



Richfield City Council Agenda

February 17, 2026 -- 5:45 PM

Richfield Municipal Center

Council Chambers

6700 Portland Avenue South

- 1. Call to Order**
- 2. Item Discussion**
 - a. Discussion of a draft Emergency Pre-Eviction Notice Ordinance.**
- 3. Adjournment**

Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9739.

Includes Materials - Materials relating to these agenda items can be found in the Council Chambers Agenda Packet book located by the entrance. The complete Council Agenda Packet is available electronically on the City of Richfield website.



City Council Meeting 2/17/2026
Agenda Section: Item Discussion
Agenda Item: 2.a.

Report Prepared By:

Melissa Poehlman, Community Development Director
Julie Urban, Assistant Community Development Director

Department Director:

Melissa Poehlman, Community Development Director

Item for Consideration:

Discussion of a draft Emergency Pre-Eviction Notice Ordinance.

EXECUTIVE SUMMARY

Operation Metro Surge has created significant disruptions in the ability of many people to get to work and/or conduct business and thus earn income to pay for necessities like shelter and food. The number of tenants who will be unable to pay rent is expected to be similar to the Covid-19 Pandemic. In response, the City Council has asked staff to draft an emergency ordinance extending the required pre-eviction notice period of 14 days in order to allow additional time for tenants to access financial assistance. A pre-eviction notice or eviction filing is often needed to access emergency assistance.

The attached emergency ordinance for discussion proposes the following:

- Extends pre-eviction notice for non-payment of rent or other financial obligation from 14 days to 30 days;
- Except for timing, notice requirements match the requirements of the State;
- Maintains landlords' ability to evict tenants for non-financial reasons;
- Provides a tool for tenants to challenge evictions that are not preceded by 30-day notice;
- Maintains current non-local enforcement policy;
- Emergency ordinance "sunset" (ends) with the close of the Legislative Session.

Staff is supportive of the emergency ordinance given the extraordinary circumstances created by Operation Metro Surge. Consideration of a permanent ordinance to extend pre-eviction notice requires additional research and outreach; this work is already in the Community Development work plan for late 2026, early 2027. Consideration of an extension of pre-eviction notice is also included in the City's legislative platform and is expected to be proposed at the State level (a preferred solution to avoid disparate rules by City).

The true need for tenants at this time, beyond an ability to safely attend or operate places of employment, is financial assistance. An extension of notification requirements or an eviction moratorium does not eliminate the requirement to pay rent, and in some instances leads to a debt that exceeds available sources of assistance. Ensuring that tenants and landlords are aware of financial resources as soon as possible remains a key component of our housing stabilization work.

RECOMMENDED ACTION

Discussion only.

HISTORICAL CONTEXT

None.

EQUITABLE OR STRATEGIC CONSIDERATIONS OR IMPACTS

Operation Metro Surge has had a significantly greater impact on our communities of color, who disproportionately live in rental housing.

POLICIES (RESOLUTIONS, ORDINANCES, REGULATIONS, STATUTES, ETC.)

Richfield City Charter Section 3.06 establishes rules for the enactment of an emergency ordinance.

CRITICAL TIMING ISSUES

- Dependent upon feedback at the work session, staff plans to bring an ordinance for consideration to the February 24 City Council meeting.
- The timing of the emergency ordinance allows minimal time for communication with renters, rental property owners, and others who will be impacted by the ordinance. A survey was sent to property owners at the end of last week, and rental assistance data from VEAP is anticipated by the time of the work session. A more robust engagement process should be undertaken before consideration of a permanent ordinance.

FINANCIAL IMPACT

- There is no direct financial impact to the City; however, rental property owners will likely be impacted by a delay in rent payments. A significant delay and possible loss in revenue may impact the ability of some owners to pay bills, including property taxes, which are due in May.
- The Housing and Redevelopment Authority (HRA) committed \$50,000 in Local Affordable Housing Aid (LAHA) to VEAP to provide emergency rental assistance to tenants. It is likely that VEAP will ask the HRA for additional funding.

LEGAL CONSIDERATIONS

The proposed ordinance was drafted with the City Attorney's office.

ALTERNATIVE RECOMMENDATION(S)

Discussion only.

ATTACHMENTS

1. 021026 DRAFT Richfield_Emergency_Ordinance_Eviction_Notification_Period

AN EMERGENCY ORDINANCE PROVIDING FOR AN EXTENDED NOTICE PERIOD PRIOR TO THE FILING OF AN EVICTION FOR NONPAYMENT OF RENT THE CITY OF RICHFIELD DOES ORDAIN:

SECTION 1.

PREAMBLE.

- 1.01** The City of Richfield (“City”) values the safety, dignity, equal protection and treatment, and human rights of all its residents, regardless of race, religion, immigration status, or national origin. The City is home to persons of diverse racial, ethnic, and national backgrounds, including a significant immigrant and refugee population.
- 1.02** In December 2025, federal immigration enforcement action dramatically increased in the Twin Cities metro area as part of its Operation Metro Surge. These actions have led to the deployment of approximately 3,000 federal officers to the Twin Cities, a number which exceeds the combined total of the ten largest Twin Cities metro police forces and dwarfs that of the City. The federal immigration enforcement actions have led to the arrest of over 2,000 individuals.
- 1.03** The federal immigration enforcement action has occurred within and around the City and has targeted those within the City. On January 8, 2026, a highly publicized federal immigration enforcement action involved the arrest of two U.S. citizens at a retail store within the City. These individuals worked within the City at that store. This immigration enforcement action resulting in the arrest of US citizens indicates a general danger to those who live and work within the City.
- 1.04** The federal immigration enforcement action has broadly sown fear within the Twin Cities, including among City residents. Retail establishments have temporarily closed or reduced hours causing City residents working for those establishments not to receive expected income. City residents have felt compelled to remain in their homes and miss work in order to avoid being caught up in or targeted by the federal immigration enforcement action. [Staff to add narrative information on closures, residents staying home from work, and other effects, prior to final consideration. In addition, any data regarding increased evictions or filings from landlord survey and VEAP.]
- 1.05** The City’s 2040 Comprehensive Plan identifies several broad housing policies, including developing policies for naturally occurring affordable multi-family housing that encourage the maintenance and upgrading of aging apartment buildings, while maintaining affordability and *preventing displacement of residents*.

1.06 By this ordinance, the City desires to mitigate the negative effects of the federal immigration enforcement action on its residents' housing stability by establishing a pre-eviction notice requirement greater than that which exists under Minnesota statute. Winter in Minnesota can be notoriously harsh, this year included. Causing City residents to face housing instability in the midst of the federal immigration enforcement action and freezing temperatures is likely to threaten residents' well-being. Renters that have a recent eviction on their record often have a difficult experience finding appropriate housing. This ordinance is intended to provide an extended period for residents to access resources and avoid eviction for nonpayment of rent.

1.07 This ordinance qualifies as an emergency ordinance under Richfield City Charter Section 3.06 as there is an established connection between housing, public health, and safety. In consideration of the ongoing circumstances in the City, it is necessary for the immediate preservation of public health, safety, and welfare for the aforementioned reasons.

SECTION 2.

2.01 NOTICE REQUIRED PRIOR TO INITIATING EVICTION PROCEEDINGS

(A) At least thirty (30) days before bringing an eviction action alleging nonpayment of rent or other unpaid financial obligations in violation of the lease, a landlord must provide written pre-eviction notice to the residential tenant specifying the basis for future eviction action.

1. The written pre-eviction notice under this Section 2.01 must include:

- (a) the total amount due;
- (b) a specific accounting of the amount of the total due from unpaid rent, late fees, and other charges under the lease;
- (c) the name and address of the person authorized to receive rent and fees on behalf of the landlord;
- (d) the following statement: "You have the right to seek legal help. If you can't afford a lawyer, free legal help may be available. Contact Legal Aid or visit www.LawHelpMN.org to know your rights and find your local Legal Aid office.";
- (e) the following statement: "To apply for financial help, contact your local county or Tribal social services office, apply online at MNBenefits.mn.gov or call the United Way toll-free information line by dialing 2-1-1 or 800-543-7709."; and

(f) the following statement: "Your landlord can file an eviction case if you do not pay the total amount due or move out within 30 days from the date of this notice."

2. The landlord or an agent of the landlord must deliver the notice personally or by first-class mail to the residential tenant at the address of the leased premises.

(B) If the tenant fails to correct the rent delinquency within thirty (30) days of the notice or fails to vacate, the landlord may bring an eviction action under Minnesota Statutes §504B.321.

(C) In the case of an expedited eviction action filed pursuant to Minnesota Statutes §504B.321, subd. 2, a landlord will not be required to provide or comply with the pre-eviction notice required under this Section.

2.02 WAIVER NOT ALLOWED. The parties to a written or oral lease may not waive or modify the requirements imposed by this ordinance.

2.03 AFFIRMATIVE DEFENSE. In addition to any other remedy available to a tenant at equity or law, it shall be an affirmative defense that a tenant's landlord failed to comply with the provisions of this ordinance. This affirmative defense is available to a tenant facing an eviction action alleging nonpayment of rent or other unpaid financial obligations in violation of the lease.

2.04 SEVERABILITY. The provisions of this ordinance are severable. If any provision of this ordinance or its application is held invalid, that invalidity will not affect other provisions or applications that can be given effect without the invalid provision or application.

SECTION 3. This ordinance will be effective upon publication in accordance with Section 3.09 of the City Charter and will remain in effect through May 18, 2026 (the currently scheduled end of the 2026 Minnesota Legislative Session); following that date, this ordinance will be automatically repealed.

Adopted by the City of Richfield this ___ day of _____, 2026.

Mary B. Supple, Mayor

ATTEST:

Michelle Friedrich, City Clerk