

# Community Development & Regulatory Services Committee

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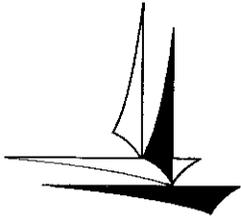
## In the Matter of the Rental License Revocation Action

**OWNER, JERRY DRESCH**  
**2601 Fillmore Street NE**

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**Minneapolis**  
City of Lakes

**Regulatory Services  
Department**

April 2, 2014

**Housing Inspections  
Services Division**

**Property Address: 2601 Fillmore Street NE**

250 South 4th Street – Room 300  
Minneapolis, MN 55415-1316

Office 612 673-5826  
Fax 612 673-2314  
TTY 612 673-3300

Jerry Dresch  
731 Country Club Road  
Sauk Centre, MN 55378

Dear Mr. Dresch:

On January 14<sup>th</sup>, 2014 you were notified of the City's intent to revoke the rental dwelling license for the property located at 2601 – Fillmore Street NE. You did not appeal the action.

The matter will be heard by the Community Development & Regulatory Services Committee of the City Council on April 15<sup>th</sup>, 2014, at 1:30 p.m. in room 317 of City Hall, 350 S. 5th St. Minneapolis. You will be given an opportunity to speak, but no further evidence will be heard.

You may wish to contact the City Clerk's office at 673-2046 prior to the meeting to verify when this item will be placed on their agenda. If you have any questions about this notice, please call me at 673-5898.

Sincerely,

Joann Velde  
Deputy Director  
Housing Inspections

Encl.

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[Home](#)



[Residents](#)

Information and services



[Business](#)

Regulations and opportunities



[Your government](#)

Leadership and engagement



[Online services](#)

Transactions and applications

**SEARCH TIPS**

## Property information search result

The Hennepin County Property Tax web database is updated daily (Monday - Friday) at approximately 9:15 p.m. (CST)

Search By:

*2014 Assessment Data (For Taxes Payable 2015) will be available on this web site approximately 04/01*  
**2013 Assessment (For Taxes Payable 2014)**

- [PROPERTY ID](#)
- [ADDRESS](#)
- [ADDITION NAME](#)
- [INTERACTIVE MAP](#)

Property ID:  
 1202924240008

Search    Clear

**TAX INFORMATION**

Property ID: 12-029-24-24-0008  
 Address: 2601 FILLMORE ST N E  
 Unit No.:  
 Municipality: MINNEAPOLIS  
 Owner: JEROME D DRESCH ET AL  
 Taxpayer Name / Address: JEROME & DAWN DRESCH  
 731 COUNTRY CLUB RD  
 SAUK CENTRE MN 56378

Subrecord No. 1

Improvement Amount: \$0  
 Property Type: RESIDENTIAL TWO UNIT  
 Homestead Status: NON-HOMESTEAD  
 Exempt or Deferred:

Values	Estimated
Land:	\$36,700
Building:	\$108,300
Machinery:	\$0
Totals:	\$145,000
Less Qualified Improvement:	\$0
Less Veterans Exclusion:	\$0
Less Homestead Market Value Exclusion:	\$0
<a href="#">Learn more</a>	
Total Taxable Market Value:	\$145,000

**Inspections Division  
RENTAL LICENSE APPLICATION**

512000

**IMPORTANT INFORMATION**

**Section 244.2010:** Every Licensee shall promptly notify the Department of Inspections of any changes in the names, addresses, and other information concerning the persons listed in the last license application filed with the department.

**Section 244.2000(D):** The owner of any dwelling which is required to be licensed by this chapter shall prior to the time of sale of said dwelling, notify the buyer in writing of all unabated orders and violation tags issued by the Department of Inspections pertaining to said dwelling, as well as the requirement of law that said dwelling, upon acquisition by a new owner, must be licensed with the Director of Inspections. A copy of the notification shall be mailed to the Director of Inspections within five (5) days of furnishing the notification to the buyer. If the dwelling is owned by a corporation, an officer of said corporation shall carry out the notification required by this section. If the property is owned by more than one person, a notification by one of the owners shall satisfy this section. For the purpose of this section, "time of sale" shall be construed to mean when a written purchase agreement is executed by the buyer or, in the absence of a purchase agreement, upon the execution of any document providing for the conveyance of a dwelling required to be licensed.

FULL RENTAL PROPERTY ADDRESS: <i>2601 Fillmore ST NE Mpls MN 55419</i>		
NUMBER OF UNITS: <i>1</i>	DWELLING UNITS	ROOMING UNITS
		SHARED BATH UNITS

**OWNER INFORMATION**

NAME: <i>Jerry Daeschl</i>		DATE OF BIRTH: <i>9-28-61</i>	
ADDRESS: <i>1006 - 43rd Av NE</i>	CITY: <i>Columbia Hts</i>	STATE: <i>MN</i>	ZIP CODE: <i>55421</i>

**AGENT/CONTACT PERSON INFORMATION**

NAME: <i>Jerry Daeschl</i>		DATE OF BIRTH: <i>9-28-61</i>		PHONE NUMBER: <i>612-788-7944</i>	
ADDRESS (P.O. BOXES ARE NOT ACCEPTABLE FOR CONTACT PERSON): <i>1006 43rd Av NE</i>		CITY: <i>Columbia Hts</i>		STATE: <i>MN</i>	
				ZIP CODE: <i>55421</i>	

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE:

*Jerry Daeschl*

**ADDITIONAL INFORMATION**

**Fee Amounts: \$28.00 for the first unit and \$15.00 for each additional unit. FEE MUST ACCOMPANY APPLICATION.**

**Make checks payable to: Minneapolis Finance Department**

**Mail To: Department of Regulatory Services - Inspections Division - 250 South 4th Street - Minneapolis, Minnesota - 55415**

**Phone Number: 673-5856**

**FOR OFFICE USE ONLY**

Add .....	_____
Change .....	_____
New .....	_____
Total Units .....	_____
License Number .....	_____
Provisional License .....	_____
Operator .....	_____
Date Processed .....	_____
Fee Amount Paid .....	\$ _____
Source .....	_____

**REC'D**  
**OCT 4 1991**  
**Rental**  
**Licensing**

Source .....  Certificate Occupancy  Code Compliance  New Owner  Inspection  Conversion

2601 Fillmore Street NE  
Inspector Timeline

8/5/13

Owner did not show for appointment

8/22/13

Sent a no show letter with a new appointment date of 9/12/13.

9/12/13

Owner did not show for appointment, while at the property I called the owner at 320-351-7944 and phone went to fax, unable to leave a message.

9/23/13

Sent owner DDONC letter for licensing standard 8 (not allowing inspection).

9-30-13

Received phone call from owner who wanted to appeal the DDNC letter. I told him this wasn't appealable but that he needed to allow entry to me for an inspection by 10-3-13. Owner let me know he was having difficulty financially with this property so I sent him resources and he called me and let me know that it sounded like there was one resource that may be able to assist him and that he would get back to me to set up a time to re-inspect.

11-1-13

After not hearing from the owner to set up an inspection, I sent him an appointment letter for 11-25-13 at 9:30.

11-25-13

The owner did not show up for the inspection but one tenant allowed me into the main level of the house but said I would have to knock on another door to get into the basement where his roommate stayed. I was not able to gain access to the basement for an inspection.



**Regulatory Services--Housing Inspection Services Division**  
 250 South Fourth Street – Room 300 Minneapolis, Minnesota 55415  
[www.minneapolismn.gov](http://www.minneapolismn.gov)



**Spanish- Atención.** Si desea recibir asistencia gratuita para traducir esta información, llame 612-673-2700  
**Somali- Ogow.** Haddii aad dooneyso in lagaa kaalmeeyo farjamaada macluumaadkani oo lacag la'aan wac 612-673-3500  
**Hmong- Ceeb toom.** Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800  
**Sign Language Interpreter** – 612-673-3220 TTY: 612-673-2626  
 If you want help translating this information in any other language, call 612-673-3737

July 9, 2013

Jerry Dresch  
 731 Country Club Road  
 Sauk Centre, MN 56378

**COPY**

Dear: Jerry Dresch

A re-inspection of the property located at 2601 Fillmore Street Northeast is being scheduled for **Monday, August 05, 2013 at 9:30 a.m.** The purpose of this re-inspection is to verify compliance with existing orders. This is a required inspection per Minneapolis Code of Ordinances 244.120 and 244.1800 through 244.2010. An inspection fee of one hundred dollars (\$100.00) will be charged for each missed appointment and/or any inspection where all noted violations have not been abated per Minneapolis Code of Ordinances 244.190.

Please meet me at the property at the date and time listed above. If the date/time specified above is unacceptable to you, please call me as soon as possible to reschedule this appointment.

I must have the current tenant's consent in order to conduct this inspection. If there is a new tenant, please coordinate with them to have an updated consent form completed and available to me by the inspection time. I have included a tenant consent form for your convenience. Additionally, consent may be granted by email ([sharon.larsen@minneapolismn.gov](mailto:sharon.larsen@minneapolismn.gov)), text or phone (612-685-8460).

For inspector safety, it is requested that any animals on premises be secured during the course of the inspection.

**If written consent is not provided a court issued warrant may be obtained to authorize the inspection.**

Thank you in advance for your cooperation.

Sincerely,

Sharon Larsen  
 Housing Inspector  
 612-685-8460  
[sharon.larsen@minneapolismn.gov](mailto:sharon.larsen@minneapolismn.gov)



**Regulatory Services--Housing Inspection Services Division**  
 250 South Fourth Street – Room 300 Minneapolis, Minnesota 55415  
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 Sign Language interpreter -- 612-673-3220 TTY: 612-673-2626  
 If you want help translating this information in any other language, call 612-673-3737

**August 22, 2013**

Jerry Dresch  
 731 Country Club Road  
 Sauk Centre MN 56378

**COPY**

Dear: Jerry Dresch

An inspection of 2601 Fillmore St NE was scheduled for Monday, August 05, 2013 at 9:30am. I was present at the property to meet you at the appointed time however; you did not appear nor advise me that you would be unable to keep that appointment.

The Minneapolis Code of Ordinances 244.1800 through 244.2010 requires an inspection of this property once a Rental License is obtained. I have rescheduled an inspection of your property located at 2601 Fillmore St NE for **Thursday, September 12, 2013 at 10:30am.**

If the date/time specified above is unacceptable for you, see the contact info below. Unless I hear from you to the contrary, I expect to meet you at the property at the date and time listed above.

For your benefit, I want to stress the importance of keeping this appointment or contacting me to reschedule. If you fail to allow the inspection, license revocation or denial proceedings will be commenced. **A one hundred dollar (\$100.00) inspection fee may be charged for each missed appointment.**

I must have the tenant's consent to enter the premises in order to conduct this inspection. I have included the tenant consent forms with this letter. Please coordinate with your tenant to have this form completed and available to me at the inspection. Consent may also be provided through e-mail, by phone or text.

For inspector safety, it is requested that any animals on premises be secured during the course of the inspection.

Thank you in advance for your cooperation.

Sincerely,

Sharon Larsen  
 Housing Inspector  
 612-685-8460  
[sharon.larsen@minneapolismn.gov](mailto:sharon.larsen@minneapolismn.gov)



**Regulatory Services--Housing Inspection Services Division**  
 250 South Fourth Street – Room 300 Minneapolis, Minnesota 55415  
[www.minneapolismn.gov](http://www.minneapolismn.gov)



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**Hmong-Ceeb toom.** Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800  
**Sign Language Interpreter** -- 612-673-3220 TTY: 612-673-2626  
 If you want help translating this information in any other language, call 612-673-3737

**November 1, 2013**

Jerry Dresch  
 731 Country Club Road  
 Sauk Centre, MN 56378

**COPY**

Dear: Jerry Dresch

A re-inspection of the property located at 2601 Fillmore Street Northeast is being scheduled for **Monday, November 25, 2013 at 9:30 a.m.** The purpose of this re-inspection is to verify compliance with existing orders. This is a required inspection per Minneapolis Code of Ordinances 244.120 and 244.1800 through 244.2010. An inspection fee of one hundred dollars (\$100.00) will be charged for each missed appointment and/or any inspection where all noted violations have not been abated per Minneapolis Code of Ordinances 244.190.

Please meet me at the property at the date and time listed above. If the date/time specified above is unacceptable to you, please call me as soon as possible to reschedule this appointment.

I must have the current tenant's consent in order to conduct this inspection. If there is a new tenant, please coordinate with them to have an updated consent form completed and available to me by the inspection time. I have included a tenant consent form for your convenience. Additionally, consent may be granted by email ([sharon.larsen@minneapolismn.gov](mailto:sharon.larsen@minneapolismn.gov)), text or phone (612-685-8460).

For inspector safety, it is requested that any animals on premises be secured during the course of the inspection.

**If written consent is not provided a court issued warrant may be obtained to authorize the inspection.**

Thank you in advance for your cooperation.

Sincerely,

Sharon Larsen  
 Housing Inspector  
 612-685-8460  
[sharon.larsen@minneapolismn.gov](mailto:sharon.larsen@minneapolismn.gov)



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**Sign Language Interpreter** -- 612-673-3220 TTY: 612-673-2626  
 If you want help translating this information in any other language, call 612-673-3737

**NOTICE OF DIRECTOR'S DETERMINATION OF NON-COMPLIANCE**

**September 23, 2013**

**Property Address:** 2601 Fillmore St. NE

**Owner**

**Jerry Dresch**  
**731 Country Club Rd.**  
**Sauk Centre, MN 55378**

**Contact Person/Manager**

This is to notify you that the above property fails to meet one or more of the rental licensing standards (Minneapolis Code of Ordinances 244.1910, 244.1920, 244.1930 and 244.1840) below:

- (1) Required license fee not paid
- (2) Rental dwelling units exceed maximum number allowed by Zoning Code
- (3) Rental dwelling unit(s) over occupied or illegally occupied
- (4) Rental dwelling unit(s) used or converted to rooming units in violation of Zoning Code
- (5) Repeated accumulation of weeds, vegetation, junk, debris or rubbish
- (6) Rental dwelling unit(s) are in a substandard condition
- (7) Licensee has not paid the required reinspection fees
- (8) Licensee has not allowed required inspection of unit(s) MCO 244.2000(c)
- (9) Licensee has failed to maintain and keep written register of tenants
- (10) Licensee has failed to submit a building scheme
- (11) Property taxes are delinquent or assessments for administrative citations
- (12) Responsible party has bench warrant(s) pursuant to the Housing/Zoning Code
- (13) Owner/Licensee/Manager has had 2 or more licenses revoked within last 5 years
- (14) Licensee has adverse license action in progress
- (15) Rental license application is not current MCO 244.1840
- (17) Licensee failed to obtain required permits MN Rule Chapter 1300.0120
- (18) Licensee allowed water shut off for non-payment
- (19) Other cause Chapter 4, Section of Charter
- (21) 2nd violation of letting/offering to let unlicensed rental
- (22) Licensee failed to provide required recycling services
- (23) Licensee has unpaid fines/fees owing to the City of Minneapolis

A license proceeding has been commenced against you because the building has been found to be in violation of the Housing Maintenance Code. You have until **Thursday, October 03, 2013** to bring the building into compliance. After this date the City Council may proceed to deny, revoke or suspend the rental dwelling license for the building. If the City Council denies, revokes or suspends the license the affected dwellings therein must be vacated and shall not be re-occupied until a new license is granted by the City Council.

Sincerely,

Sharon Larsen  
 Housing Inspector  
 612-686-8460

## 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 43<sup>rd</sup> 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.

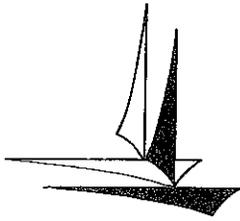
On August 5, 2013, Inspector Larsen arrived at the property but the owner failed to appear. Inspector Larsen was unable to access the property and on August 22, 2013, Inspector Larsen sent a no-show letter to the owner and to the tenants. The letter stated that the owner had missed the scheduled re-inspection 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.



Minneapolis

City of Lakes

January 14, 2014

# NOTICE OF REVOCATION OF RENTAL LICENSE OR PROVISIONAL LICENSE

Regulatory Services  
Department

**Property Address: 2601 Fillmore Street NE**

Housing Inspections  
Services Division

Jerry Dresch  
731 Country Club Road  
Sauk Centre, MN 55378

250 South 4th Street – Room 300  
Minneapolis, MN 55415-1316

Office 612 673-5826  
Fax 612 673-2314  
TTY 612 673-3300

This is to notify you that the above property fails to meet one or more of the rental licensing standards below: (Minneapolis Code of Ordinances 244.1910 and 244.1940)

- (1) Required License fee not paid
- (2) Rental dwelling units exceed maximum number allowed by Zoning
- (3) Rental dwelling unit(s) over occupied or illegally occupied
- (4) Rental dwelling unit(s) used or converted to rooming units in violation of Zoning Code
- (5) Repeated accumulation of weeds, vegetation, junk, debris, or rubbish
- (6) Rental dwelling unit(s) are in a substandard condition
- (7) Licensee has not paid required reinspection fees
- (8) Licensee has not allowed required inspection of unit(s) MCO 244.2000(c)
- (9) Licensee has failed to maintain and keep written register of tenants
- (10) Licensee has failed to submit a building scheme
- (11) Property taxes delinquent or assessments for administrative citations
- (12) Responsible party has bench warrant(s) pursuant to the Housing/Zoning Code
- (13) Owner/licensee/manager has had 2 or more licenses revoked.
- (14) Licensee has adverse license action in progress
- (15) Rental License application is not current per section 244.1840
- (17) Licensee failed to obtain required permits MN Rule CH 1300.0120
- (18) Licensee allowed water shut for non-payment 244.1910(18)
- (19) Other Cause – chapter 4, section 16 of the Charter
- (20) Notice to tenant of pending foreclosure/cancellation of Contract for Deed
- (21) 2<sup>nd</sup> violation of letting/offering to let unlicensed rental
- (22) Property with Rental Dwelling Units of 2+ must provide Recycling Services.
- (23) The licensee or applicant shall not have unpaid fines or fees owing the City.

Documentation is attached which refers to the above checked standard(s) in violation.

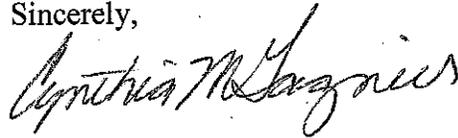
In addition, defects that create an imminent hazard to health or safety may be cause for the immediate denial, non-renewal, revocation, or suspension of the rental license or provisional license (Section 244.1940). Also, licensing procedures are in addition to and do not supersede or preempt such other remedies such as condemnation or legal action.

If you do not appeal this action within 15 days from the date of this notification, the City Council may take action to Revoke your license(s).

If the City Council revokes the Rental License(s), the affected dwellings therein must be vacated, and shall not be re-occupied until a new license is granted by the City Council.

An appeal form and a copy of appeal procedures (MCO 244.1960) are enclosed.

Sincerely,

A handwritten signature in cursive script that reads "Cynthia M. Gagnier".

Cynthia M. Gagnier  
Manager, Administrative Services  
612-673-5898

Enclosure

PLEASE KEEP THIS SIGN UP

City of Minneapolis  
Department of Regulatory Services  
Housing Inspections

**NOTICE TO TENANTS  
OF RENTAL LICENSE REVOCATION,  
DENIAL, NON-RENEWAL OR SUSPENSION**

To Renters of 2601-Fillmore St. NE

The license your landlord needs for this building cannot be given at this time due to:

Not Allowing Inspection LS8

Reference: Minneapolis Code of Ordinances 244.1910 Licensing Standards

Your landlord must appeal this decision by 2-3-14

You will be notified when this action becomes final. If the City Council revokes the rental license for this building, you will be given time to move. The Rental License is still valid until this action becomes final.

**FOR GENERAL INFORMATION, PLEASE CALL 311**

Date Posted: 1-16-14

English- Attention. If you want help translating this information, call  
Spanish- Atencion. Si desea recibir asistencia gratuita para traducir esta información, llama 612-673-2700  
Somali- Ogow, Haddii aad dooneyso in lagaa kaalmeeyo fargamadda macluumaadkan ee lacag la' aan wac 612-673-3500  
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Sign Language Interpreter- 612-673-3220 TTY: 612-673-2626

**244.1910. - Licensing standards.** (a) The following minimum standards and conditions shall be met in order to hold a rental dwelling license under this article. Failure to comply with any of these standards and conditions shall be adequate grounds for the denial, refusal to renew, revocation, or suspension of a rental dwelling license or provisional license, or for the imposition of reasonable conditions or restrictions upon such a license pursuant to section 259.165

- (1) The licensee or applicant shall have paid the required license fee.
- (2) Rental dwelling units shall not exceed the maximum number of dwelling units permitted by the Zoning Code.
- (3) No rental dwelling or rental dwelling unit shall be over occupied or illegally occupied in violation of the Zoning Code or the Housing Maintenance Code.
- (4) The rental dwelling shall not have been used or converted to rooming units in violation of the Zoning Code.
- (5) The owner shall not suffer or allow weeds, vegetation, junk, debris, or rubbish to accumulate repeatedly on the exterior of the premises so as to create a nuisance condition under section 227.90 of this Code. If the city is required to abate such nuisance conditions under section 227.100 or collect, gather up or haul solid waste under section 225.690 more than three (3) times under either or both sections during a period of twenty-four (24) months or less, it shall be sufficient grounds to deny, revoke, suspend or refuse to renew a license.
- (6) The rental dwelling or any rental dwelling unit therein shall not be in substandard condition, as defined in section 244.1920
- (7) The licensee or applicant shall have paid the required reinspection fees.
- (8) The licensee or his or her agent shall allow the director of inspections and his or her designated representative to perform a rental license review inspection as set forth in section 244.2000(c).
- (9) The licensee shall maintain a current register of all tenants and other persons with a lawful right of occupancy to a dwelling unit and the corresponding floor number, and unit number and/or letter and/or designation of such unit within the building. The register shall be kept current at all times. The licensee shall designate the person who has possession of the register and shall inform the director of the location at which the register is kept. The register shall be available for review by the director or his or her authorized representatives at all times.
- (10) The licensee shall submit to the director of inspections or an authorized representative of the director, at the time of application for a rental dwelling license and for just cause as requested by the director, the following information: the number and kind of units within the dwelling (dwelling units, rooming units, or shared bath units), specifying for each unit, the floor number, and the unit number and/or letter and/or designation.
- (11)
  - a. There shall be no delinquent property taxes or assessments on the rental dwelling, nor shall any licensee be delinquent on any financial obligations owing to the city under any action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process.
  - b. The licensee or applicant shall have satisfied all judgments duly entered or docketed against the licensee or applicant by any court of competent jurisdiction arising out of the operation of a rental property business. This subsection shall not be found to have been violated if the licensee or applicant demonstrates that the underlying case or action leading to the entry of judgment is being properly and timely removed to district court or otherwise appealed, or when the judgment is being paid in compliance with a payment plan accepted by either a court possessing jurisdiction over the judgment or the judgment creditor or during any period when the enforcement of the judgment has been duly stayed by such a court. This subsection shall become effective January 1, 2008.
- (12) There is no active arrest warrant for a Minneapolis Housing Maintenance Code or Zoning Code violation pertaining to any property in which the licensee, applicant or property manager has a legal or equitable ownership interest or is involved in management or maintenance.
- (13)
  - a. Any person(s) who has had an interest in two (2) or more licenses revoked pursuant to this article or canceled pursuant to section 244.1925 or a combination of revocations or cancellations shall be ineligible to hold or have an interest in a rental dwelling license or provisional license for a period of five (5) years.
  - b. Any person(s) who has had an interest in a license revoked pursuant to this article or canceled pursuant to section 244.1925, shall be ineligible from obtaining any new rental dwelling licenses for a period of three (3) years.
- (14) No new rental dwelling license shall be issued for the property during the pendency of adverse license action initiated pursuant to section 244.1940

- (15) The licensee or applicant must have a current, complete, and accurate rental dwelling application on file with the director of inspections in accord with the provisions of section 244.1840
- (16) a. Before taking a rental application fee, a rental property owner must disclose to the applicant, in writing, the criteria on which the application will be judged.
- b. Application forms must allow the applicant to choose a method for return of the application fee as either 1) mailing it to an applicant's chosen address as stated on the application form, 2) destroying it 3) holding for retrieval by the tenant upon one (1) business-day's notice.
- c. If the applicant was charged an application fee and the rental property owner rejects the applicant, then the owner must, within fourteen (14) days, notify the tenant in writing of the reasons for rejection, including any criteria that the applicant failed to meet, and the name, address, and phone number of any tenant screening agency or other credit reporting agency used in considering the application.
- d. The landlord must refund the application fee if a tenant is rejected for any reason not listed in the written criteria.
- e. Nothing in this section shall prohibit a rental property owner from collecting and holding an application fee so long as the rental property owner provides a written receipt for the fee and the fee is not cashed, deposited, or negotiated in any way until all prior rental applicants either have been screened and rejected for the unit, or have been offered the unit and have declined to take it. If a prior rental applicant is offered the unit and accepts it, the rental property owner shall return all application fees in the manner selected by the applicant, pursuant to section (b).
- f. Violation of this subsection, 244.1910(16), may result in an administrative citation, or may contribute to the denial or revocation of a rental license.
- g. This subdivision shall become effective December 1, 2004.
- (17) An owner shall not have any violations of Minnesota Rule Chapter 1300.0120 subpart 1, related to required permits, at any rental dwelling which they own or have an ownership interest. A violation of Minnesota Rule Chapter 1300.0120 subpart 1 shall result in a director's determination of noncompliance notice being sent, pursuant to 244.1930 to the owner regarding the rental dwelling where the violation occurred. A second violation, at any rental dwelling in which the owner has an ownership interest, of Minnesota Rule Chapter 1300.0120 subpart 1, related to required permits, shall result in the issuance of a director's notice of denial, non-renewal, or suspension of the license or provisional license, pursuant to 244.1940 of the Code, for the rental dwelling where the second violation occurred.
- (18) The owner, where the owner pays the water bill for a rental dwelling, shall not allow the water to be shut off for non-payment. If water to a rental dwelling has been turned off, for lack of payment by the owner it shall be sufficient grounds to deny, revoke, suspend or refuse to renew a license or provisional license.
- (19) The provisions of this section are not exclusive. Adverse license action may be based upon good cause as authorized by Chapter 4, Section 16 of the Charter. This section shall not preclude the enforcement of any other provisions of this Code or state and federal laws and regulations.
- (20) A licensee or owner/landlord shall not be in violation of section 244.265 of this Code, which requires owner/landlords to notify tenants and prospective tenants of pending mortgage foreclosure or cancellation of contract for deed involving the licensed property.
- (21) Any person(s), having an ownership or management interest in any property, upon a second violation of section 244.1810 by allowing to be occupied, letting or offering to let to another for occupancy, any dwelling unit without having first obtained a license or provisional license, shall be ineligible to hold or have an interest in a rental dwelling license or provisional license for a period of two (2) years.
- (22) The owner or licensee shall not be in violation of section 225.780, which requires every owner of a building containing two (2) or more dwelling units to provide for recycling services.
- (23) The licensee or applicant shall not have any unpaid fines or fees owing to the City of Minneapolis related to their rental property.

(90-Or-235, § 6, 9-14-90; 91-Or-220, § 1, 11-8-91; 94-Or-124, § 1, 9-16-94; 95-Or-097, § 2, 6-30-95; Ord. No. 97-Or-056, § 8, 6-27-97; 99-Or-163, § 5, 12-17-99; 2001-Or-074, § 1, 6-22-01; 2003-Or-070, § 2, 6-20-03; 2004-Or-122, § 1, 10-22-04; 2005-Or-008, § 1, 2-11-05; 2006-Or-115, § 2, 10-20-06; 2007-Or-063, § 1, 8-31-07; 2008-Or-016, § 4, 2-29-08; 2009-Or-044, § 2, 5-22-09; 2010-Or-041, § 1, 4-16-10; 2011-Or-044, § 1, 4-29-11; 2011-Or-108, § 4, 11-18-11; 2013-Or-040, § 1, 4-12-13)

**244.1930. Director's determination of noncompliance; notice.** (a) If the director of inspections determines that a building or dwelling unit fails to meet the licensing standards set forth in section 244.1910, or section 244.1920, he or she shall mail a notice to the owner and the person designated by the owner as the person responsible for the maintenance and management of the building or dwelling unit. The notice shall specify the reasons why the building or unit fails to meet the licensing standards in section 244.1910 or section 244.1920 and shall include a copy of the inspection report if applicable. However, if a building or dwelling unit fails to meet licensing standards 244.1910(2), (3), (4), (13)(a), (18) or (21), for a second time under the same owner/licensee, a notice of director's determination of noncompliance shall not be required to be sent as the building or dwelling unit may be subject to an action for denial; non-renewal; revocation or suspension pursuant to section 244.1940.

(b) If the rental dwelling fails to meet one (1) or more of the standards set forth in section 244.1910, the notice shall indicate that the license holder or applicant has ten (10) days to correct the defects, after which the city council will take action to deny, refuse to renew, revoke, or suspend the license or provisional license.

(c) If the rental dwelling fails to meet the standards set forth in section 244.1920, the notice shall indicate that the license holder or applicant has sixty (60) days to correct the defects causing the building to be substandard, after which the city council will take action to deny, refuse to renew, revoke, or suspend the license or provisional license. The director may for good cause authorize additional time to correct defects causing a building to be substandard. If the defects create an imminent hazard to health or safety, the director may proceed immediately for denial, nonrenewal, revocation, or suspension under section 244.1940, or may shorten the deadline for compliance to less than sixty (60) days.

(d) Whenever a notice of noncompliance is issued under this section, the director of inspections shall also cause a notice to tenants to be prominently posted on the building. The notice shall indicate that a license proceeding has been commenced against the owner because the building has been found to be in violation of the housing maintenance code; that after a stated period of time allowed to bring the building into compliance, the city council may proceed to deny, revoke, or suspend the rental dwelling license for the building; that if the city council denies, revokes, or suspends the license, tenants may be required to vacate the building; that further information can be obtained from the City of Minneapolis Housing Services Office.

(e) The director of inspections shall send copies of the notice of noncompliance and the notice to tenants to the housing services office. (90-Or-235, § 6, 9-14-90; 95-Or-097, § 3, 6-30-95; 99-Or-163, § 6, 12-17-99; 2011-Or-044, § 2, 4-29-11; 2011-Or-108, § 5, 11-18-11)

**244.1940. Denial; non-renewal; revocation; suspension.** (a) If after any period for compliance under section 244.1930 has expired, the director determines that the dwelling fails to comply with any of the licensing standards in sections 244.1910 or 244.1920, or the director has initiated an action to deny, revoke, suspend, or not renew a license pursuant to section 244.2020, or if the director determines that a building or dwelling unit fails to meet licensing standards 244.1910(2), (3), (4), (13)(a), (18) or (21), for a second time, under the same owner/licensee, the director shall mail the owner and the person designated by the owner as the person responsible for the maintenance and management of the building or dwelling unit, a notice of denial, non-renewal, revocation, or suspension of the license or provisional license. The notice shall state:

(1) That the director has determined that the building fails to comply with the licensing standards for rental dwellings in section 244.1910 and section 244.1920, that the licensee has failed to take appropriate action following conduct by tenants and/or their guests on the licensed premises under section 244.2020, or that the licensee has failed to submit a written management plan that satisfies the requirements set forth in 244.2020(d).

(2) The specific reasons why the building fails to meet licensing standards, including copies of applicable inspection reports, or notices sent to licensee of conduct on licensed premises.

(3) That the director has referred the matter to the city council with a recommendation to deny, not renew, revoke, or suspend the license or provisional license.

(4) That the city council will deny, refuse to renew, revoke, or suspend the license or provisional license unless the owner appeals the determination within fifteen (15) days after receipt of the notice, in the manner provided in section 244.1960.

(5) That after denial, nonrenewal, revocation or suspension, the dwelling or the affected dwelling units therein must be vacated, and shall not be reoccupied until all violations are corrected and a license is granted by the city council, (except where an extension of time has been granted by the director of inspections due to weather). Further, no license will be granted by the city council until an approved plan to control conduct on premises has been presented and accepted by the city council if the denial, non-renewal, revocation or suspension was under section 244.2020.

(6) The notice shall describe how an appeal may be filed under section 244.1960.

(7) The director shall cause a notice to tenants to be mailed or delivered to each licensed dwelling unit and prominently posted on the building. The notice shall indicate that the rental dwelling license for the building has been denied, revoked, or suspended, whichever is applicable; that the action will become final on a specific date unless the building owner appeals and requests a hearing; that tenants may be required to vacate the building when the action becomes final; that further information can be obtained from the City of Minneapolis Housing Services Office.

(b) Lapsed licenses. If a license lapses, or is surrendered, withdrawn, terminated, or otherwise becomes ineffective, the director may proceed, pursuant to subdivision (a), with an action to deny, non-renew, revoke or suspend if the action was commenced prior any lapse, surrender, withdraw, termination or other loss of license.

(c) Any action taken under this section shall be instituted against the rental dwelling license held by the owner(s), licensee and the person designated by the owner as the person responsible for the maintenance and management of the licensed property. (90-Or-235, § 6, 9-14-90; 95-Or-097, § 4, 6-30-95; 99-Or-163, § 7, 12-17-99; 2004-Or-007, 1-30-04; 2004-Or-112, § 1, 10-8-04; 2011-Or-044, § 3, 4-29-11; 2011-Or-108, § 6, 11-18-11)