



Request for City Council Committee Action from the Department of Regulatory Services

Date: April 15, 2014

To: Council Member Lisa Goodman, Chair – Community Development & Regulatory Services Committee

Subject: Rental Dwelling License Revocation – 2601 Fillmore Street NE. Owner Jerry Dresch

Recommendation: Revocation of a Rental Dwelling License at 2601 Fillmore Street NE. Owner Jerry Dresch

Previous Directives: None

Department Information

Prepared by: Kathy Zierke, Administrative Analyst II, 673-5846

Approved by:

Nuria P. Rivera-Vandermyde, Director of Regulatory Services

Presenters in Committee: Christina Dowling

Financial Impact

- No financial impact

Community Impact

- City Goals

Supporting Information

On January 14th, 2014, notice was sent to the owner, Jerry Dresch indicating that a recommendation to revoke the rental license for the property listed above would be sent to the City Council. The owner, Jerry Dresch did not appeal this recommendation. Assistant City Attorney, Lee Wolf has found this property has failed to meet the licensing standard under Minneapolis Code of Ordinance 244.1910 subd. 8.

(See enclosed Evidence Packet and Findings of Fact)

FINDINGS OF FACT

Jerry Dresch is the owner of the property at the listed address of 2601 Fillmore Street N.E., Minneapolis, MN. As the owner of this property Jerry Dresch applied for and was awarded a rental license for the property. Jerry Dresch was listed on the rental license application as the owner of the property and as the person responsible for the maintenance and management of the property. On the rental license application Jerry Dresch listed an address of 1006 43rd Avenue N.E., Columbia Heights, MN as the contract address for the mailings from the Inspections Division. Mr. Dresch eventually changed his contact address to 731 Country Club Rd, Sauk Centre, MN 56378

On March 7, 2013, an inspection was conducted by Housing Inspector Sharon Larsen for the property at 2601 Fillmore Street N.E. Inspector Larsen observed numerous exterior and interior violations, including but not limited to illegal basement occupancy, illegal basement appliances, openable windows, overflow pipe on the water heater, repair exterior steps and repair roof overhang. Orders were issued to the owner Jerry Dresch requiring the owner to make the necessary repairs.

An appointment was set for May 7, 2013, for a re-inspection of the property. The owner failed to appear at the property for a re-inspection and a no-show letter was sent to the owner and tenants of the property rescheduling the re-inspection for May 28, 2013. The re-inspection was continued and on July 9, 2013, a notice was sent to the owner, informing him that the re-inspection was being scheduled for August 5, 2013, at the property.

On August 5, 2013, Inspector Larsen arrived at the property but the owner failed to appear. Inspector Larsen was unable to access the property and on August 22, 2013, Inspector Larsen sent a no-show letter to the owner and to the tenants. The letter stated that the owner had missed the scheduled re-inspection and reset the inspection for September 12, 2013. The notice also informed the owner that Minneapolis Code of Ordinances required an inspection after the issuance of a rental license.

On September 12, 2013, Inspector Larsen arrived at the property but the owner again failed to appear for the re-inspection. Inspector Larsen was unable to gain access to the property to conduct a re-inspection. On September 23, 2013, Inspector Larsen issued a Notice of Director's Determination of Non-Compliance to Jerry Dresch, notifying the owner that

the property was in violation of M.C.O. § 244.1910 (8) due to failure of the licensee to allow required inspections of units pursuant to M.C.O. § 244.2000(c). The owner was given ten days to come into compliance by allowing the required inspection.

On September 30, 2013, Inspector Larsen received a phone call from the owner, Jerry Dresch, stating that the owner wished to appeal the Notice of Director's Determination of Non-Compliance. Inspector Larsen informed the owner that the Notice was not appealable and that the owner had the ability to bring the property into compliance by allowing an inspection of the property prior to October 3, 2013. The owner informed Inspector Larsen that he was having financial issues with the property at 2601 Fillmore St. N.E. Inspector Larsen sent the owner a list of resources that may be able to help him bring the property into compliance. The owner informed Inspector Larsen that he would get back to her with a date to conduct the re-inspection.

On November 1, 2013, Inspector Larsen had not heard from the owner regarding a re-inspection date for the property. Inspector Larsen then sent the owner an appointment letter for an inspection to occur on November 25, 2013. On November 25, 2013, Inspector Larsen arrived at the property but the owner again failed to appear for the re-inspection. Inspector Larsen was unable to gain access to the property to conduct a re-inspection.

On January 14, 2014, Notice of Revocation, Denial, Non-Renewal, or Suspension of Rental License or Provisional License was sent to Jerry Dresch at the listed address of 731 Country Club Road, Sauk Centre, MN 55378. Notice of the pending revocation was also posted on the rental property located at 2601 Fillmore Street N.E. Jerry Dresch was given fifteen (15) days to file an appeal in this matter and the fifteen days expired without an appeal being filed.