



Heights Apartments v. Walz (8th Cir.)

Topics Covered: COVID-19, Public Health

Issue

The issue in this case is whether the Minnesota Governor violated the United States Constitution and Minnesota state law when he enacted an eviction moratorium in response to the Covid-19 pandemic.

AMA Interest

The AMA supports policies that prevent evictions during public health emergencies.

Case Summary

Beginning in March 2020, Minnesota Governor Timothy Walz issued a series of executive orders suspending landlords' ability to file eviction actions and terminate residential leases. The executive orders did not relieve tenants of their obligation to pay rent.

In September 2020, two companies that own rental properties in Minnesota sued the Governor in federal district court seeking to invalidate the orders for several alleged violations of their constitutional rights. The landlords also claimed that the moratorium was an unauthorized action under state law.

On December 31, 2020, the district court granted the Governor's motion to dismiss and denied the plaintiffs' request for a preliminary injunction. The court concluded that nothing in the executive order interfered with the landlords' ultimate right to collect rent pursuant to their lease agreements. Accordingly, the moratorium did not substantially impair the plaintiffs' contractual rights or infringe their constitutional rights.

The plaintiffs filed their appeal with the Eighth Circuit. Oral argument has been heard, and the case is under advisement.

Litigation Center Involvement

The Litigation Center and the Minnesota Medical Association filed an *amicus* brief to support the State and the moratorium.

Eighth Circuit Court of Appeals Brief