and systemic racism in the criminal legal system, exclusionary housing policies disproportionately harm communities of color. While Black people make up only 8 percent of Minnesota's overall population, they make up [close to 40 percent](#) of its prison population. Further, studies [repeatedly find](#) that housing providers often use conviction histories to discriminate against Black applicants, applying different screening practices to white applicants.

Minnesota has a historic opportunity to address these inequities by passing the Fair Chance Access to Housing Act. This bill will:

1. prohibit housing providers from asking prospective tenants about their conviction histories during the initial tenant screening process;
2. postpone any background check until after giving a conditional offer of tenancy
3. limit the use of conviction history screening to specific types of convictions within established timeframes; and
4. allow prospective tenants to undergo an individualized review of their conviction histories and offer evidence of rehabilitation prior to denial by the housing provider.

The Fair Chance Access to Housing Act will establish standard practices in Minnesota for evaluating prospective tenants in a holistic, nondiscriminatory manner based on [current research](#), addressing the

widespread discrimination faced by Minnesotans with conviction histories and its outsized impact on Black residents. Not only has such discrimination been found to [violate](#) the [Fair Housing Act](#), it also goes against [best practices for tenant screening](#) from the U.S. Department of Housing and Urban Development. This bill will ensure that all prospective tenants are screened fairly and those with conviction histories receive a second chance.

By increasing access to housing for people with conviction histories, this legislation will help to disrupt the cycle of homelessness and incarceration, making all our communities safer. Stable housing is an essential foundation for rebuilding one's life after arrest or incarceration. [Research](#) shows that housing enables people to rebuild support networks, find employment, and avoid additional convictions. Consequently, this legislation will propel the successes of recent Clean Slate legislation.

Now is the time to pass the Fair Chance Access to Housing Act so that all Minnesotans can find a place to call home. To ensure safety *and* justice for everyone in Minnesota, people who have completed their sentences should be met with opportunities—not barriers—as they transition home. We request your support for this bill and look forward to working with you.

Signed,

African American Leadership Forum
All Square
Hennepin County Attorney Mary Moriarty
HOME Line
ISALAH
Jewish Community Action
Justice for All
Minnesota Freedom Fund
Minnesota Youth Collective
Ramsey County Attorney John Choi
Shiloh Temple
Shriver Center for Poverty Law
T.O.N.E U.P
The Legal Revolution
The New Justice Project
Until We Are All Free
Vera Institute of Justice