



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

**Date:** October 7, 2014

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

**Subject:** Rental License Revocation – 2808 Pillsbury Ave S.  
Owner Abdi Mohamud

**Recommendation:** Revocation of the Rental License at - 2808 Pillsbury Ave S.  
Owner Abdi Mohamud

### 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 May 8<sup>th</sup>, 2014, notice was sent to the owner, Abdi Mohamud indicating that a recommendation to revoke the rental license for the property listed above would be sent to the City Council. The owner, Abdi Mohamud appealed this recommendation. A hearing was held before Administrative Hearing Officer Fabian Hoffner, who found the 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)

**CITY OF MINNEAPOLIS  
FOR THE DEPARTMENT OF  
REGULATORY SERVICES**

**ADMINISTRATIVE HEARING OFFICER**

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**In the matter of the Property**

**Located at 2808 Pillsbury Avenue**

**Located in Minneapolis, MN and**

**owned by Abdi Mohamud**

**FINDINGS OF FACT,**

**CONCLUSIONS, AND**

**RECOMMENDATION**

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The above entitled matter came on for hearing before Administrative Hearing Officer Fabian Hoffner on August 15, 2013, at 9:00 a.m. at Room 310, Minneapolis City Hall, Minneapolis, Minnesota. The City of Minneapolis was represented by Lee C. Wolf, Assistant City Attorney and JoAnn Velde, Deputy Director Housing Inspections of the Department of Regulatory Services. Naua, Assistant Property Manager, was present and appeared on behalf of the owner, Abdi Mohamud, and Property Manager, Omar Moallim.

**FINDINGS OF FACT**

Abdi Mohamud owns the property located at 2808 Pillsbury Avenue in the City of Minneapolis. Abdi Mohamud's address, as listed on the Hennepin County and City of Minneapolis property information records, is 34 The Bye Way, Harrow Middelsex, England, HA37EF.

A rental license application was completed for the property located at 2808 Pillsbury Avenue. On the rental license application, the applicant was listed as Abdi Mohamud and Abdulaziz Sheikh was listed as the person responsible for the maintenance and management of the property. The address listed for Mr. Sheikh, as the property manager, was 541 W. 98<sup>th</sup> Street, #304, Bloomington, MN. Mr. Sheikh's listed address, as the property manager, was changed once, to 1132 S. 8<sup>th</sup> Street, #203, Minneapolis, MN.

On November 13, 2012, an inspection of the property located at 2808 Pillsbury Avenue was conducted by Housing Inspector Nicole Gonzalez. Inspector Gonzalez issued orders to the property manager, Abdulaziz Sheikh, to repair or replace the roof overhang and to provide a dust free,

erosion free surface or ground cover for the property. The written orders gave Mr. Sheikh until June 1, 2013, to make the necessary corrections.

On July 18, 2013, a re-inspection of the property was conducted by Inspector Gonzalez. Inspector Gonzalez found that the written orders had not been complied with and issued an administrative citation in the amount of \$250.00. The administrative citation was issued to the property manager, Abdulaziz Sheikh, and notified Mr. Sheikh that he could pay or appeal the administrative citation.

On September 23, 2013, a re-inspection of the property was conducted by Inspector Gonzalez. Inspector Gonzalez found that the written orders had not been complied with and issued an administrative citation in the amount of \$500.00. The administrative citation was issued to the property manager, Abdulaziz Sheikh, and notified Mr. Sheikh that he could pay or appeal the administrative citation.

On March 13, 2014, a re-inspection of the property was conducted by Inspector Gonzalez. Inspector Gonzalez found that the written orders had not been complied with and issued an administrative citation in the amount of \$1000.00. The administrative citation was issued to the property manager, Abdulaziz Sheikh, and notified Mr. Sheikh that he could pay or appeal the administrative citation.

On November 14, 2013, a review of the Housing Inspections Division's records revealed that the rental license for the property had expired. Inspector Gonzalez issued an immediate administrative citation in the amount of \$500.00. The administrative citation was issued to the property manager, Abdulaziz Sheikh, and notified Mr. Sheikh that he could pay or appeal the administrative citation.

On January 3, 2014, a review of the Housing Inspections Division's records revealed that the administrative citations issued on July 18, 2013, September 23, 2013, and November 14, 2013, to the property manager, Abdulaziz Sheikh, had neither been appealed nor paid.

On January 3, 2014, Housing Inspections Division issued a Notice of Director's Determination of Non-Compliance. The Notice informed the property manager, Abdulaziz Sheikh, that the property was in violation of the licensing standards set out in Minneapolis Code of Ordinances (M.C.O.) § 244.1910 and specifically subdivision 11(a) for having delinquent property taxes or assessments on the rental dwelling, or being delinquent on any financial obligations owing to the city under any action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process. The Notice informed the property manager, Abdulaziz Sheikh, that he and the owner were given ten (10) days to bring the property into compliance with the licensing standards and if they failed to bring the property into compliance, the City Council may proceed to deny, revoke, or suspend the rental license.

On April 8, 2014, the rental license application was changed to indicate a new property manager. The new property manager was listed as Omar Moallim with a listed address of 821 6<sup>th</sup> Street S.W., New Brighton, MN.

On May 8, 2014, a review of the Housing Inspections Division's records revealed that the administrative citations issued on July 18, 2013, September 23, 2013, November 14, 2013, and March 13, 2014, to the property manager, Abdulaziz Sheikh, had neither been appealed nor paid.

On May 8, 2014, a Notice of Revocation, Denial, Non-Renewal or Suspension was issued to the owner, Abdi Mohamud, the new property Manager Omar Moallim and to the former property manager, Abdulaziz Sheikh. The Notice informed the parties that the Housing Inspections Division was recommending revocation of the rental license due to the property failing to comply with licensing standard M.C.O. § 244.1910(11)(a) for having delinquent property taxes or assessments on the rental dwelling, or being delinquent on any financial obligations owing to the city under any action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process.

The Notice gave the parties fifteen (15) days to file an appeal of the Notice of Revocation. On May 23, 2014, Omar Moallim, the property manager, filed an appeal stating, "I am the new mgr and I am going to fixed all the violation. I do believe I have done most violation, so we are ready for inspections.

The appeal hearing was set for August 15, 2014, during which Ms. ??? appeared on behalf the property owner and the new property manager. Ms. ??? did not question the fact that the administrative citations had neither been appealed nor paid. She did testify that the violations had been corrected and that the new property manager had changed everything regarding the management of the property and was taking a proactive approach to correction problems with the property.

#### **CONCLUSIONS**

M.C.O. § 244.1910. states: 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.

Subdivision 11(a) of M.C.O. § 244.1910 states: 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.

The administrative citation issued on July 18, 2013, September 23, 2013, November 14, 2013, and March 13, 2014, to the property manager, Abdulaziz Sheikh, have neither been appealed nor paid.

On January 3, 2014, a valid Notice of Director's Determination of Non-Compliance for violations of M.C.O. § 244.1910(11)(a) for having delinquent property taxes or assessments on the rental dwelling, or being delinquent on any financial obligations owing to the city under any

action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process, was properly sent by the Housing Inspections Division.

The Housing Inspections Division issued a valid Notice of Revocation, Denial, Non-Renewal, or Suspension order, for violations of M.C.O. § 244.1910 (11)(a), for having delinquent property taxes or assessments on the rental dwelling, or being delinquent on any financial obligations owing to the city under any action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process.

**RECOMMENDATION**

That the rental license for the property located at 2808 Pillsbury Avenue., Minneapolis, MN., held by Abdi Mohamud, Omar Moallim and Abdulaziz Sheikh be revoked.

Dated \_\_\_\_\_ 2014

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FABIAN HOFFNER

ADMINISTRATIVE HEARING OFFICER