

# Testimony to the Legislative Housing Working Group



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# Presenter



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# Health Impact of Renewed Evictions During the Pandemic



A recent study tested whether lifting eviction moratoriums was associated with COVID-19 incidence and mortality. It concluded that:

[L]ifting eviction moratoriums was associated with significant increases in COVID-19 incidence and mortality in U.S. states, supporting the public health rationale for use of eviction moratoriums to prevent the spread of COVID-19. Lifting moratoriums amounted to an estimated 433,700 excess cases and 10,700 excess deaths during the study period (March 13-September 3).

Texas topped the list with estimates of 148,530 infections and 4,456 deaths.

K. Leifheit, S. Linton, J. Raifman, G. Schwartz, E. Benfer, F. Zimmerman, & C. Pollack, *Expiring Eviction Moratoriums and COVID-19 Incidence and Mortality* Abstract (November 30, 2020). The authors include professors from University of California, Los Angeles (UCLA), Johns Hopkins University Bloomberg School of Public Health, Boston University, University of California, San Francisco (UCSF) Institute for Health Policy Studies, and Wake Forest University School of Law.

<https://ssrn.com/abstract=3739576>

# Health Impact of Emergency Executive Order 20-79



Study co-author Dr. Leifheit has estimated infections prevented and lives saved between May and September in states that maintained their eviction suspensions. She estimated 22,200 cases prevented and 680 lives saved in Minnesota.

K. Leifheit, *State-level COVID-19 Cases and Deaths Associated with Eviction Moratoriums* (Dec. 2020) [https://drive.google.com/file/d/1x8qezy\\_mXiaW7eKsU\\_D9zQnQYY0YMfgP/view](https://drive.google.com/file/d/1x8qezy_mXiaW7eKsU_D9zQnQYY0YMfgP/view) (viewed Feb. 25, 2121)

The estimated 22,200 cases prevented and 680 lives saved in Minnesota does not cover the fall of 2020 when many states saw dramatic increases in infections and deaths.

*Coronavirus in the U.S.: Latest Map and Case Count* (New York Times Dec. 15, 2020) <https://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html> (viewed Feb. 25, 2121)

# Health Impact of Emergency Executive Order 20-79



During the time span of the study, in Minnesota, from March 24, when the first Emergency Executive Order suspending evictions began, through September 3, Minnesota saw 1,834 deaths and 80,704 positive cases in just over 5 months.

Situation Update for COVID-19 (Minnesota Department of Health - viewed Feb. 25, 2121)  
<https://www.health.state.mn.us/diseases/coronavirus/situation.html>

From September 4 through January 4, Minnesota saw another 3608 deaths and 342,455 positive cases in 4 months, *or twice as many deaths and over four times as many positive cases, for a total of 5,443 deaths and 429,022 positive cases.*

Situation Update for COVID-19 (Minnesota Department of Health - viewed Feb. 25, 2121)  
<https://www.health.state.mn.us/diseases/coronavirus/situation.html>

*It is reasonable to add twice as many saved lives and four times as many positive cases prevented to the summer estimate, totaling potentially 2,040 lives saved and 111,000 positive cases prevented through January 4, 2021.*

# Evictions before the Pandemic



- Statewide: 16,000 (1,333 per month)
- Fourth Judicial District - Hennepin County 6,000 (500 per month)
- Eighth Judicial District - 262 (22 per month), with the highest numbers in Kandiyohi County (93, or 8 per month), Meeker County (38, or 3 per month), and Chippewa County (33, or 3 per month)
- Tenth Judicial District - Anoka County: 1080 (90 per month)
- Third Judicial District - 1050 (88 per month), with the highest numbers in Olmsted County (377, or 31 per month), Winona County (123, or 10 per month), Mower County (121, or 10 per month), and Steele County (108, or 9 per month)
- Ninth Judicial District - 574 (48 per month), with the highest numbers in Crow Wing County (139, or 12 per month), Beltrami County (94, or 8 per month), Itasca County (91, or 8 per month), and Polk County (70, or 6 per month).

## Citations:

- Stateside: S. Spaid, *Evictions in Greater Minnesota Report* at 2 (HOME Line June 1, 2018) <https://homelinemn.org/wp-content/uploads/2018/06/Evictions-in-Greater-Minnesota-Report-with-Appendix.pdf>
- Fourth Judicial District: A. Holdener, et. al, *Eviction and Homelessness in Hennepin County*, at 2 (Hubert H. Humphrey School of Public Affairs May 19, 2018) [https://cdn2.hubspot.net/hubfs/4408380/PDF/Eviction-Reports-Articles-Cities-States/Minnesota\\_humphrey-report-eviction-homelessness-may-2018.pdf](https://cdn2.hubspot.net/hubfs/4408380/PDF/Eviction-Reports-Articles-Cities-States/Minnesota_humphrey-report-eviction-homelessness-may-2018.pdf)
- Eighth Judicial District: *Filings By WCL Type January 2019 Thru December 2019* (MNJAD Mar. 25, 2021)
- Tenth Judicial District: Email from John Murphy, Anoka County Law Library Director, to Lawrence McDonough (Oct. 26, 2020)
- Third Judicial District: Email from Angie Hutchins, Third Judicial District Deputy District Administrator, to Lawrence McDonough (Jan. 14, 2121)
- Ninth Judicial District: *Pandemic Eviction Filings > March 24, 2020 through December 18, 2020* (Minn. Dist. Ct. 9th Dist. Dec. 18, 2020)

# Evictions Blocked



Over one year later, around that many are on hold. Some tenants have moved, some tenants have negotiated with their landlords, some tenants have received assistance, and some landlords were able to file eviction actions within the exceptions of Emergency Executive Order 20-79, perhaps lowering the number of blocked evictions, *if the economy is ignored.*

*But, what about economy?*

# Unemployment



Minnesota cumulative unemployment insurance applicants by county from March 16 to February 23, 2021 as a share of 2019 annual labor force:

- Fourth Judicial District: Hennepin County: 288,699 (40.1%) of 711,530
- Eighth Judicial District: Kandiyohi County - 7,018 (27.6%) of 25,415, Meeker County - 4,329 (32.5%) of 13,326, and Chippewa County - 2,371 (33.5%) of 7,070
- Seventh Judicial District: Stearns County - 35,059 of (38.1%) 92,043, Clay County - 5,486 of (15.1%) 36,336, Benton County - 9,860 of (44.4%) 22,224, and Otter Tail County - 9,438 of (29.4%) 32,110
- Tenth Judicial District: Anoka County - 85,445 (43.0%) of 198,938
- Third Judicial District: Olmsted County - 37,415 (41.3%) of 89,730, Winona County - 9,719 (33.5%) of 29,053, and Steele County - 7,983 (39.0%) of 20,451
- Ninth Judicial District: Beltrami County - 8,639 (34.9%) of 24,779, Crow Wing County - 14,336 (43.6%) of 32,904, and Roseau County - 5,837 (73.2%) of 7,972

*Unemployment Insurance Statistics* (Minnesota Department of Employment and Economic Development - viewed Feb. 25, 2121)

<https://mn.gov/deed/data/data-tools/unemployment-insurance-statistics/>

*Local Area Unemployment Statistics (LAUS)* (Minnesota Department of Employment and Economic Development - viewed Feb. 25, 2121) (selected Data Tool, Minnesota Counties, County, Historical Data, Annual and Labor Force)

<https://mn.gov/deed/data/data-tools/laus/>



# Census Data and Eviction Estimates



As of April 26, 2021, out of 669,749 adult Minnesota tenants estimated by the Census, it estimated:

- 70,885 (10.1%) were not currently caught up on rent payments,
- 194,011 (29.0%) were unemployed,
- 87,093 (13.0%) had no or slight confidence in the ability to make the next month's payment, and

Compare any of these numbers with 16,000 eviction court actions statewide in 2017.

***The Census data supports estimating the number of evictions on hold right now to well exceed the annual number. These evictions would overwhelm the legal services housing attorneys and the courts.***

#### Citations:

- Household Pulse Survey Data Tables, Phase 3 (United States Department of Commerce – viewed May 18, 2021) <https://www.census.gov/programs-surveys/household-pulse-survey/data.html#phase3>; and <https://www.census.gov/data/tables/2021/demo/hhp/hhp28.html>
- U.S. Dept. of Commerce, Table 1b. Last Month's Payment Status for Renter Occupied Housing Units, by Select Characteristics: Minnesota, [https://www2.census.gov/programs-surveys/demo/tables/hhp/2021/wk28/housing1b\\_week28.xlsx](https://www2.census.gov/programs-surveys/demo/tables/hhp/2021/wk28/housing1b_week28.xlsx) (viewed May 18, 2021)
- U.S. Dept. of Commerce, Table 2b. Confidence in Ability to Make Next Month's Payment for Renter Occupied Housing Units, by Select Characteristics: Minnesota, [https://www2.census.gov/programs-surveys/demo/tables/hhp/2021/wk28/housing2b\\_week28.xlsx](https://www2.census.gov/programs-surveys/demo/tables/hhp/2021/wk28/housing2b_week28.xlsx) (viewed May 18, 2021)

# Transition Planning



- Allow courts flexibility in scheduling cases
- Require pre-eviction notices to allow the parties to resolve their issues,
  - Longer notices for rent and holding over cases,
  - Shorter notices for breach cases
  - Pre-filing mediation
- Stagger rent cases to flatten the curve
  - Wait while rent assistance is pending
  - The first cases could be those alleging rent due during the entire peacetime emergency or longer or just the current month rent
  - 12 months of rent or more one month later or just the current month rent
  - 9 months of rent or more one month later or just the current month rent
  - 6 months of rent or more one month later or just the current month rent
  - 3 months of rent or more one month later or just the current month rent
  - The rest of the rent cases.
  - There should be a penalty for falsely alleging a debt to fit into an earlier set

# Questions



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