



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

Date: November 18, 2014

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

Subject: Rental Dwelling License Conditions – 1832/1834 Ulysses St. NE
Owner Gregory Collins

Recommendation: Place Conditions on the Rental Dwelling License(s) at
1832/1834 Ulysses St. NE. Owner Gregory Collins

Department Information

Prepared by: Kathy Zierke, Administrative Analyst II – 612-673-5846

Approved by:

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 October 23rd, 2014, the Department of Regulatory Services, Housing Inspections and the Owner of the above mentioned property entered into an Agreement with Conditions placed on the Rental License. This agreement is valid for 18 months. If during this time, the owner fails to maintain their portion of this agreement, the rental license shall be revoked.

(See enclosed Findings of Fact)

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

ADMINISTRATIVE HEARING OFFICER

In the matter of the Property

Located at 1834 Ulysses Street N.E.

Located in Minneapolis, MN and

owned by Gregory M. Collins

**FINDINGS OF FACT,
CONCLUSIONS, AND
RECOMMENDATION**

The above entitled matter came on for hearing before Administrative Hearing Officer Fabian Hoffner on October 23, 2014, at 1:00 p.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. Gregory M. Collins, owner of the property, was present.

FINDINGS OF FACT

Gregory M. Collins owns the property located at 1832/1834 Ulysses Street N.E. in the City of Minneapolis.

A rental license application was completed for the property located at 1832/1834 Ulysses Street N.E. On the rental license application, the

applicant was listed as Gregory M. Collins. Gregory M. Collins was also listed on the rental license application as the person responsible for the maintenance and management of the property. The contact address for Mr. Collins was listed as 701 Tyler Street N.E., Minneapolis, MN.

On March 25, 2011, an inspection of the property located at 1834 Ulysses Street N.E. was conducted by Housing Inspector Sharon Larsen. Inspector Larsen discovered, during the inspection, that a basement room at 1834 Ulysses Street N.E. was being used as a bedroom. The basement room did not meet the qualifications to be used as a sleeping room.

On March 30, 2011, Inspector Larsen issued a Director's Determination of Non-Compliance, informing the owner/property manager that the property was in violation of M.C.O. § 244.1920 (3) due to the illegal occupancy of the basement room as a bedroom. The owner/property manager was given until April 8, 2011, to come into compliance by removing the bedroom from the basement.

The owner/property manager complied with the written orders and had the tenants remove the bed from the basement room.

On August 26, 2014, Inspector Larsen conducted an inspection at 1834 Ulysses Street N.E. and discovered that the basement room was again being occupied illegally as a bedroom. Orders were issued to the owner/property manager to discontinue the use of the basement room as a bedroom. The owner/property manager was given until October 1, 2014, to come into compliance.

On October 8, 2014, an inspection of the property showed that the owner/property manager brought the property into compliance by removing the beds and other bedroom furniture from the room.

On September 8, 2014, a Notice of Revocation of Rental License or Provisional License was issued to Gregory M. Collins at the listed address of 701 Tyler Street N.E., Minneapolis, MN. The Notice informed the owner/property manager that the Regulatory Services Department, Housing Inspections Division was recommending revocation of the rental license for the property due to the continued violation of M.C.O. § 244.1910 (3) based upon the illegal occupancy of the basement room as a bedroom. The owner was given fifteen (15) days to appeal the recommendation. The property was also posted with a notice of the revocation action.

On September 18, 2014, Gregory M. Collins filed an appeal of the Housing Inspections Division's recommendation to revoke the rental license for 1834 Ulysses Street N.E. The appeal stated that the "1834 Ulysses is occupied by (3) guys, all friends, under one lease. The 4th guy is on a separate lease which no longer lives in unit. I have no plans on making this a rooming/boarding house."

On September 30, 2014, a letter was sent to Gregory M. Collins at the listed address of 701 Taylor Street N.E., Minneapolis, MN. The letter informed the owner/property manager that the rental license appeal hearing would be conducted on Thursday, October 23, 2014, at 1:00 in room 310 of Minneapolis City Hall, 350 South 5th Street, Minneapolis, MN. The letter also

informed the owner and property manager that if they failed to appear at the hearing the administrative hearing officer would act upon the appeal only with the facts presented in the original appeal application.

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 3 of M.C.O. § 244.1910 states: 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.

On March 25, 2011, there was a 1st instance of illegal occupancy at the property located at 1834 Ulysses Street N.E.

On March 30, 2011, a valid Notice of Director's Determination of Non-Compliance for violations of M.C.O. § 244.1910(3) for having had an instance of illegal occupancy at 1834 Ulysses Street N.E.

On August 26, 2014, a second instance if illegal occupancy at the property located at 1834 Ulysses Street N.E. occurred.

M.C.O. § 244.1940 states: 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 City of Minneapolis Department of Housing Inspections issued a valid Notice of Revocation, Denial, Non-Renewal, or Suspension order, for violations of M.C.O. § 244.1910 (3), for having had multiple instances illegal occupancy at 1834 Ulysses Street N.E., Minneapolis, MN.

RECOMMENDATION

That the rental license for the property located at 1834 Ulysses Street N.E., Minneapolis, MN., held by Gregory M. Collins be revoked.

That the revocation of the rental license for the property located at 1834 Ulysses Street N.E., be stayed for a period of two (2) years on the following conditions:

1. That the owner, Gregory M. Collins, pay a penalty of \$1,500.00 plus \$300.00 in costs to the City of Minneapolis by October 24, 2014.
2. That the owner, Gregory M. Collins, abate all open orders at the property located at 1834 Ulysses Street N.E. by November 24, 2014.

Dated _____ 2014

FABIAN HOFFNER
ADMINISTRATIVE HEARING OFFICER