For tenants

Navigating a Denial

When you receive a denial from a landlord, the road is not over. There are several different strategies or avenues to go about addressing the denial.

Request a landlord's screening policy

If a landlord charges an applicant screening fee, they are legally required to disclose their screening service and criteria prior to accepting a fee from a prospective tenant. Reviewing the landlord's screening criteria will allow you to evaluate whether you meet the base qualifications for the landlord, and if you don't, you can plan your next steps accordingly.

Request the Tenant Screening Report

If the landlord hired a company to perform a screening service of a prospective tenant, the tenant is legally entitled to receive a copy of this Tenant Screening Report that the landlord used to make their admission decision. The Tenant Screening Report is key to identifying what a landlord sees when considering if they will accept or deny you. The report will identify exactly which barriers triggered the landlord's decision to deny. It will also include the information that did not cause the landlord alarm. For example, if an eviction is over seven years old, screening agencies are prohibited from including it on the screening report. So, if your rental history shows up clean on the Tenant Screening Report, a very old eviction is not likely to be the reason you were denied.

Some landlords provide information on a denial letter explaining how you can access your Tenant Screening Report. Other times, you will have to request directly to the landlord to provide you with the report.

Appeal

If you are still interested in living at the place that denied you, you can appeal the denial, but you have to act fast. Some places will only allow appeals submitted within a short time frame, such as 10-14 days following the denial letter. You can begin the appeal process at the same time as requesting the Tenant Screening Report. Subsidized housing and related programs almost always have appeal procedures, so based on the type of subsidy or rental assistance, you can look up the procedures for that program type. Private landlords may indicate on the written denial that you can appeal, though some may not. Even if the denial letter does not indicate an appeal process, you should still try to submit a written notice of appeal to the landlord. Unfortunately, some landlords (especially private/market rate) won't consider appeal requests, so if you have submitted an appeal but not heard back, there may not be much more you can do other than send a follow up to your initial appeal.

- **Not everyone wants to appeal to a place that has denied them.** That is okay because you can still use the information learned from the denial to better prepare for future applications.
- **If you did not receive a written denial letter, always ask the landlord for a copy.** If you paid an application fee, the landlord is legally required to provide a written letter explaining why you were denied and the criteria you failed to meet.
- **It may be beneficial to continue applying to places that interest you while the initial appeal is still pending.** Not all landlords follow the same timeline for responding to appeals, or the initial unit you applied for may now be occupied. The denial letter should state the basis for denial, so you can work on addressing or removing those barriers for the next application.

Once you have appealed the denial, it is up to the landlord (or their program requirements) to determine how the appeal will be handled. For example, some landlords will decide solely based on the appeal notice/letter. Others will schedule an appeal hearing with you. You are not required to have an attorney at this appeal hearing, though it could be helpful depending on the formality of the hearing. Sometimes the landlords only want to hear from the tenant, so the advocate's role will be merely that of moral support. There is no universal standard for how long it takes for the landlords to decide on an application appeal.

Address or Remove Background Barriers

If you have a barrier in your background report that will make it particularly difficult to find housing, you can and should attempt to remove or remedy that barrier. Common barriers that can be overcome include:

- Expunging an eviction record.
- Expunging a criminal record.
- Settling a past rental debt with a prior landlord.
- Contesting a claimed debt on a credit screening report.

Please see our other guides that address these issues in greater detail. Alternatively, if removing the barrier is not feasible, you can draft an explanation letter that will help clarify why the barrier that shows up in your background should not disqualify you as a responsible prospective tenant.

Explanation Letters

Housing Justice Center

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If you have a background barrier that can't be swiftly resolved or removed, one of the best tools to help you find housing is to draft an explanation letter explaining why your barrier does not reflect your suitability to be a good tenant. Examples of barriers that can be addressed by an explanation letter include criminal history, eviction history, job loss, history of family emergency/illness leading to rental debts, lack of credit history or low credit score, and demonstrations of significant reform or improved life circumstances.

We have a number of sample letters that address these various backgrounds. A single explanation letter can be used to address multiple background barriers. Having the letter be completed by someone who personally knows you sets you up for the most success; it allows them to speak to your character and demonstrate their belief that you will be a responsible tenant. Examples of people who could write you an explanation letter include a housing resource navigator, a social worker, a religious leader, or a community leader. If needed, you could always write the letter yourself.

Criminal History

- Provide a narrative around the criminal charge/conviction to humanize you. The letter can explain how different your circumstances are now and how you are unlikely to reoffend.
- Mention if an expungement petition is pending or expected to be granted soon.

Useful research to include and cite to:

- **Research regarding the discriminatory nature of relying on criminal history to evaluate potential tenants** (https://www.novoco.com/public-media/documents/hud_ogc_guide_fha_040416.pdf)
- **Research addressing how criminal history does not provide reliable indication of a tenant's responsibility as a tenant, especially when the underlying offense is entirely unrelated to rental housing (e.g. DWI)** (https://www.wilder.org/wp-content/pdf-file/AEON_HousingSuccess_CriminalBackground_Report_1-19.pdf)
- Research regarding low rates of recidivism surrounding the underlying offense or the **length of time since the conviction occurred** (https://clerk.seattle.gov/~cfpics/cf_320351g.pdf)

Eviction History

- Provide a narrative surrounding the circumstances of the eviction; was it a sudden job loss, unexpected emergency expenses, or loss of rental assistance? The letter can explain the resolution of the eviction (dismissal, settlement, eviction) and contextualize how different your circumstances are now.
- If a rental debt shows up on your Tenant Screening Report, the letter can explain the circumstances leading to the debt similar to describing the eviction. Bonus points if you can demonstrate that you are working on a payment plan.
- Mention if an expungement petition is pending or expected to be granted soon. Remind landlords that once an eviction has been expunged, it is illegal to deny a tenant application on that basis.
- Cite to research regarding how **eviction history is irrelevant to someone's aptitude to be a responsible tenant** (https://www.upturn.org/work/response-to-the-ftcs-request-for-information-on-tenant-screening/).

Lack of or low credit score

- Cite to research explaining the discriminatory nature of using credit history as a housing suitability measure (client's religion forbids credit, **racial disparities in credit scores**) (https://www.hjcmn.org/wp-content/uploads/2021/04/Tenant-Screening-Report.pdf).
- Explain how the "rent eats first." Credit scores do not take into account history of on time rental payments. Even if you have significant debt or late payment history, these do not necessarily reflect on whether you will pay rent on time because housing costs are generally the first and most important expenses that people put money towards.
- If you can demonstrate that you have regularly paid rent for a certain length of time, incorporate that somehow.

Tips

DO NOT acknowledge specific criminal or eviction history unless you know it shows up on your Tenant Screening Report. Explanation letters could have the unintended consequence of alerting the landlord to a background barrier that they may not have otherwise been aware of based on their screening standards.

You can use a standard form letter to reuse and edit accordingly for each circumstance. Please borrow from our samples!

Keep the addressee blank so that you can use the letter for multiple applications.

Challenges

- Many landlords, especially large corporate landlords, do not provide a method for attaching documents to an initial application, especially with online portal applications. When filling out applications, request a way to submit supplemental information.
- Some landlords have no interest in reading an explanation letter. We have found the most success using explanation letters with smaller, local landlords.

Combating Credit Concerns

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Even though there is a lack of evidence to prove that credit scores are correlated to whether you will pay your rent on time, landlords tend to rely on credit scores as a judgment tool in admission decisions.[1] There have been pushes for positive rental payment history to be added to credit reports, but at this time the majority of credit scores do not take rental payment history into account at all. Credit reports can show more detailed information such as outstanding debts that are claimed against you or a history of late payment on a credit account.

Credit History

The first step to addressing your credit history is to obtain a free copy of your credit report.

If a rental debt shows up on your Tenant Screening Report or credit report, you can explain the circumstances leading to the debt similar to describing the eviction. Bonus points if you can demonstrate that you are working on a payment plan.

Disputing a Debt

Sometimes, you may contest a debt that appears on your report as not a valid debt. In these circumstances, you want to contact the debt agency to officially dispute the debt. It is helpful to draft a letter explaining the basis of the dispute and why you do not owe the amount that is actually claimed. A good debt agency will investigate the disputed debt and inform you of the result of the investigation. Many times, however, you will need to be persistent in following up with the agency for answers.

Explanation Letter

Similar to explaining an eviction history, an explanation letter can be helpful for contextualizing no or poor credit history. Religion? Identity theft? Turned life around somehow? Your letter can humanize you and provide the narrative explaining why whatever shows up in your credit history does not correlate to your suitability as a tenant or your ability to pay consistently and on time.

Settling a Debt

Sometimes you will owe a legitimate debt to a prior landlord. Setting up a payment plan or other agreement to settle the amount owed will open up many new opportunities for you. Some landlords will agree to payment plans as reasonable as $25 or $50 per month. When you have access to housing assistance that can help settle back rent, landlords may be willing to accept a one-time lump sum to settle the debt, even if it is less than the overall value the landlord is claiming. This type of information can be presented in the explanation letter or through updating your credit report.

Resources

- **Obtain your free credit report** (https://consumer.ftc.gov/articles/free-credit-reports)
- **Disputing an error on your credit report** (https://www.consumerfinance.gov/ask-cfpb/how-do-i-dispute-an-error-on-my-credit-report-en-314/)

1 Opening the Door Report, pages 12-13: https://hjcmn.org/wp-content/uploads/2026/05/Tenant-Screening-Report-1.pdf

Criminal Expungement Resources

Housing Justice Center

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Obtaining a criminal expungement is an involved, lengthy process. It is recommended to get assistance from an attorney or legal professional who can walk you through the process and complete the necessary forms for or with you. The list below provides resources across the state available to individuals seeking criminal expungement.

Most often, the criminal expungement process will take more time (up to a year) than you have when you need immediate housing. While starting the expungement process is important, please see our explanation letter guide for how to navigate and explain a criminal record while applying for housing.

Self Help Resources

HelpSealMyRecord.org - Office of MN Attorney General
https://www.ag.state.mn.us/Office/Expungement.asp

Criminal Expungement in Minnesota: A Step-by-Step Guide for Pro Se Petitioners (representing yourself in court) - Volunteer Lawyers Network
https://www.lawhelpmn.org/self-help-library/fact-sheet/criminal-expungement-minnesota-step-step-guide-pro-se-petitioners

Steps for Seeking Criminal Expungement - UMN CURA
https://www.cura.umn.edu/sites/cura.umn.edu/files/2020-06/CURA_ExpungementGuide-Final.pdf

MN State Law Library
https://mncourts.libguides.com/c.php?g=509347&p=3483405

Minnesota Judicial Branch General Information
https://www.mncourts.gov/Help-Topics/Criminal-Expungement.aspx

Free Representation

Mitchell Hamline Reentry Clinic

Online: https://mitchellhamline.edu/clinics/reentry-clinic
Email: Jon Geffen (jon.geffen@mitchellhamline.edu)

LawHelpMN

The Volunteer Lawyers Network (VLN). VLN can provide free help in some cases in different parts of the state.

Online: www.vlnmn.org
Call: 612-752-6677

The Legal Rights Center (Hennepin County)

Online: www.legalrightscenter.org
Call: 612-337-0030

The Neighborhood Justice Center
(Ramsey, Dakota, Washington Counties)

Online: www.njcinc.org
Call: 651-222-4703

Legal Aid

You can call your local Legal Aid office (http://www.lawhelpmn.org/resource/legal-aid-offices) to see if they help with criminal expungements.

Clinics

SMRLS Criminal Expungement Clinic

At criminal expungement clinics, a volunteer attorney works with you to prepare the petition and discuss the process. The volunteer may be assisted by law students and legal secretaries. Clients will represent themselves in court, and SMRLS staff will file and serve petitions. This clinic can only serve statutory expungements, and advance screening is required. SMRLS typically holds an expungement clinic every 2-3 months.

To join the list of participants for the next clinic please contact us at 1-877-696-6529 for more information and to see if you are eligible or apply online (https://minnesotaoi.legalserver.org/modules/matter/extern_intake. php?h=69729a&pid=133).

Second Chance Saturdays

Hours: 11 a.m. – 3 p.m.
Second Saturday each month (The clinic will be closed in June and July)

Location: Sabathani Community Center
310 E 38th St Ste 200, Minneapolis, MN 55409

Ramsey Law Library Clinic
(Free Criminal Expungement Clinic)

Hours: 1 – 3 p.m.
Fourth Thursday of each month

Location: Ramsey Law Library (18th Floor)
Ramsey County Courthouse
15 W Kellogg Blvd UNIT 1815, St Paul, MN 55102

Space is limited and on a first come, first served basis. Please arrived by 1 p.m. Free forms can be picked up from room 190 on the first floor of the courthouse.

Eviction Expungement

An eviction filing can scar the housing record of a tenant seeking new housing.
An eviction filing can scar the housing record of a tenant seeking new housing. Expungement provides a solution to heal that scar: erase the eviction record from public access. The expungement process can be navigated by a tenant alone, with the help of a social worker or case manager, or with the assistance of an attorney.

Eviction History in an Explanation Letter

- Provide a narrative surrounding the circumstances of the eviction; was it a sudden job loss, unexpected emergency expenses, or loss of rental assistance? You can explain the resolution of the eviction (dismissal, settlement, eviction) and contextualize how different your circumstances are now.
- If a rental debt shows up on your Tenant Screening Report, you can explain the circumstances leading to the debt similar to describing the eviction. Bonus points if you can demonstrate that you are working on a payment plan.
- Mention if an expungement petition is pending or expected to be granted soon. Remind landlords that once an eviction has been expunged, it is illegal to deny a tenant application on that basis.
- Cite to research regarding **how eviction history is irrelevant to someone's aptitude to be a responsible tenant** (https://www.upturn.org/work/response-to-the-ftcs-request-for-information-on-tenant-screening/).

Getting an Eviction Expungement

- Follow the instructions **at this link** (https://www.lawhelpmn.org/sites/default/files/2025-01/H-27 Expunging Evictions.pdf), which guide you through the expungement process.
- *Find template forms you can fill out and file at the following websites:*
  - **LawHelpMN.org** (https://www.lawhelpmn.org/self-help-library/fact-sheet/expunging-eviction-case)
  - **State court's website** (https://mncourts.gov/getforms/housing-landlord-tenant/forms-packet-expungement-of-eviction-record)

Mandatory Expungements

There are specific circumstances where the law mandates that courts expunge eviction records. Based on Minn. Stat. § 484.014, subd. 3, the court has to expunge eviction records if one of the following applies:

- The tenant won the eviction case "on the merits," such as after a trial, the court ruled in favor of the tenant.
- The eviction action was dismissed for any reason.
- The tenant and the landlord agree to the expungement.
- The landlord filed the eviction because the tenant was a victim of domestic abuse, harassment, or criminal sexual conduct, or because the tenant terminated their lease due to fear of domestic abuse, harassment, or criminal sexual conduct.
- The tenant was evicted solely due to the possession of marijuana or tetrahydrocannabinols, or the tenant is eligible for automatic expungement of certain marijuana offenses.
- The eviction involved a contract for deed cancellation or mortgage foreclosure and specific circumstances apply.
- *The original eviction case settled and the defendant fulfilled the terms of the settlement.**
- *Three years have passed since the eviction was ordered.**

Most of the mandatory grounds do not require a formal motion; most can be accomplished by filing a "request" for mandatory expungement. The grounds that still require a motion are:

- The landlord filed the eviction because the tenant was a victim of domestic abuse, harassment, or criminal sexual conduct, or because the tenant terminated their lease due to fear of domestic abuse, harassment, or criminal sexual conduct.
- *The original eviction case settled and the defendant fulfilled the terms of the settlement.**
- The tenant was evicted solely due to the possession of marijuana or tetrahydrocannabinols, or the tenant is eligible for automatic expungement of certain marijuana offenses.

* Unfortunately, a Minnesota Court of Appeals decision makes one of the mandatory expungement grounds unconstitutional: evictions that are at least three years old (*Weidner Apartment Homes v. B. F.*, 32 N.W.3d 197 (Minn. Ct. App. 2026), review granted (Apr. 29, 2026)). This means that courts cannot grant mandatory expungements on that specific basis right now. This decision has been appealed to the Minnesota Supreme Court and has not been decided as of June 2026. If this mandatory ground applies to you, you should consider filing a motion for discretionary or inherent authority expungement. The decision in *Weidner* is explicitly limited to the three-year-old ground, so you can still request mandatory expungements on the other bases. Another Minnesota Court of Appeals case (*Sela Invs., Ltd. LLP v. J. H.*, 22 N.W.3d 181 (Minn. Ct. App. 2025)) had previously found that another mandatory basis—settlement fulfillment—was unconstitutional, but this opinion was vacated by the Minnesota Supreme Court (*Sela Invs., Ltd LLP, v. J.H.*, No. A24-1380, 2026 WL 1740836 (Minn. June 17, 2026)), so the settlement fulfillment expungement ground is constitutional again.

Discretionary and Inherent Authority Expungements

- If the eviction does not qualify for a mandatory expungement, you can always file a motion to request that the judge use their discretion to expunge the eviction record.
- Courts have the power to manage their own case files, meaning they have inherent authority to decide whether it is in the best interests of the public for your eviction record to remain public or not. Minnesota statutory law also provides a manner for judges to expunge an eviction case "if the court finds the expungement is clearly in the interests of justice and those interests are not outweighed by the public's interest in knowing about the record." Minn. Stat. § 484.014, subd. 2.
- Functionally, an inherent authority expungement and a statutory discretionary expungement have the same standard (this did not used to be the case; it used to be harder to qualify for a discretionary expungement until the legislature amended the law to its current language). You can use one motion to request both an inherent authority and a discretionary expungement and use the same arguments for both requests.

Tips

Once an eviction has been expunged, it is unlawful for landlords to use that expungement against tenants in screening determinations. Minn. Stat. § 504B.173, subd. 3a.

A request for mandatory expungement does not cost anything. A motion for expungement includes a filing fee (varies based on county), but this fee can be waived if you qualify for a fee waiver and you file an **affidavit to request fee** waiver along with the motion (https://mncourts.gov/getforms/fee-waiver/form-fee102-affidavit-to-request-fee-waiver).

You can request a mandatory expungement and motion for discretionary or inherent authority expungement at the same time, and it is often recommended to do all of them even if a mandatory basis applies. One reason to consider only doing a mandatory request is if you don't qualify for a fee waiver, because then you would have to pay out of pocket for the expungement motion, which could be over $300. If you qualify for a fee waiver or can afford the filing fee, then it would be best to file the mandatory request and discretionary/inherent authority motions at the same time.

Resources

Self-Help Resources

- **Minnesota State Law Library** (https://mncourts.libguides.com/expungement/housing)
- **Minnesota Judicial Branch** (https://mncourts.gov/help-topics/tenants/faqs)
- **LawHelpMN** (https://www.lawhelpmn.org/self-help-library/fact-sheet/expunging-eviction-case)
- **LawHelpMN – Public Housing** (https://www.lawhelpmn.org/self-help-library/fact-sheet/public-housing-evictions)

Legal Aid

- You can call your **local Legal Aid office** to see if they help with eviction expungements. (http://www.lawhelpmn.org/resource/legal-aid-offices)

Volunteer Lawyers Network (VLN)

- VLN can provide free help in some cases in different parts of the state.

  Online: www.vlnmn.org
  Call: 612-752-6677

Clinics

- **SMRLS Eviction Expungement Clinic** (https://www.smrls.org/upcoming-clinics)
- **Mitchell Hamline Self-Help Clinic** (https://mitchellhamline.edu/self-help-clinic/)

Eviction Expungement