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EMINENT DOMAIN - MINNESOTA

Fletcher Properties, Inc. v. City of Minneapolis

Supreme Court of Minnesota - July 30, 2025 - N.W.3d - 2025 WL 2155530

Residential landlords brought action against city, challenging ordinance prohibiting landlords from refusing to rent to tenants because of desire to avoid complying with Section 8 housing voucher program as preempted by state law, for unlawful interference with freedom of contract, and under Due Process, Takings, and Equal Protection Clauses of Minnesota Constitution.

The District Court granted summary judgment to landlords on due process and equal protection claims, and entered permanent injunction against enforcement of ordinance. City appealed. The Court of Appeals reversed and remanded, and the Supreme Court affirmed. On remand, the District Court, Hennepin County, granted city's motion for summary judgment, denied landlords' motion for summary judgment, and dissolved temporary injunction. Landlords appealed. The Court of Appeals affirmed. Landlords petitioned for review.

The Supreme Court held that:

- Ordinance did not cause a "physical taking" under Minnesota Takings Clause by appropriating landlords' right to exclude others from their property by allowing voucher holders to occupy it;
- Landlords failed to establish that ordinance would result in a negative economic impact that would rise to the level of a regulatory taking;
- Ordinance did not interfere with residential landlords' investment-backed expectations;
- The character of the government action weighed against finding that ordinance constituted a regulatory taking;
- Ordinance was not conflict preempted; and
- Minnesota Human Rights Act (MHRA) did not demonstrate any legislative intent to preempt local action by occupying the field of housing discrimination.

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