

*This opinion is nonprecedential except as provided by
Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A26-0014**

Preservation Project One LLC, et al.,
Respondents,

vs.

Jamika Davis,
Appellant.

**Filed August 10, 2026
Affirmed
Johnson, Judge**

Ramsey County District Court
File No. 62-HG-CV-25-3628

Patricia A. E. Whitney, St. Paul, Minnesota (for respondents)

Jamaka Davis, St. Paul, Minnesota (self-represented appellant)

Considered and decided by Rasmusson, Presiding Judge; Johnson, Judge; and
Bond, Judge.

NONPRECEDENTIAL OPINION

JOHNSON, Judge

A landlord sought to evict a residential tenant for non-payment of rent. After a trial in which the tenant represented herself, the district court found in favor of the landlord. We conclude that the district court did not violate the tenant's constitutional right to procedural due process or her rights under Title II of the Americans with Disabilities Act. Therefore, we affirm.

FACTS

In April 2025, Jamaka Davis¹ entered into a written lease agreement with Preservation Project One LLC (hereinafter PPO) for the rental of an apartment in the city of St. Paul. Davis agreed to pay rent of \$1,190 per month, on the first day of each month, for the period of May 2025 to April 2026.

In September 2025, PPO filed an eviction complaint in which it alleged that Davis paid only part of the rent due for June 2025 and did not pay any rent for July and August of 2025. The district court administrator scheduled an initial hearing for October 9, 2025. *See* Minn. Stat. § 504B.321, subd. 4 (2024). Davis appeared at the hearing on a self-represented basis.

After the initial hearing, the district court filed an order stating that Davis “raised a *Fritz* defense as well as defenses related to wrongful entry and privacy violations.” *See Fritz v. Warthen*, 213 N.W.2d 339, 342 (Minn. 1973) (holding that tenant may assert defense of breach of statutory covenant of habitability in eviction action). In the same order, the district court scheduled a court trial for November 14, 2025. The trial order stated, “All evidence you present must be filed with the court and shared with your opponent prior to trial.” The trial order required each party to file and serve on the opposing party a witness list and an exhibit list “at least four days prior to trial.” The trial order also

¹The caption of this opinion matches the caption used in the district court, as required by the rules of appellate procedure. *See* Minn. R. Civ. App. P. 143.01. Both captions identify appellant as “Jamika Davis.” In her own brief, appellant spells her first name “Jamaka.” Accordingly, we use that spelling of appellant’s first name in the body of this opinion.

stated that the parties must upload their respective exhibits to MNDES, the court's online exhibit system, at least four days before trial, and the order included instructions for doing so. The trial order further stated that Davis "shall provide [PPO] with an itemized list in support of their *Fritz* defense" at least two weeks before trial.

On November 5, 2025, Davis filed a motion requesting a 30-day continuance of the trial so that she could, among other things, "complete my *Fritz* defense itemization and supporting evidence" and find an attorney. On November 13, 2025, the district court granted the motion and rescheduled the trial to December 15, 2025.

The case was tried to the district court on that date. Davis represented herself. PPO called one witness, the property manager of the apartment building, who testified about Davis's non-payment of rent and the management company's resolution of her maintenance requests. The district court did not allow Davis to offer exhibits or call witnesses because she had not disclosed exhibits or a witness list before trial. In closing arguments, PPO's attorney urged the district court to enter an eviction judgment because Davis had failed to pay rent and had not submitted any evidence in support of her *Fritz* defense. Davis argued, in essence, that she disputed the amount of rent due because the apartment building was unsafe and her "resulting trauma and mental and emotional state" made her unable to communicate to PPO her reasons for not paying rent.

The district court ruled from the bench. The district court acknowledged that Davis may be struggling with "personal issues" but stated that she had not offered any evidence to explain why she had not paid the rent due. The district court acknowledged Davis's evidence of incidents that arose after the commencement of the eviction action (which were

elicited by Davis during cross-examination of the property manager) but noted that none of those incidents justified her earlier failure to pay rent. Two days later, the district court filed an order in which it concluded that PPO is entitled to recover possession of the premises because Davis did not pay rent for the months of July and August of 2025.

Davis appeals on a self-represented basis. We construe her appellate brief to make two arguments.

DECISION

I. Due Process

Davis first argues that the district court violated her constitutional right to procedural due process by enforcing its prior orders and procedural rules in a way that prevented her from offering evidence.

Both the United States Constitution and the Minnesota Constitution provide that no person may be deprived of “life, liberty, or property without due process of law.” U.S. Const. amend. XIV, § 1; *see also* Minn. Const. art. I, § 7. To determine whether a governmental entity has violated a person’s right to procedural due process, this court conducts a two-step analysis. *Sawh v. City of Lino Lakes*, 823 N.W.2d 627, 632 (Minn. 2012). “First, we must identify whether the government has deprived the individual of a protected life, liberty, or property interest.” *Id.* Second, if such a deprivation has occurred, we must “determine whether the procedures followed by the government were constitutionally sufficient.” *Id.* (quotation omitted). At the second step, we typically apply a three-part balancing test, which inquires into

[f]irst, the private interest that will be affected by the official action; second, the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and finally, the Government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail.

Id. (quoting *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976)). To satisfy the requirements of procedural due process, “[t]he procedures afforded by the government must provide an individual with notice and an opportunity to be heard at a meaningful time and in a meaningful manner.” *Id.* (quotation omitted).

In this case, the parties do not dispute that Davis was deprived of a protected property interest. But the parties dispute whether the district court's procedures were constitutionally sufficient. Accordingly, we apply the *Mathews* three-factor balancing test.

With respect to the first *Mathews* factor, Davis has a substantial property interest, namely, a tenancy in residential property. *See Federal Nat'l Mortgage Ass'n v. LeMaster*, No. A16-1962, 2017 WL 2920288, at *3 (Minn. App. July 10, 2017) (reasoning that property right of residential tenant is “important interest” of which tenant was deprived in eviction case), *rev. denied* (Minn. Sept. 27, 2017); *see also* Minn. R. Civ. App. P. 136.01, subd. 1(c) (providing that nonprecedential opinions are “not binding authority” but “may be cited as persuasive authority”).

With respect to the second *Mathews* factor, there is a small risk of an erroneous deprivation of Davis's property interest under the procedures utilized by the district court. The district court issued a trial order that specified the requirements and deadlines for disclosing the evidence that each party intended to offer at trial. Despite being granted a

continuance, Davis did not disclose any evidence before trial. At trial, the district court nonetheless allowed Davis to extensively cross-examine PPO's sole witness. The district court gave Davis leeway during the cross-examination and overruled numerous objections asserted by PPO's attorney. As a result, the district court learned that the evidence Davis wished to offer was not relevant to her *Fritz* defense because it related to incidents that occurred after she failed to pay rent for July and August of 2025.

With respect to the third *Mathews* factor, the district court has a strong interest in administering trials fairly, according to procedural rules, and in enforcing pre-trial orders in an even-handed manner. *See LeMaster*, 2017 WL 2920288, at *4 (reasoning that district court has "strong interest in judicial economy and in resolving cases quickly," without undue delay and expense, in eviction proceedings). To require more process—such as a trial in which one party does not have prior notice of the other party's evidence—would impose additional burdens on district courts and would disadvantage parties that abide by pre-trial orders.

Our balancing of the three *Mathews* factors leads to the conclusion that Davis received the process to which she was due under the Due Process Clause. Davis had clear notice of the requirements imposed on a party who wishes to present evidence at an eviction trial, and she had an opportunity to be heard at trial in a meaningful way. *See Gams v. Houghton*, 884 N.W.2d 611, 618 (Minn. 2016) (stating that "foundational principle of the right to due process is an opportunity to be heard upon such notice and proceedings as are adequate to safeguard the right for which the constitutional protection is invoked" (quotation omitted)).

Thus, the district court did not violate Davis’s constitutional right to procedural due process.

II. Americans with Disabilities Act

Davis also argues that the district court violated her rights under the Americans with Disabilities Act (ADA).

Title II of the ADA provides that “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” 42 U.S.C. § 12132 (2018). The United States Supreme Court has recognized that Title II of the ADA protects a person’s right of access to a state court. *Tennessee v. Lane*, 541 U.S. 509, 533-34 (2004). But Title II “does not require States to compromise their essential eligibility criteria for public programs.” *Id.* at 532. Rather, Title II “requires only ‘reasonable modifications’ that would not fundamentally alter the nature of the service provided, and only when the individual seeking modification is otherwise eligible for the service.” *Id.* (quoting 42 U.S.C. § 12131(2) (Supp. 2003)). A failure to provide a reasonable accommodation of a disability may give rise to a cause of action under Title II. *See, e.g., Mobley v. St. Luke’s Health Sys., Inc.*, 53 F.4th 452, 455-56 (8th Cir. 2022). In a civil action, the disabled plaintiff would bear the burden of showing that a requested accommodation is reasonable. *One Love Housing, LLC v. City of Anoka*, 93 F.4th 424, 432-33 (8th Cir. 2024).

Davis contends that she has a disability that affected her “ability to understand procedures, respond to deadlines, . . . present relevant evidence, [and] navigate complex

procedural requirements.” The record is unclear concerning the existence, nature, or extent of Davis’s disability, but both the district court and PPO assume it to be a disability that is protected by the ADA. *See* 42 U.S.C. § 12102(1)(A) (2018) (defining “disability” for purpose of ADA). Davis contends that the district court violated the ADA by “proceed[ing] with trial without . . . considering whether procedural accommodations were necessary.” For the purpose of this nonprecedential opinion, we assume without deciding that a district court’s failure to reasonably accommodate a disability in the manner required by Title II of the ADA in an eviction trial is a procedural error warranting relief in an appeal from the eviction judgment.

PPO argues in response that Davis did not expressly request an accommodation of a disability. The district court expressed that rationale in its post-trial order, stating that “Davis made no requests for any accommodations during the two months the case was scheduled for trial,” despite “ample opportunity to do so.” The district court made a similar statement during trial, when it ruled that Davis could not introduce any exhibits or call any witnesses because she had not made the pre-trial disclosures required by the trial order. Davis stated in response that she had not disclosed her evidence before trial because of a disability. The district court replied by stating that, “if there are ADA concerns, those are things that you raise not the day of the trial, but in advance so that they may be addressed.” The district court also stated to Davis on the record that she had not “made clear how it is that you are unable to participate in this process as a result of whatever the disability may be.” Davis responded by stating that her disability (along with her lack of legal training) “may have” prevented her “from understanding the nuanced details as to when, where, and

how I may present evidence.” The district court reiterated its ruling that Davis could not offer any evidence because she did not comply with the trial order, which required her to disclose her evidence before trial.

Davis has not cited any authority for the proposition that a state trial court is required by Title II of the ADA to accommodate a disabled self-represented litigant by making exceptions to procedural rules or pre-trial orders. Our independent research indicates that Title II of the ADA does not impose a duty on trial courts to make such accommodations. *See Bedford v. Michigan*, 722 Fed. App’x. 515, 519-20 (6th Cir. 2018) (concluding that disabled self-represented litigant’s request for representation by non-attorney “disability advocate” in family-law case was not reasonable accommodation); *Alvarez v. Pennsylvania*, No. 25-CV-4941, 2026 WL 499936, at *4 (E.D. Penn. Feb. 23, 2026) (concluding that disabled self-represented litigant’s request for “directions on how to fix [his] errors” in state-court case was not reasonable accommodation and would be undue burden on court). Davis’s requested accommodation was not a reasonable accommodation because it would have been substantively unfair to the opposing party, PPO, which complied with the pre-trial order by disclosing its evidence to Davis but did not have an opportunity to review and consider Davis’s evidence before trial. Such an accommodation would not be reasonable because it would “fundamentally alter the nature of the service provided,” a fair trial. *See Lane*, 541 U.S. at 532; *see also* 42 U.S.C. § 12131(2) (2018). In addition, an untimely request for an accommodation under Title II of the ADA precludes a claim for relief. *See Audette v. Lake of the Woods Cnty.*, No. 24-CV-944, 2025 WL 1736932, at *5 (D. Minn. June 23, 2025) (citing cases). Furthermore, the district court did

accommodate Davis by granting her pre-trial motion for a continuance, in which she sought more time to gather “supporting evidence.” Moreover, Davis was not prejudiced by the district court’s evidentiary ruling because, as the district court stated, the evidence she sought to offer was not relevant to her *Fritz* defense or to her non-payment of rent. *See* Minn. R. Civ. P. 61.

For all of these reasons, the district court did not violate Davis’s rights under Title II of the ADA.

Affirmed.