



November 8, 2023

GENERAL NEWS

DOJ Finds a “Crime-Free” Housing Program in MS Discriminates against Tenants with Mental Health Disabilities

In a [press release](#) yesterday, the Department of Justice ([DOJ](#)) announced that a city in Minnesota violated the Americans with Disabilities Act ([ADA](#)) and the [Fair Housing Act](#) by denying tenants with mental health disabilities an equal opportunity to receive emergency assistance.

According to the announcement, DOJ conducted a comprehensive investigation and found that through the city’s “crime-free” housing program, the city discouraged and prevented tenants with mental health disabilities and those associated with them from using its emergency response service. The department found that people with mental health disabilities and their families or service providers refrained from calling for help to avoid risking their current housing or future housing prospects.

Under the city’s rental licensing and so-called “crime free” housing ordinance, the city can penalize landlords for “nuisance calls” to their properties. Nuisance calls include disorderly conduct and what the city describes as repeated “unfounded” calls to the police. The city can issue fines and revoke the landlord’s license if the landlord does not pursue eviction after nuisance calls to their property. When tenants with mental health disabilities and those associated with them (like their families or landlords) requested or received emergency assistance, they risked eviction, fines, or loss of a rental license.

In addition, the press release states that for years, the city also sent weekly reports to licensed landlords detailing all calls for emergency service from all rental properties. Along with a general description, each report included the name and address of those involved and often revealed personal and sensitive information about the person’s mental health disabilities, such as their diagnoses, medications, and names of psychiatric or medical providers. Some even shared intimate details about suicide attempts. The city used these reports to notify landlords of potential nuisance calls and encourage landlords to evict tenants.

The department provided its findings and minimum remedial measures necessary in a [letter](#) to the city. Specifically, the department asks the city to change its policies and procedures, designate an ADA coordinator, and train staff.



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