

FOR IMMEDIATE RELEASE:

Minnesota Court of Appeals Allows Public Housing Residents' Civil Rights Case Against the City of Minneapolis and the Minneapolis Public Housing Authority to Move Forward

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On August 18, 2025, the Minnesota Court of Appeals issued an opinion in a long-running civil rights lawsuit against the City of Minneapolis and the Minneapolis Public Housing Authority (“MPHA”). The opinion holds that neither the City nor MPHA are immune from suit with respect to the claims in this case, upending more than thirty years of the City’s and MPHA’s alleged failure to provide public housing residents with the services and quality of housing the law requires.

The lawsuit, which MPHA residents Kimberly Lowry and Jeanne Harris lead, was filed in Hennepin County in September of 2021, on behalf of a proposed class of current and former public housing residents. Among other things, the residents allege that the City violated the Minnesota Human Rights Act by failing to conduct routine housing inspections of public housing residents while providing those same inspections to private rental residents, and that MPHA violated various laws by failing to obtain a rental license and maintain safe and habitable dwellings.

At the district court level, MPHA and the City each moved for summary judgment, arguing immunity from suit. The district court granted MPHA’s motion, and the case was reassigned to a different judge, who denied the City’s motion. The parties filed cross-appeals. The Minnesota Court of Appeals reversed MPHA’s win and affirmed the City’s loss, holding for the residents on all issues before the Court. In the opinion of August 18, 2025, Judge Schmidt, writing for the three-judge panel explained, “The duty to adopt a policy that includes the systematic inspections of all rental dwellings is a ministerial one that the [City’s] director of regulatory services has violated.... The director of regulatory services is not entitled to official immunity for refusing to enforce the city code on behalf of MPHA tenants.” As to MPHA, the Court rejected similar immunity arguments and held that the district court erred in finding there were no “questions of material fact as to whether enforcement of the licensing requirements—which requires an inspection to determine code compliance before the director of regulatory services will grant a license—would have prevented [the residents’] alleged injuries by denying the license in the first place.”

The residents’ lead attorney, Anna P. Prakash of Nichols Kaster, PLLP, stated following release of the opinion, “This opinion is so important—it allows this case to move forward, allows public housing residents their chance to have the merits of their claims heard, and removes longstanding excuses for the City’s and MPHA’s failures with respect to licensing and inspections. Private housing residents have received these services for decades. Public housing residents should not be denied these same services just because they make less money than those in private rentals.”

The underlying case is *Lowry, et al. v. City of Minneapolis, et. al.*, Case No. 27-cv-21-10928, filed in Minnesota’s Fourth Judicial District Court. Plaintiffs are represented by Anna P. Prakash and Matthew C. Helland of Nichols Kaster, PLLP, John R. Shoemaker and Paul F. Shoemaker of Shoemaker & Shoemaker, PLLC; and Larry McDonough.