



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

**Date:** April 29, 2014

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

**Subject:** Rental License Revocation – 3609 Cedar Avenue  
Owner Kocon LLC, Hwan Hwang

**Recommendation:** Revocation of the Rental License at 3609 Cedar Avenue  
Owner Kocon LLC, Hwan Hwang

### Department Information

Prepared by: Kathy Zierke, Admin Analyst II – (612) 673-5846

Approved by:

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Nuria P. Rivera-Vandermyde, Director of Regulatory Services

Presenters in Committee: Christina Dowling, Legal Process Coordinator – (612) 673-2449

### Community Impact

- City Goals

### Supporting Information

On February 6<sup>th</sup>, 2014, notice was sent to the owner, Hwan Hwang indicating that a recommendation to revoke the rental license for the property listed above would be sent to the City Council. The owner, Hwan Hwang 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. 11

(See enclosed Evidence Packet and findings of Fact)

## **FINDINGS OF FACT**

Kocon, LLC is the owner of the property at the listed address of 3609 Cedar Avenue, Minneapolis, MN. As the owner of this property Kocon, Inc. applied for and was awarded a rental license for the property. Kocon, Inc. was listed on the rental license application as the owner of the property with Hwan Hwang listed as the name of the Chief Operating Officer of the corporation. Hwan Hwang was also listed on the rental license application as the person responsible for the maintenance and management of the property. The Articles of Organization for Kocon, LLC indicate that Hwan Hwang is the organizer of the corporation. The listed address for the corporation and Hwan Hwang is 3112 Chelsea Ct., Burnsville, MN 55337.

On May 9, 2013, Housing Inspector Philip Schwartz, conducted an inspection at the 3609 Cedar Avenue address. Inspector Schwartz issued orders to the Hwan Hwang, the person responsible for the maintenance and management of the property, to repair or replace the front door locks and frame, to repair or replace the loose storm windows, to clean the trash in front of the entryway, to remove all combustible materials from the basement of the property, to service and maintain the heating plant and distribution system, to install proper weather stripping, and to identify and fix the source of the moisture problem in the basement. The owner was given until June 16, 2013, to come into compliance with the written orders.

On June 24, 2013, Inspector Schwartz conducted an inspection at the property and determined that the owner had not complied with the written orders and an administrative citation was issued in the amount of \$1,000.00. On July 8, 2013, a notice of extension was issued to Hwan Hwang, giving the property manager until August 9, 2013, to complete the necessary repairs. On August 21, 2013, Inspector Schwartz conducted another re-inspection at the property and found that the owner had not complied with the written orders and an administrative citation was issued in the amount of \$2,000.00. An additional inspection was conducted on

November 14, 2013, which showed that the owner had not complied with the written orders and an administrative citation was issued in the amount of \$2,000.00. On January 15, 2014, a final inspection was completed by Inspector Schwartz, which showed that the owner had not complied with the written orders and a third \$2,000.00 administrative citation was issued to Hwan Hwang.

The May 9, 2013, inspection by Inspector Schwartz also resulted in written orders being issued to Hwan Hwang, the property manager, requiring the property manager to discontinue parking vehicles on unpaved surfaces at the property and to install a proper parking surface. The owner was given until June 16, 2013, to comply with the written orders. On July 19, 2013, a re-inspection of the property by Inspector Schwartz showed that the owner had not complied with the written orders and an administrative citation was issued in the amount of \$200.00. On September 15, 2013, a re-inspection of the property by Inspector Schwartz showed that the owner had not complied with the written orders and an administrative citation was issued in the amount of \$400.00.

On January 3, 2014, a review of the Inspections Division's records revealed that the owner, Kocon, LLC nor the property manager Hwan Hwang, had neither paid nor appealed the administrative citations and on January 3, 2014, a Notice of Director's Determination of Non-Compliance was sent to Kocon, LLC at the listed address of 3112 Chelsea Ct., Burnsville, MN 55337. The Notice, informed the owner that there was a violation of M.C.O. § 244.1910 (11)(a) due to delinquent assessments for unpaid administrative citations on the rental property located at 3609 Cedar Avenue S. The owner was given ten (10) days to bring the property in compliance with M.C.O. § 244.1910 (11) (a). The owner failed to bring the property into compliance and on February 6, 2014, a Notice of Revocation, Denial, Non-Renewal, or Suspension of Rental License or Provisional License was sent to Kocon, LLC at the listed address of 3112 Chelsea Ct., Burnsville, MN 55337. The property was also posted with notice of the revocation action.

The owner was given fifteen (15) days to file an appeal which he failed to do.