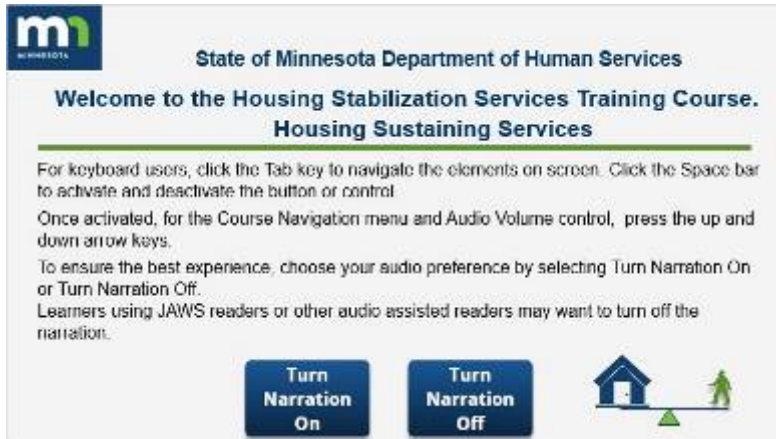


Reasonable_Accommodations_and_Ending_Leases

1. Welcome

1.1 Welcome



Notes:

Welcome to the Housing Stabilization Services Training Course.

Section 1: Assessment of a Person's Needs

Housing Sustaining Services

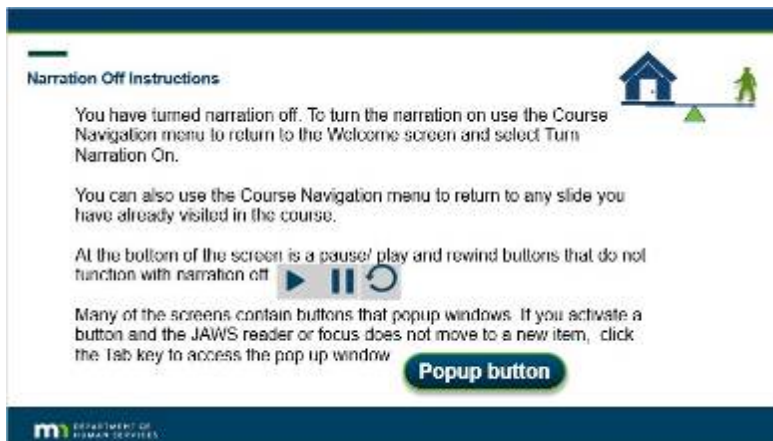
For keyboard users, click the Tab key to navigate the elements on screen. Click the Space bar to activate and deactivate the button or control.

Once activated, for the Course Navigation menu and Audio Volume control, press the up and down arrow keys.

To ensure the best experience, choose your audio preference by selecting Turn Narration On or Turn Narration Off.

Learners using JAWS readers or other audio assisted readers may want to turn off the narration.

1.2 Narration Off



Narration Off Instructions

You have turned narration off. To turn the narration on use the Course Navigation menu to return to the Welcome screen and select Turn Narration On.

You can also use the Course Navigation menu to return to any slide you have already visited in the course.

At the bottom of the screen is a pause/ play and rewind buttons that do not function with narration off

Many of the screens contain buttons that popup windows. If you activate a button and the JAWS reader or focus does not move to a new item, click the Tab key to access the pop up window

Popup button

The screenshot shows a slide titled 'Narration Off Instructions'. It contains four paragraphs of text. The first paragraph explains how to turn narration on via the Course Navigation menu. The second paragraph mentions returning to any slide visited. The third paragraph points out that pause, play, and rewind buttons at the bottom do not function when narration is off. The fourth paragraph explains that many screens have buttons that popup windows, and if the JAWS reader or focus does not move to a new item, the Tab key should be used to access the popup window. A green button labeled 'Popup button' is highlighted at the bottom right. In the top right corner, there is a small icon of a house and a person. At the bottom left, there is a logo for the 'm' Department of Human Services.

Notes:

Narration Off Instructions

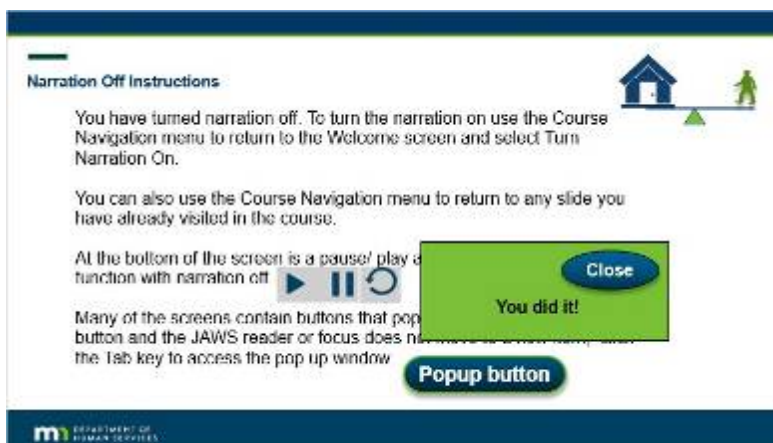
You have turned narration off. To turn the narration on use the Course Navigation menu to return to the Welcome screen and select Turn Narration On.

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Popup (Slide Layer)



Narration Off Instructions

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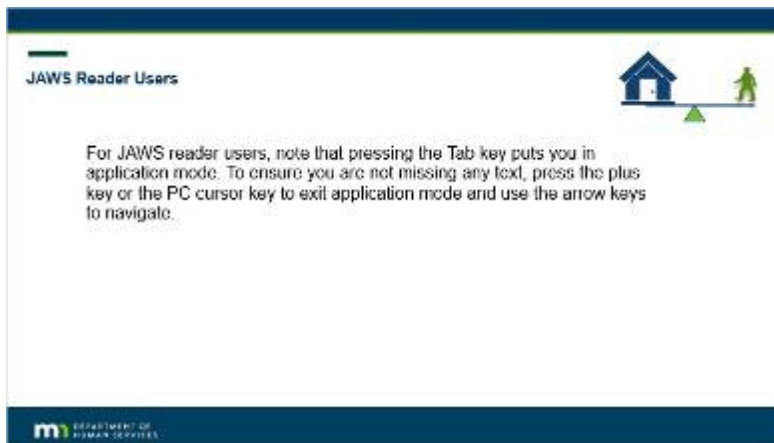
Close

You did it!

Popup button

This screenshot is similar to the previous one, but it includes a green popup window. The popup window has a blue 'Close' button in the top right corner and the text 'You did it!' in the center. The 'Popup button' from the previous slide is still visible at the bottom right. The rest of the slide content remains the same.

1.3 JAWS Reader Users

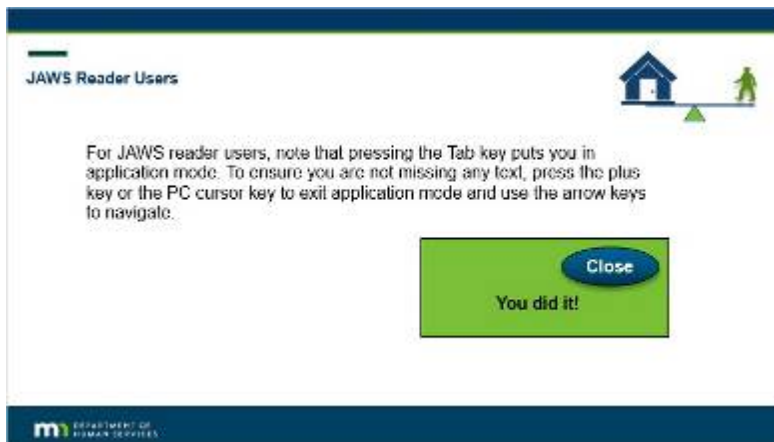


Notes:

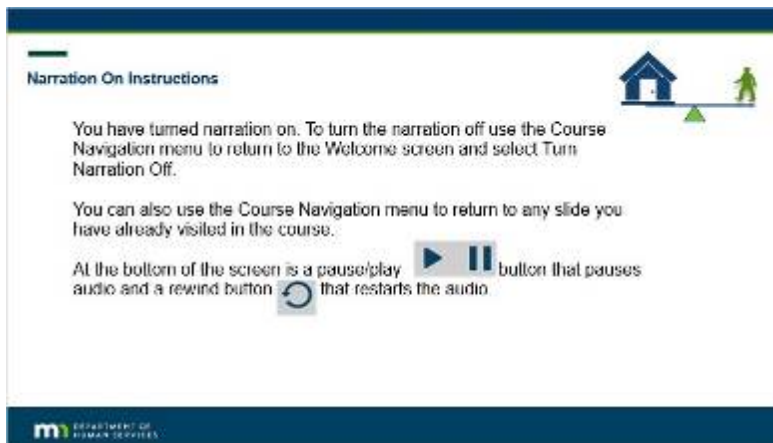
For JAWS reader users

note that pressing the Tab key puts you in application mode. To ensure you are not missing any text, press the plus key or the PC cursor key to exit application mode and use the arrow keys to navigate.

Popup (Slide Layer)



1.4 Narration On



Notes:

Narration On Instructions

You have turned narration on. To turn the narration off use the Course Navigation menu to return to the Welcome screen and select Turn Narration Off.

You can also use the Course Navigation menu to return to any slide you have already visited in the course.

At the bottom of the screen is a pause/play button that pauses audio and a rewind button that restarts the audio.

1.5 Introduction




Notes:

Welcome to

Housing Stabilization Services Section III: Keeping Me In My Home
Module Three: Reasonable Accommodations and Ending Leases

Estimated Completion Time: 15 minutes

1.6 Objectives



Objectives

When you have completed this module you will be able to:

- Help people avoid an eviction, and recognize the importance of keeping an eviction off someone's record
- Understand that if the eviction is due to a person's disability they should check to see if there is a reasonable accommodation that will keep the landlord from filing in court
- Assist people who are facing an eviction
- Help people end or change a lease

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Notes:

Objectives

When you have completed this module you will be able to:

Help people avoid an eviction, and recognize the importance of keeping an eviction off someone's record

Understand that if the eviction is due to a person's disability they should check to see if there is a reasonable accommodation that will keep the landlord from filing in court

Assist people who are facing an eviction

Help people end or change a lease


1.7 Avoiding Eviction


Avoiding Eviction

There are a number of ways to help someone avoid eviction. Some key areas to focus on are:

- Budgeting and making payments
- Maintaining good relationships with landlords as covered in a previous module
- Having an open line of communication with the person based on trust

If someone is having trouble making payments, you can help them by developing a payment schedule or set up automatic bill payments for them. Be proactive, and make sure that landlords are aware of anything that might affect payments before it becomes an issue.





Notes:

Avoiding Eviction

- There are a number of ways to help someone avoid eviction. Some key areas to focus on are:
 - Budgeting and making payments
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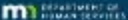
1.8 Building Relationships

Building Relationships

As a Sustaining provider, it is important to build strong relationships with the people you work with in order to develop trust. This trust will make them feel more comfortable when talking about housing related issues.

Additionally, developing a strong relationship with landlords may increase their willingness to accommodate a person's requests and deal with problems if they arise.





Notes:

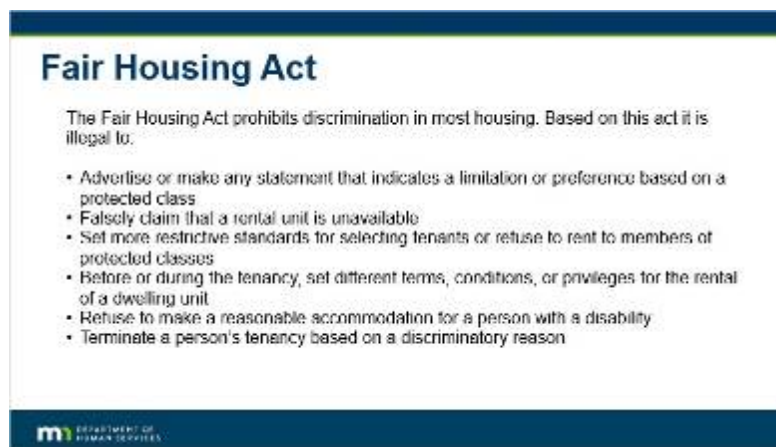
Building Relationships

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Additionally, developing a strong relationship with landlords may increase their willingness to accommodate a person's requests and deal with problems if they arise.

2. Reasonable Accommodations

2.1 Fair Housing Act

A presentation slide titled "Fair Housing Act" with a blue header and footer. The footer includes the logo for the "m" Department of Human Services. The slide text states: "The Fair Housing Act prohibits discrimination in most housing. Based on this act it is illegal to:" followed by a bulleted list of prohibited actions.

Fair Housing Act

The Fair Housing Act prohibits discrimination in most housing. Based on this act it is illegal to:

- Advertise or make any statement that indicates a limitation or preference based on a protected class
- Falsely claim that a rental unit is unavailable
- Set more restrictive standards for selecting tenants or refuse to rent to members of protected classes
- Before or during the tenancy, set different terms, conditions, or privileges for the rental of a dwelling unit
- Refuse to make a reasonable accommodation for a person with a disability
- Terminate a person's tenancy based on a discriminatory reason

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Notes:

Fair Housing Act

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 - Before or during the tenancy, set different terms, conditions, or privileges for the rental of a dwelling unit
 - Refuse to make a reasonable accommodation for a person with a disability
 - Terminate a person's tenancy based on a discriminatory reason

•

2.2 Reasonable Accommodations

Reasonable Accommodations

A reasonable accommodation can be made when a person has a disability that requires additional support in relation to their housing. You can help them with this request as part of your role as a Sustaining provider. A landlord must make a change in policy, practice, or procedure IF:

- 1) Tenant has a disability
- 2) Accommodation is necessary for equal use and enjoyment
- 3) Change is not unreasonable

A person can submit a reasonable accommodation request during the application process, tenancy, termination notice, or when eviction has been filed.

Click the Definition of Unreasonable button to read about unreasonable accommodations. When you have clicked the button, read the content, and closed the window, you can click Next to continue.

Definition of Unreasonable

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Notes:

Reasonable Accommodations

A reasonable accommodation can be made when a person has a disability that requires additional support in relation to their housing. You can help them with this request as part of your role as a Sustaining provider. A landlord must make a change in policy, practice, or procedure IF:

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definition (Slide Layer)

Reasonable Accommodations

A reasonable accommodation can be made when a person has a disability that requires additional support in relation to their housing. You can help them with this request as part of your role as a Sustaining provider. A landlord must make a change in policy, practice, or procedure IF:

- 1) Tenant has a disability
- 2) Accommodation is needed
- 3) Change is not unreasonable

A person can submit a request for accommodation at any time in the application process, tenancy, termination notice, or eviction process.

Click the Definition of Unreasonable button below. When you have clicked the button, you can click Next to continue.

Definition of Unreasonable

Reasonable accommodation requests are unreasonable if they would change the fundamental nature of the project or result in undue financial and administrative burden.

Close

When you have clicked the button, you can click Next to continue.

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2.3 Asking for Accommodations

Asking for Accommodations

- Person makes a request for an accommodation. This may be in writing, in person, email, or text. The person does NOT have to provide medical documentation of a disability unless the landlord requests it. They can state that they have a disability, but don't need to prove it to ask for the Reasonable Accommodation.
- Owner/Manager must consider and respond to the request.
- Failure or delay is a denial of accommodation.



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Notes:

Asking for Accommodations

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•

- Owner/Manager must consider and respond to the request.

•

Failure or delay is a denial of accommodation.

2.4 Reasonable Accommodation Process

Reasonable Accommodation Process

1. The person asks for the Reasonable Accommodation.
2. The person describes how their disability directly relates to the Reasonable Accommodation request.
3. The person describes what services they will receive and what they will do to resolve the situation, if it is a lease violation.
4. They gather up support letters.





Notes:

Reasonable Accommodation Process

1. The person asks for the Reasonable Accommodation.
2. The person describes how their disability directly relates to the Reasonable Accommodation request.
3. The person describes what services they will receive and what they will do to resolve the situation, if it is a lease violation.
4. They gather up support letters.

2.5 Documentation

Documentation

The owner or manager may ask the person to submit reliable documentation of disability and disability-related need for the accommodation if the disability is not readily apparent or known. This will require the disability be verified by a qualified professional. People do not have to provide documentation to ask for a Reasonable Accommodation.

You can use their documented disability for these services such as a Professional Statement of Need or Medical Opinion Form for their reasonable accommodation.





Notes:

Documentation

The owner or manager may ask the person to submit reliable documentation of disability and disability-related need for

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You can use their documented disability for these services such as a Professional Statement of Need or Medical Opinion Form for their reasonable accommodation.

2.6 Scenario

Scenario

Mason changed his medication a couple of months ago. The new medication had some unexpected side effects, including extreme drowsiness and memory problems. As a result, Mason has had issues keeping his apartment clean and in good repair. Because Mason hasn't been properly cleaning his apartment, he is starting to have insect and rodent problems. Mason's landlord has noticed, and is threatening to evict Mason.

As his Sustaining provider, how would you help Mason? Click the Resolution button to learn how Mason worked with his Sustaining provider to resolve his issue.

[Resolution](#)



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Notes:

Scenario

Mason changed his medication a couple of months ago. The new medication had some unexpected side effects, including extreme drowsiness and memory problems. As a result, Mason has had issues keeping his apartment clean and in good repair. Because Mason hasn't been properly cleaning his apartment, he is starting to have insect and rodent problems. Mason's landlord has noticed, and is threatening to evict Mason.


As his Sustaining provider, how would you help Mason? Click the Resolution button to learn how Mason worked with his Sustaining provider to resolve his issue.

resolution (Slide Layer)

Scenario

Mason's medical condition is a chronic issue. After speaking with his Sustaining provider (you), Mason gets the documentation he needs from his doctor concerning his disability. He sends that to the landlord and they work on an agreement about how to pay for an exterminator. Additionally, you can help him get screened for a waiver that could include support services related to home maintenance.

Close



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2.7 Knowledge Check

Knowledge Check

True or False — select the correct answer.



A person must submit a reasonable accommodation request before signing a lease.

True False

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Notes:

Knowledge Check

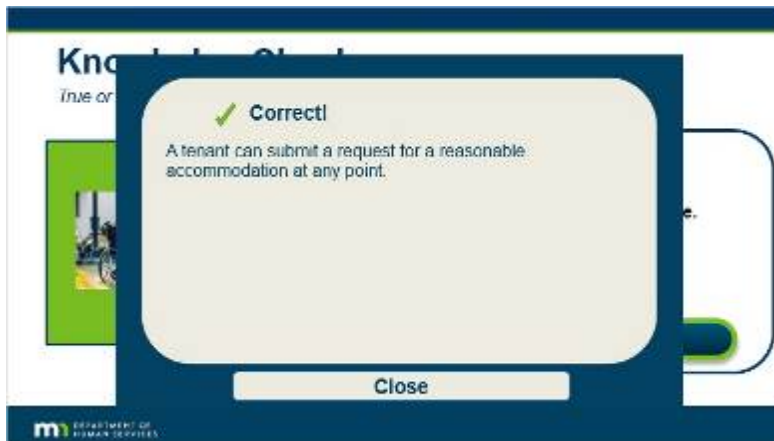
True or False - Select the correct answer.

A person must submit a reasonable accommodation request before signing a lease.

incorrect (Slide Layer)



correct (Slide Layer)



2.8 Knowledge Check



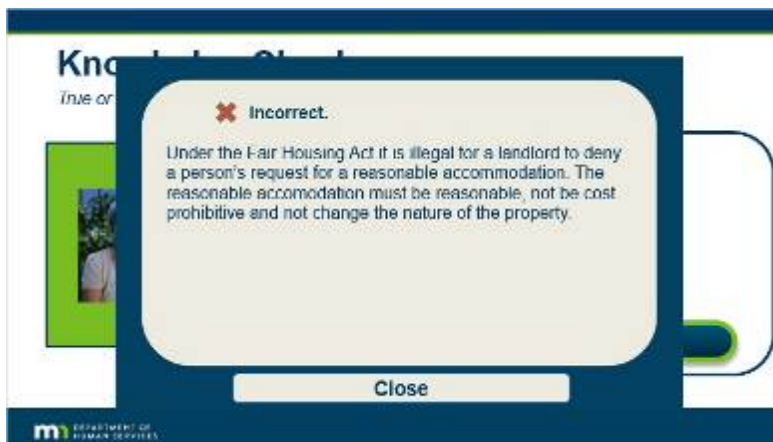
Notes:

Knowledge Check

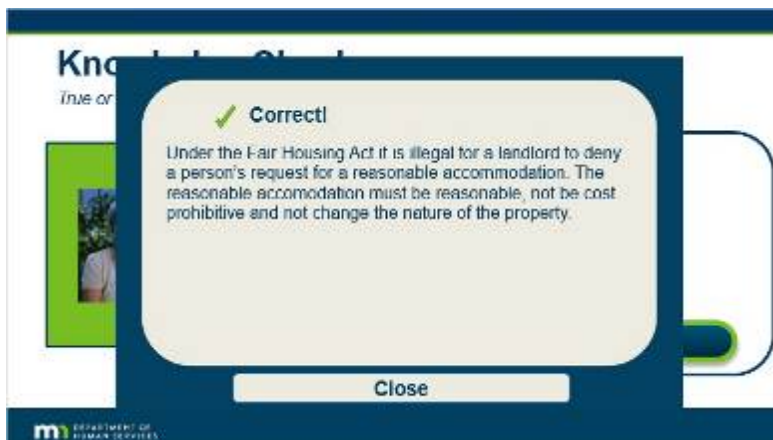
True or False - Select the correct answer.

According to the Fair Housing Act, it is illegal for a landlord to refuse to make a reasonable accommodation for a person with a disability.

incorrect (Slide Layer)



correct (Slide Layer)



2.9 Knowledge Check

Knowledge Check

True or False – select the correct answer.



Failing to respond to a person's request for an accommodation is a denial of their request.

True

False

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Notes:

Knowledge Check


True or False - Select the correct answer.

Failing to respond to a person's request for an accommodation is a denial of their request.

incorrect (Slide Layer)

Knowledge Check

True or False – select the correct answer.



✖ Incorrect.

If a landlord does not respond to a person's request for a reasonable accommodation (or their response is delayed), it qualifies as a denial.

Close

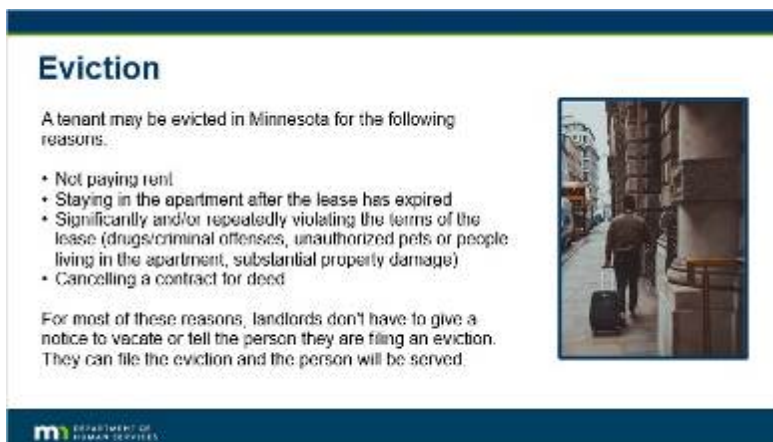
m DEPARTMENT OF HUMAN SERVICES

correct (Slide Layer)



3. Eviction/Ending a Lease

3.1 Eviction



Notes:

Eviction

A tenant may be evicted in Minnesota for the following reasons:

Not paying rent

Staying in the apartment after the lease has expired

Significantly and/or repeatedly violating the terms of the lease (drugs/criminal offenses, unauthorized pets or people living in the apartment, substantial property damage)

Cancelling a contract for deed

For most of these reasons, landlords don't have to give a notice to vacate or tell the person they are filing an eviction.


They can file the eviction and the person will be served.


3.2 Unlawful Detainer vs Eviction

Unlawful Detainer vs Eviction

An Unlawful Detainer refers to when a person refuses to leave even after the expiration or termination of the lease. Filing an Unlawful Detainer is the initiation of the eviction process.

Once the eviction hearing takes place, the judge delivers a decision. If the judge decides that the person has no legal reason for refusing to leave or pay rent, they issue an eviction order. Only a sheriff or sheriff's deputy can carry out an eviction order, and the person must receive notice that an eviction order has been issued.





Notes:

Unlawful Detainer vs Eviction

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3.3 Cold Weather Rule

Cold Weather Rule

The Cold Weather Rule (CWR) ensures that residents in Minnesota have working heat from October 15 through April 15. All electric and natural gas companies must offer residents CWR protection. Residents can work out a payment plan with their heating provider depending on their household income.

If a recipient is having trouble keeping up with winter heating bills, help them contact their heating provider to sign up for a CWR payment plan. CWR protection ends on April 15th, but if a recipient still owes their bill on April 15th they can ask for an extension of their payment plan. Recipients can also contact their heating provider for more information on additional discounts they might offer.*





* This is not legal advice, but the best practice for recipients.

Notes:

Cold Weather Rule

The Cold Weather Rule (CWR) ensures that residents in Minnesota have working heat from October 15 through April 15. All electric and natural gas companies must offer residents CWR protection. Residents can work out a payment plan with their heating provider depending on their household income.

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*This is not legal advice, but the best practice for recipients.

3.4 Vacating a Lease

Vacating a Lease

Even if someone does not give their landlord proper notice, they need to tell their landlord that they have moved out of the apartment. If they move out between November 15th and April 15th, they have to give their landlord at least three days' notice otherwise they can be found guilty of a criminal misdemeanor. Giving a landlord notice is especially important in the winter since plumbing can be damaged if the apartment is left empty and unheated.





Notes:

Vacating a Lease


Even if someone does not give their landlord proper notice, they need to tell their landlord that they have moved out of the apartment. If they move out between November 15th and April 15th, they have to give their landlord at least three days' notice otherwise they can be found guilty of a criminal misdemeanor. Giving a landlord notice is especially important in the winter since plumbing can be damaged if the apartment is left empty and unheated.


3.5 Changing a Lease

Changing a Lease

If a person wants to change or end their lease early, they should always talk to their landlord before taking any action. In most cases, if a person and landlord agree to change or end the lease, that should be enough to make the change or end the tenancy. This is true for fixed term or periodic leases (however, it may be different for residents on Section 8 housing).

Make sure that people get the agreement in writing, and mention all of their conditions for changing and/or ending a lease. Landlords are protective of rent income. While they often agree to allow tenants to move out early, they may not always agree to allow tenants out of all of their financial rent obligations. If they do not have it in writing, the person could be held to the original terms of the lease.





Notes:


Changing a Lease


If a person wants to change or end their lease early, they should always talk to their landlord before taking any action. In most cases, if a person and landlord agree to change or end the lease, that should be enough to make the change or end the tenancy. This is true for fixed-term or periodic leases (however, it may be different for residents on Section 8 housing). Make sure that people get the agreement in writing, and mention all of their conditions for changing and/or ending a lease. Landlords are protective of rent income. While they often agree to allow tenants to move out early, they may not always agree to allow tenants out of all of their financial rent obligations. If they do not have it in writing, the person could be held to the original terms of the lease.

3.6 Eviction Proceedings

Eviction Proceedings

As a Sustaining provider, it's important to know how eviction proceedings work so that you can help people avoid or lessen their chances of eviction, and help them through the process in the event that they are served an eviction notice. Your role is to make sure people understand the terms of their leases, and how to legally terminate them. Even if a landlord is filing for the eviction of a person, there are steps you can take to help them avoid having to vacate their home. In addition, if the landlord does not follow the eviction process, the person may recover damages.





Notes:


Eviction Proceedings

As a Sustaining provider, it's important to know how eviction proceedings work so that you can help people avoid or lessen their chances of eviction, and help them through the process in the event that they are served an eviction notice. Your role is to make sure people understand the terms of their leases, and how to legally terminate them. Even if a landlord is filing for the eviction of a person, there are steps you can take to help them avoid having to vacate their home. In addition, if the landlord does not follow the eviction process, the person may recover damages.

3.7 Notice Period

Notice Period

- People who are being evicted must be given a notice period during which they can pay the rent they owe or remedy the lease violation. This does not apply if the person has violated laws regarding selling, possessing, manufacturing, or allowing illegal drugs on the premises.
- If the lease does not provide a notice period, the person must have 30 days' written notice or one full rental period.
- If you become aware that a person is being evicted and they are still within the notice period, try to get in touch with their landlord. Meet with both of them to see if you can find a solution, repair the relationship, and keep the person in their home.



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Notes:

Notice Period

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- If you become aware that a person is being evicted and they are still within the notice period, try to get in touch with their landlord. Meet with both of them to see if you can find a solution, repair the relationship, and keep the person in their home.

3.8 Defenses



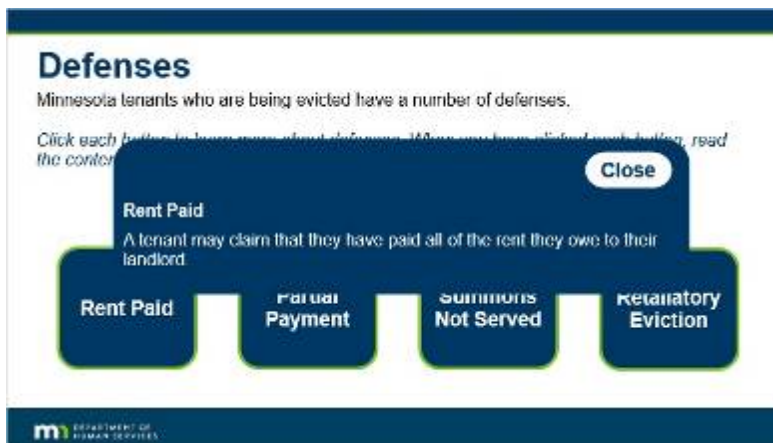
Notes:

Defenses

Minnesota tenants who are being evicted have a number of defenses.

Click each button to learn more about defenses. When you have clicked each button, read the content, and closed the windows, you can click Next to continue.

rent paid (Slide Layer)



partial payment (Slide Layer)

Defenses

Minnesota tenants who are being evicted have a number of defenses.

Click each button in turn to learn more about defenses. After you have selected each button, read the content.

Close

Partial Payment

A tenant may claim that their landlord accepted a partial payment (unless the landlord indicated in writing before acceptance or it was in the lease that partial payment is not a waiver of an eviction action).

Rent Paid **Partial Payment** **Summons Not Served** **Retaliatory Eviction**

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summons not served (Slide Layer)

Defenses

Minnesota tenants who are being evicted have a number of defenses.

Click each button in turn to learn more about defenses. After you have selected each button, read the content.

Close

Summons Not Served

A tenant may claim that they were not properly served a notice or Summons and therefore the landlord's suit is not valid.

Rent Paid **Partial Payment** **Summons Not Served** **Retaliatory Eviction**

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retaliatory eviction (Slide Layer)

Defenses

Minnesota tenants who are being evicted have a number of defenses.

Click each button in turn to learn more about defenses. After you have selected each button, read the content.

Close

Retaliatory Eviction

A tenant may claim that they are being evicted in retaliation, if the eviction notice is served up to 90 days after the tenant has complained of a health, housing, building, or safety code violation, tried to exercise tenants' rights, or joined a tenants' group.


Rent Paid **Partial Payment** **Summons Not Served** **Retaliatory Eviction**


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3.9 Landlord's Responsibilities

Landlord's Responsibilities

The landlord is responsible for proving a lease violation, lease expiration, the status of the rental arrangement, or nonpayment of rent. They must also prove that they have given proper notice if applicable.





Notes:

Landlord's Responsibilities

The landlord is responsible for proving a lease violation, lease expiration, the status of the rental arrangement, or nonpayment of rent. They must also prove that they have given proper notice if applicable.

3.10 Knowledge Check

Knowledge Check

Yes or No – select the correct answer.



Selina has not been able to keep up on heating payments and it is January 15th. The heating company has said they are going to shut off her heat if she doesn't pay. Can they do this based on the Cold Weather Rule?

Yes

No



Notes:

Knowledge Check

Yes or No - Select the correct answer.

Selina has not been able to keep up on heating payments and it is January 15th. The heating company has said they are going to shut off her heat if she doesn't pay. Can they do this based on the Cold Weather Rule?

incorrect (Slide Layer)




correct (Slide Layer)



3.11 Knowledge Check

Knowledge Check


Yes or No – select the correct answer.



Amos is being evicted for unpaid rent. However, Amos says he talked to his landlord and offered to pay him part of the rent he owed now and pay the rest once he had the money. Amos's landlord accepted the partial payment. Can Amos use this as a defense?

Yes

No



Notes:

Knowledge Check

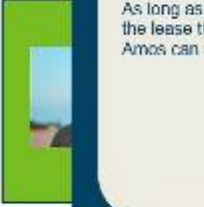
Yes or No - Select the correct answer.

Amos is being evicted for unpaid rent. However, Amos says he talked to his landlord and offered to pay him part of the rent he owed now and pay the rest once he had the money. Amos's landlord accepted the partial payment. Can Amos use this as a defense?

incorrect (Slide Layer)

Knowledge Check


Yes or No – select the correct answer.



Amos is being evicted for unpaid rent. However, Amos says he talked to his landlord and offered to pay him part of the rent he owed now and pay the rest once he had the money. Amos's landlord accepted the partial payment. Can Amos use this as a defense?

Yes

No

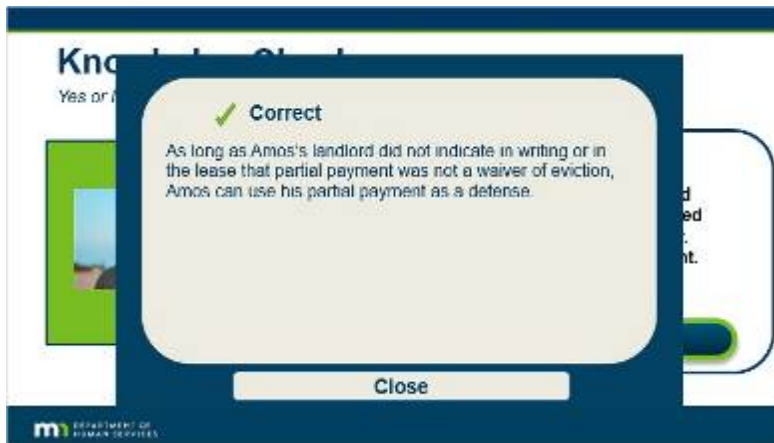


✖ Incorrect

As long as Amos's landlord did not indicate in writing or in the lease that partial payment was not a waiver of eviction, Amos can use his partial payment as a defense.

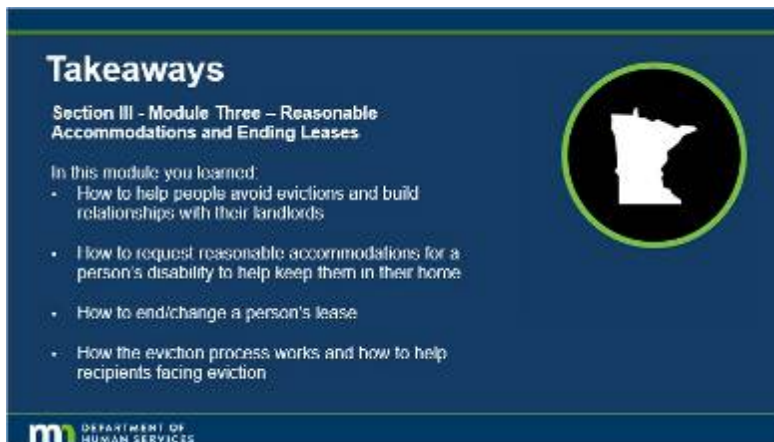
Close

correct (Slide Layer)



4. Takeaways

4.1 Takeaways



Notes:

Takeaways

Section III - Module Three - Reasonable Accommodations and Ending Leases

In this module you learned:

- How to help people avoid evictions and build relationships with their landlords
- How to request reasonable accommodations for a person's disability to help keep them in their home
- How to end/change a person's lease
- How the eviction process works and how to help recipients facing eviction

4.2 End Screen



Notes:

Congratulations!

You have completed:

Section III - Module Three Reasonable Accommodations and Ending Leases

You have now completed the online housing stabilization services training.

Click the Exit course button to exit the course.