

Community Development & Regulatory Services Committee

In the Matter of the Rental License Revocation Action

OWNER, BENJAMIN BRYAN
3424 – Humboldt Avenue North

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May 26, 2015

Property Address: 3424 Humboldt Avenue North

Owner:
Benjamin Bryan
3700 Morgan Avenue North
Minneapolis, MN 55412

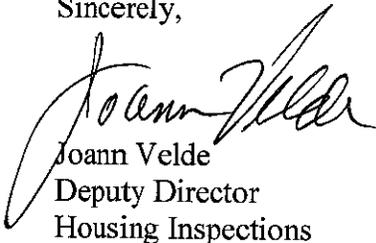
Dear Mr. Bryan:

On April 17th, 2015 you were notified of the City's intent to revoke the rental dwelling license for the property located at 3424 Humboldt Avenue North. You did not appeal the action.

The matter will be heard by the Community Development & Regulatory Services Committee of the City Council on July 14th, 2015, 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 673-5850.

Sincerely,


Joann Velde
Deputy Director
Housing Inspections

Encl.

For Office Use Only: RLIC #: 550605 OPERATOR: MTO FEE: 819 DATE: 10.4.12 TYPE: CONV SFD
Discount

Rental License Application
1 - 4 Unit Rental Buildings
Please see instructions on back of form

Section 1 Rental Property Information
Rental Property Address 3424 Humboldt Ave N. Minneapolis, MN, 55412
Number of Rental Units 1 Residential Units _____ Rooming Rental Units _____ Shared Bath Units _____ (description on back)
List how is each unit addressed Unit# _____ Unit# _____ Unit# _____ Unit# _____ (if a unit is occupied by Licensee please indicate that unit)

Section 2 Owner Information
Name of Owner Benjamin Longfellow Bryan
First MI Last
Business Name (if applicable) Bryan Rentals, LLC
(Submission of Articles of Organization listing the Owner is required at time of application)
Address of Owner 3700 Morgan Ave N.
(Address cannot be a P.O. Box or commercial mailing service)
City Minneapolis County Hennepin State & Zip Code MN 55412 Phone 507-350-1228
Date of Birth 06-28-86 E-mail Benjamin.Bryan123@gmail.com

I AFFIRM BY MY SIGNATURE BELOW THAT I AM IN COMPLIANCE WITH ALL RENTAL LICENSING STANDARDS OUTLINED IN MINNEAPOLIS CODE OF ORDINANCES, TITLE 12; CHAPTER 244. AND UNDERSTAND THAT FAILURE TO COMPLY WITH ANY OF THESE STANDARDS AND/OR CONDITIONS SHALL BE ADEQUATE GROUNDS FOR THE DENIAL, REFUSAL TO RENEW, REVOCATION, OR SUSPENSION OF MY RENTAL DWELLING LICENSE
I ACKNOWLEDGE THAT ALL CORRESPONDENCE SENT FROM THE DEPARTMENT OF INSPECTIONS WILL BE MAILED TO THE APPOINTED AGENT/CONTACT PERSON IF LISTED BELOW
THE OWNER SHALL NOTIFY THE DEPARTMENT OF INSPECTIONS IN WRITING WITHIN 14 DAYS OF ANY CHANGES IN THE NAMES, ADDRESSES AND OTHER INFORMATION CONCERNING THE LAST LICENSE APPLICATION FILED WITH THE DEPARTMENT

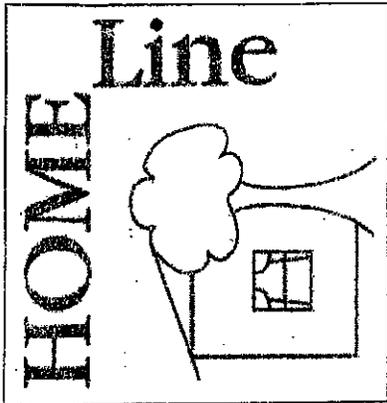
[Signature] 10-2-12
Signature of Owner Date

Section 3 Appointed Agent/Contact Person
This person must reside within the 16-county metropolitan area (LIST OF COUNTIES ON BACK)
Name of Appointed Agent/Contact Person Benjamin Longfellow Bryan
First MI Last
Address of Agent/Contact Person 3700 Morgan Ave N.
(Address cannot be a P.O. Box or commercial mailing service)
City Minneapolis County Hennepin State & Zip Code MN 55412 Phone 507-350-1228
Date of Birth 06-28-86 E-mail Benjamin.Bryan123@gmail.com

I AFFIRM BY MY SIGNATURE BELOW THAT I AM IN COMPLIANCE WITH ALL RENTAL LICENSING STANDARDS OUTLINED IN MINNEAPOLIS CODE OF ORDINANCES, TITLE 12, CHAPTER 244. AND UNDERSTAND THAT FAILURE TO COMPLY WITH ANY OF THESE STANDARDS AND/OR CONDITIONS SHALL BE ADEQUATE GROUNDS FOR THE DENIAL, REFUSAL TO RENEW, REVOCATION, OR SUSPENSION OF MY RENTAL DWELLING LICENSE
I ACKNOWLEDGE THAT THE DEPARTMENT OF INSPECTIONS WILL HOLD ME RESPONSIBLE FOR THE MAINTENANCE, MANAGEMENT, AND ANY LEGAL ACTIONS THAT MAY ENSUE FOR THE ABOVE LISTED RENTAL PROPERTY.
I AGREE THAT ALL CORRESPONDENCE SENT FROM THE DEPARTMENT OF INSPECTIONS WILL BE MAILED TO ME AS THE APPOINTED AGENT/CONTACT PERSON AS LISTED IN THIS SECTION

[Signature] 10-3-12
Signature of Appointed Agent/Contact Person (MUST BE NOTARIZED) Date
Subscribed and sworn to before me on this 03 day of October 2012
Notary Public, [Signature] County Hennepin





Certificate of Attendance

Tenant-Landlord Law Training

July 31, 2012

This certificate certifies that

Benjamin Bryan
Was in attendance

July 31, 2012
Date



Mike Vra, Managing Attorney/Hotline Director

Parcel Data for Taxes Payable 2015

 **Print**
  **View map**
  **Taxes due**
  **Current year values**
  **Prior year taxes**

Property ID: 09-029-24-12-0081
Address: 3424 HUMBOLDT AVE N
Municipality: MINNEAPOLIS
School Dist: 001 **Construction year:** 1916
Watershed: 6 **Approx. Parcel Size:** 40 X 125.5
Sewer Dist:
Owner Name: BENJAMIN BRYAN
Taxpayer Name & Address: BENJAMIN BRYAN
 3700 MORGAN AVE N
 MINNEAPOLIS MN 55412

Sale Information

Sales prices are reported as listed on the Certificate of Real Estate Value and are not warranted to represent arms-length transactions.

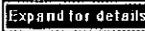
Sale Date: July, 2006
Sale Price: \$140,000
Transaction Type: Warranty Deed

Tax Parcel Description

The following is the County Auditor's description of this tax parcel. It may not be the legal description on the most recent conveyance document recording ownership. Please refer to the legal description of this property on the public record when preparing legal documents for recording

Addition Name: "DEAN PARK"
Lot: 022
Block: 003
First Line Metes & Bounds:
Full Metes & Bounds: **Note: To read full tax parcel description, [click here](#).**
Abstract or Torrens: ABSTRACT

Value and Tax Summary for Taxes Payable 2015
Values Established by Assessor as of January 2, 2014

Estimated Market Value: \$76,000
Taxable Market Value: \$76,000
Total Improvement Amount:
Total Net Tax: \$1,268.99 
Total Special Assessments: \$1,206.09
Solid Waste Fee:
Total Tax: \$2,475.08 

**Property Information Detail for Taxes Payable 2015
Values Established by Assessor as of January 2, 2014**

Values:

Land Market	\$5,500
Building Market	\$70,500
Machinery Market	
Total Market:	\$76,000

Qualifying Improvements

Veterans Exclusion

**Homestead Market Value
Exclusion**

Classifications:

Property Type	RESIDENTIAL
Homestead Status	NON-HOMESTEAD
Relative Homestead	
Agricultural	
Exempt Status	

Hennepin County is providing this information as a public service.
Tax related questions: taxinfo@hennepin.us

Hennepin County, Minnesota

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Property Address:

Property ID: **0902924120081**

[Map](#)

3424 Humboldt Ave N Minneapolis, MN 55412

RENTAL LICENSE & LODGING HOUSE LICENSE							
Permit Type	Contact						
RLIC - RENTAL LICENSING	Benjamin L Bryan 3700 Morgan Ave N, Minneapolis, MN 55412 507-350-1228						
	<table border="1"> <thead> <tr> <th>Paid On</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Oct 02, 2013</td> <td>\$69</td> </tr> <tr> <td>Oct 04, 2012</td> <td>\$69</td> </tr> </tbody> </table>	Paid On	Amount	Oct 02, 2013	\$69	Oct 04, 2012	\$69
Paid On	Amount						
Oct 02, 2013	\$69						
Oct 04, 2012	\$69						

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Minneapolis Information Technology

For assistance, contact [Minneapolis 311](#) at 3-1-1 or (612) 673-3000

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Property Address:

Property ID: **0902924120081**

[Map](#)

3424 Humboldt Ave N Minneapolis, MN 55412

Current Inspector: Jody

Last Inspection: 05/22/2015 by Kathy

HOUSING VIOLATIONS

Year	Total	Open	Closed	Tags
2015	7	6	1	0
2014	4	0	4	0
Prior	33	18	15	0
All	44	24	20	0

[Hide Details.](#)

2015

INCIDENT: [15-1111511](#) (HOUSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
	OPEN				

INCIDENT: [15-1111509](#) (HOUSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
	OPEN				

INCIDENT: [15-1110574](#) (HOUSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Cut Grass/weeds	OPEN	05/20/2015	05/27/2015	INSP	

INCIDENT: [15-1109492](#) (HOUSING LICENSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Licensing; Mco 244.1810	OPEN	05/14/2015	06/03/2015	INSP	

INCIDENT: [15-1100907](#) (HOUSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Remove Rubbish	DONE	03/17/2015	03/27/2015	INSP	

INCIDENT: 15-1091321 (HOUSING COMPLAINTS)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Licensing; Mco 244.1810	OPEN	01/08/2015	02/02/2015	INSP	
Assessment For Admin Citation Fee	OPEN				

2014**INCIDENT: 14-1075697 (HOUSING)**

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Cut Grass/weeds	DONE	09/17/2014	09/18/2014	INSP	

INCIDENT: 14-1072292 (HOUSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
	DONE				

INCIDENT: 14-1057499 (OTHER INSPECTOR/FLOATER)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Cut Grass/weeds	DONE	07/14/2014	07/15/2014	INSP	

INCIDENT: 14-1044663 (HOUSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Trim Vegetation/ Alley	DONE	06/11/2014	06/18/2014	INSP	

2013**INCIDENT: 13-1011583 (OTHER INSPECTOR/FLOATER)**

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Cut Grass/weeds	DONE	10/01/2013	10/14/2013	INSP	

INCIDENT: 13-1011470 (HOUSING LICENSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Paint Window	OPEN	10/01/2013	05/15/2014	INSP	
Paint Garage/shed	OPEN	10/01/2013	05/15/2014	INSP	

INCIDENT: 13-1011460 (HOUSING LICENSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Repair Ceilings *	OPEN	10/01/2013	11/07/2013	INSP	
Repair Walls *	OPEN	10/01/2013	11/07/2013	INSP	
Deadbolt-sf/dx	OPEN	10/01/2013	11/07/2013	INSP	
Sash Cords	OPEN	10/01/2013	11/07/2013	INSP	
Heating Performance Safety Check Require	OPEN	10/01/2013	11/07/2013	INSP	
Water Heater	OPEN	10/01/2013	11/07/2013	INSP	
Plumbing Repairs *	OPEN	10/01/2013	11/07/2013	INSP	
Rep/rep Fixtures *	OPEN	10/01/2013	11/07/2013	INSP	
Faceplates	OPEN	10/01/2013	11/07/2013	INSP	
Repair Glass	OPEN	10/01/2013	11/07/2013	INSP	
Provide Screens	OPEN	10/01/2013	11/07/2013	INSP	
Exterior Doors	OPEN	10/01/2013	11/07/2013	INSP	

INCIDENT: 13-1011470 (HOUSING LICENSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Assessment For Admin Citation Fee	OPEN				

INCIDENT: 13-1011460 (HOUSING LICENSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Assessment For Re-inspection Fee	OPEN				
Assessment For Admin Citation Fee	OPEN				

INCIDENT: 13-1007923 (HOUSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Remove Rubbish	DONE	09/17/2013	09/25/2013	INSP	

INCIDENT: 13-0997425 (OTHER INSPECTOR/FLOATER)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Cut Grass/weeds	DONE	07/31/2013	08/08/2013	INSP	

INCIDENT: 13-0978593 (HOUSING LICENSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
	OPEN				

INCIDENT: 13-0974475 (HOUSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Parking In Yard	DONE	05/08/2013	05/19/2013	INSP	

INCIDENT: 13-0974474 (HOUSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Inoperable Vehicle	DONE	05/08/2013	05/19/2013	INSP	

2012

INCIDENT: 12-0955464 (HOUSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Parking In Yard	DONE	12/03/2012	12/13/2012	INSP	

INCIDENT: 12-0907300 (TRUTH IN SALE OF HOUSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Assessment Of Unpaid Ccs Citation (1125)	DONE	09/04/2013	09/04/2013	CIS	
Tish Required Repairs Not Completed	DONE	09/04/2013	10/04/2013	CIS	
Tish Required Repairs Not Completed	DONE	06/20/2013	07/20/2013	CIS	
Tish Required Repairs Not Completed	DONE	03/13/2013	04/10/2013	CIS	
Tish 30 Days Left To Complete Orders	DONE	04/17/2012	05/18/2012	CIS	

2006

INCIDENT: 06-0488694 (HOUSING)

Violation	RFS Status	Initiated Date	Due Date	Division	Tag
Remove Rubbish	DONE	05/03/2006	05/12/2006	INSP	

2004

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Property Address:

Property ID: **0902924120081**

[Map](#)

3424 Humboldt Ave N Minneapolis, MN 55412

Warning - IMPORTANT INFORMATION CONCERNING SPECIAL ASSESSMENTS!

City of Minneapolis property data is updated nightly, Monday – Friday. While efforts are made to ensure that the information on our website is complete and accurate, Special Assessments data could be up to 72 hours old due to data systems refresh cycles.

The Special Assessment information herein does not include Public Works, Minneapolis Park Board, Hennepin County assessments.

If you are concerned about the accuracy or timeliness of an item and would like to contact the department responsible for the data, please contact [Minneapolis 311](#) so that a 311 Customer Service Agent can direct you to the appropriate department. From within the City, dial 3-1-1; outside Minneapolis, dial (612) 673-3000. TTY/TDD users dial (612) 673-2157.

For more information, see the [Special Assessments website](#) or [Special Assessment Contacts](#).

SPECIAL ASSESSMENTS

Year	Total	Assessed	Pending	Cancelled	Paid	Other
<u>2015</u>	6	0	6	0	0	0
<u>2014</u>	4	4	0	0	0	0
<u>Prior</u>	1	0	0	0	1	0
All	11	4	6	0	1	0

[Hide Details.](#)

2015

SPECIAL ASSESSMENTS

RS NUM	Levy #	Levy Year	Project	Project Description	Status	Total
15-1091321	1089	2015	H-admin Cit	Assessment For Admin Citation Fee Ent 25-mar-2015 Unpaid Admin Citation \$500 Issued 08-jan-2015	Pending	\$550.00
15-1091321	1089	2015	H-admin Cit	Assessment For Admin Citation Fee Ent 29-apr-2015 Unpaid Admin Citation \$1000 Issued 10-feb-2015	Pending	\$1,100.00
15-	1080	2015	021	Remove Rubbish Ent 08-may-2015 Plastic	Pending	\$175.00

1100907				Bags, Miscellaneous Rubbish Surrounding Driveway		
13-1011460	1089	2015	H-admin Cit	Assessment For Admin Citation Fee Ent 18-mar-2015 Unpaid Admin Citation \$2000 Issued 06-jan-2015	Pending	\$2,200.00
13-1011460	1089	2015	H-admin Cit	Assessment For Admin Citation Fee Ent 12-nov-2014 Unpaid Admin Citation \$1000 Issued 25-jun-2014	Pending	\$1,100.00
13-1011470	1089	2015	H-admin Cit	Assessment For Admin Citation Fee Ent 05-nov-2014 Unpaid Admin Citation \$250 Issued 25-jun-2014	Pending	\$275.00

2014

SPECIAL ASSESSMENTS

RS NUM	Levy #	Levy Year	Project	Project Description	Status	Total
13-1011460	1089	2014	H-admin Cit	Assessment For Admin Citation Fee Ent 02-jun-2014 Unpaid Admin Citation \$500 Issued 16-apr-2014	Assessed	\$550.00
13-1011460	1089	2014	H-admin Cit	Assessment For Admin Citation Fee Ent 03-mar-2014 Unpaid Admin Citation \$250 Issued 23-jan-2014	Assessed	\$275.00
13-1011460	1097	2014	H-rein Fee	Assessment For Re-inspection Fee Ent 18-sep-14 Reinsp Fee From 25-jun-14	Assessed	\$150.00
13-1011583	1081	2014	011	Cut Grass/weeds Ent 29-oct-2013 Along Alley And Surrounding Driveway	Assessed	\$128.00

2013

SPECIAL ASSESSMENTS

RS NUM	Levy #	Levy Year	Project	Project Description	Status	Total
12-0907300	1125	2013	Ccs900	Assessment Of Unpaid Ccs Citation (1125) Unpaid Admin Adcit For \$220.00 For Viol On 10-may-2012	Cancelled	\$220.00

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Minneapolis Information Technology

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Property Address:

Property ID: **0902924120081**

[Map](#)

3424 Humboldt Ave N Minneapolis, MN 55412

Police Precinct: 4

Last Incident Date: 04/30/2015

POLICE INCIDENTS

Year	Incidents	No. Reports Filed
2015	5	0
2014	1	0
Prior	22	3
All	28	3

[Hide Details.](#)

2015

HUMBOLDT AV N/3424

Incident	Nature	Disposition	Date	Time
15-154041	Miscellaneous (P)	INF-Information	04/30/2015	10:17 AM
15-136604	Music-Loud (P)	ADV-Advised	04/17/2015	09:17 PM
15-123755	Miscellaneous (P)	INF-Information	04/09/2015	10:07 AM
15-106993	Attempt Pick-Up (P)	UTL-Unable to Locate	03/28/2015	03:12 PM
15-064862	Miscellaneous (P)	INF-Information	02/24/2015	02:41 PM

2014

HUMBOLDT AV N/3424

Incident	Nature	Disposition	Date	Time
14-347473	High Risk Warrant Entry (P)		09/30/2014	09:19 AM

2011

HUMBOLDT AV N/3424

Incident	Nature	Disposition	Date	Time
11-244927	Audible Residential Alarm (P)	FAL-False	08/17/2011	03:41 PM

**FIRST NOTICE: SECTION 244.2020
CONDUCT ON LICENSED PREMISES**

Owner/Agent:

**BENJAMIN BRYAN
3700 MORGAN AVE N
MINNEAPOLIS MN 55412**

Date: JANUARY 7 2014

Email:
BENJAMIN.BRYAN123@GMAIL.COM
Phone: 612-886-3565



Address of incident:

003424 HUMBOLDT AV N Unit number(s), if any:

Our records indicate that the police were involved with your rental property due to conduct which occurred on the following incident date(s): 10/10/2014 9:55:00 AM

Due to the conduct described below, which occurred on your licensed premises, you are in violation of Section 244.2020 (a) of the Minneapolis Code of Ordinances, which states: "It shall be the responsibility of the licensee to take appropriate action, with the assistance of crime prevention specialists or other assigned personnel of the Minneapolis Police Department, following conduct by tenants and/or their guests on the licensed premises which is determined to be disorderly, in violation of the following statutes or ordinances to prevent further violations."

(See enclosed copy of Section 244.2020 of the Minneapolis Code of Ordinances.)

Case No. HCSO 14-023990, Narcotics offenses. Minnesota Statutes, Sections 152.01 through 152.025, and Section 152.027, Subdivisions 1 and 2, which prohibit the unlawful sale or possession of controlled substances.: Search warrant executed at 3424 Humboldt Ave N . A large amount of marijuana was recovered from the residence. Mohammed Abdi IBRAHIM was arrested for PC narcotics charges.

This is being recorded as the first incident of disorderly use. Within ten (10) days of receipt of this notice, you must submit a written management plan to the Minneapolis Police Department staff person below. This plan shall detail all proposed actions to be taken to prevent further disorderly use of the premises. Steps should be taken to prevent further use of the licensed premises in a disorderly manner as further disorderly use could result in denial, revocation, non-renewal or suspension of your rental dwelling license, and vacating the building. Failure to submit a written management plan within ten (10) days or failure to implement all provisions of the plan within twenty (20) days after its acceptance may result in the city council acting to deny, refuse to renew, revoke or suspend the license. Failure to submit a written management plan within ten (10) days may result in an Administrative Citation of \$250.

Please contact the Minneapolis Police Department staff person listed below for further information and assistance, and to inform him/her of any actions you may have taken related to this incident.

Sincerely, _____

Luther Krueger, Crime Prevention Analyst

Call 612-673-5371 with any questions. Mail required management plan documents (see enclosed checklists) to:
**Luther Krueger, Crime Prevention Analyst - Minneapolis Police Department
350 5th St. S. Room 100- Minneapolis MN 55415
Or: Email Luther.Krueger@MinneapolisMN.gov
Or: Fax 612-673-2750 Attention: Luther Krueger, Crime Prevention Analyst MPD**

Copy of Calls for Service and selected public incident information is enclosed.

MINNEAPOLIS POLICE DEPARTMENT



March 3 2015

**BENJAMIN BRYAN
3700 MORGAN AVE N
MINNEAPOLIS MN 55412**

Dear Owner/Licensee for 3424 HUMBOLDT AV N:

Enclosed please find an Administrative Citation in the amount of \$250.00 due no later than 20 days after service of this citation for a violation of Minneapolis, Minn. Code § 244.2020(c).

On **1/7/2015** the Minneapolis Police Department mailed a First Notice of Violation to BENJAMIN BRYAN at 3700 MORGAN AVE N, MINNEAPOLIS MN 55412, providing notice of a violation of the Minneapolis Conduct on Licensed Premises ordinance (Minneapolis, Minn. Code § 244.2020. The violation occurred at 3424 HUMBOLDT AV N, Minneapolis, Minnesota 55414 on 10/10/2014 9:55:00 AM, Incident # 2014-HCSO 14-023990

Pursuant to law, the official Notice of Violation and Warning advised the Notice recipient that "Failure to submit a written management plan may result in the City Council taking action to deny, refuse to renew, revoke, or suspend the rental license, and may result in an Administrative Citation of \$250." The designated MPD Crime Prevention Analyst did not receive a satisfactory management plan by the deadline of **1/20/2015**. As a result, an administrative citation in the amount of \$250 has been issued. Payment is due no later than 20 days after service of the citation.

The owner/licensee is still required to submit a satisfactory* written management plan. The fee may be waived if:
* A satisfactory plan is submitted within 20 days of the service of this citation, AND
* The owner and/or licensee schedules to attend and attends one of the next two available Rental Property Owners Workshops (RPOW) hosted by the Minneapolis Police Department. RPOW schedule follows the citation materials. Send both to the sender of this note, contact information below.

Contact Crime Prevention Analyst Luther Krueger via email, luther.krueger@minneapolismn.gov, to acknowledge receipt of this notice, to submit the plan, and to RSVP for a Rental Property Owners Workshop. This year's workshop schedule follows the citation materials.

For more information about the payment of your fine or on the hearing process, please call or email Police Department's Crime Prevention Analyst, contact information below.

Sincerely,

Luther Krueger, Crime Prevention Analyst, Minneapolis Police Department

Call 612-673-5371 with any questions. Mail required management plan documents (see enclosed checklists) to:
Luther Krueger, Crime Prevention Analyst - Minneapolis Police Department
350 5th St. S. Room 100- Minneapolis MN 55415 Email: Luther.Krueger@minneapolismn.gov

*See Ordinance 244.2020 regarding required satisfactory management plan.

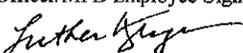
ADMINISTRATIVE CITATION

This citation charges you with a violation of Minneapolis City Code of Ordinances.
For information on how to respond to this citation, see the reverse side of this form.

City of Minneapolis
Police Department - Crime Prevention Analyst
350 South 5th Street, Room 100, City Hall
Minneapolis, MN 55415-1319
(612) 673-3002

March 3, 2015

CCN # <2014-HCSO 14-023990>

Violator Information			
Name (last, first, middle) BENJAMIN BRYAN			
Street Address, City, State, ZipCode 3700 MORGAN AVE N, MINNEAPOLIS MN 55412			
Drivers License Number N/A			State Minnesota
Date of Birth (mo/day/year) N/A	Sex Male <input type="checkbox"/> Female <input type="checkbox"/>	Phone number 612-886-3565	
Business/Organization Information (if applicable)			
Name of Business			
Address of Business			
Circle one: <input checked="" type="checkbox"/> Owner/Licensee Property Owner Manager Other(explain)			
Violation Information			
Violation date 1/20/2015	Repeat Violation <input type="checkbox"/>	Continuing Violation <input type="checkbox"/>	
Address of Violation 3424 HUMBOLDT AV N			
Ordinance Number 244.2020(c)		Fine Amount \$250.00	
Description Failure to submit satisfactory management plan by the deadline prescribed by Ordinance 244.2020(c): 1st Notice of criminal activity was mailed on: 1/7/2015 (attached). The incident involved narcotics, weapons, and/or prostitution and involved a resident or guest of a resident, and therefore the notice required that the owner submit a written management plan within 10 days of receipt of the notice. The deadline for receipt of the plan was set to be 1/20/2015 . No plan was received by the MPD's authorized staff by today's date March 3, 2014 . Ordinance 244.2020 follows the Administrative Citation instructions.			
Crime Prevention Analyst Luther Krueger			
Officer/MPD Employee Signature 	Badge/Employee Number 003882	Phone Number 612-673-5371	
Comments Questions please call Asst. City Attorney Lee Wolf at 612-673-2359 or Crime Prevention Analyst Luther Krueger 612-673-5371.			

Warning – Failure to respond to this citation within twenty (20) days will result in increased penalties and fees assessed.

Served: In Person By Mail Certified Mail

Violator's Copy (to be returned with payment, waiver request with management plan and workshop RSVP, or request for appeal)
C:\Users\krueglj0\Desktop\CONDUCT10-RPO-ACITE-POST.doc

Instructions for Responding To The Citation

You must pay the scheduled civil fine or request a hearing with twenty (20) days after service of this administrative citation. Failure to respond to this citation will result in increased penalties and fee assessed.

- **Pay The Fine** – *By paying the fine, you are admitting to the violation.*

To Pay By Mail: Send the check or money order with this copy of the administrative citation to the Minneapolis Police Department's designated staff, the Crime Prevention Analyst listed in the enclosed letter. The check or money order should be made out to the **Minneapolis Finance Department**. If you are a charitable gambling organization you must pay the fine from your general account, not your gambling account (under Mpls. Code of Ordinances 268.80 RR).

- **To have the fine waived** -- 1) Respond to the Minneapolis Police Department's Crime Prevention Analyst with your completed management plan form, and 2) RSVP to one of the next two scheduled MPD Rental Property Owners' Workshops. The current list of scheduled MPD Workshops follows this notice. This fine will be waived if both steps above are completed **within seven (7) days** of the mailing of this notice, and you attend the workshop for which you are scheduled.

- **Contesting The Violation – Requesting A Hearing**

To contest the violation and request a hearing, you must mail or deliver in person a written request to the Crime Prevention Analyst. You will be notified of a hearing date and the name of a hearing officer within 60 days from the receipt of the request.

- **Repeat Violations**

If the citation indicates that this is a repeat violation within a 24-month period, the fine will be doubled that of the last fine imposed, up to a maximum of \$2,000 per violation.

- **Continuing Violations**

If the citation indicates that this is a continuing violation, fines can be assessed on a daily basis until compliance occurs.

- **Questions**

If you have questions concerning the actual violation noted on the front of this form, please call the number(s) listed next to the name(s) of the designated Police Department staff.

For more information about the payment of your fine or on the hearing process, please call the Crime Prevention Analyst with the Strategic Information Crime Analysis Division at (612) 673-5371 or email Crime.Prevention@minneapolismn.gov.

**MAIL PAYMENT AND CORRESPONDENCE TO:
MINNEAPOLIS POLICE DEPARTMENT
CRIME PREVENTION ANALYST
350 SOUTH 5TH STREET, ROOM 100
MINNEAPOLIS, MN 55415**

CHARGES	Offender Last Name: Ibrahim First: Mohammed Middle: Abdi DOB: 04-02-1988
	#: 1 Level: Felony Status: COURT/PENDING Statute: 152.025.2(a)(1) Description: Drugs - 5th Degree - Possess Schedule 1,2,3,4
	Offender Last Name: Ibrahim First: Mohammed Middle: Abdi DOB: 04-02-1988

Supplemental Report

ICR: 14023990 **Last Modified:** 10-01-2014 1453
Title: ESU - 09/30/14 - J.Majeski #386 **Created By:** Jason Majeski
 On September 30 2014 I was assigned to the "Entry Team" for the Hennepin County Emergency Services Unit (E.S.U.) The address on the search warrant is 3424 Humboldt Ave N in Minneapolis.

At approximately 0929 hours, The E.S.U. Team arrived on the 3500 block of Humboldt Ave N in Minneapolis. I entered the residence and cleared the main floor. After the main floor was cleared I assisted on clearing the basement of the residence. After the residence was secured, I assisted on clearing the garage located to the rear of the property next to the alley.

At approximately 0939 hours, Sgt. Jerde advised Hennepin Dispatch the E.S.U. Team was "code 4" inside the residence. I took a perimeter position outside the residence until approximately 1020 hours, when Sgt. Jerde advised we could clear the scene.

Supplemental Report

ICR: 14023990 **Last Modified:** 10-01-2014 1454
Title: Supplement - Crofton **Created By:** Jesse Crofton
 I Deputy J. Crofton #22 executed a search warrant with the Hennepin County Sheriff's Office Emergency Services Unit at 3424 Humboldt Ave N, Mnpls at approximately 0929 hours.

I was assigned the ACOG rifle as security from the BEAR. We pulled up on scene at the number one side of the residence. I held security on that side until Code 4 was called at approximately 0949 hours.

I then held perimeter security outside the BEAR until we cleared the scene at approximately 1020 hours.

I did not encounter any suspects during this warrant.

Supplemental Report

ICR: 14023990 **Last Modified:** 10-01-2014 1455
Title: ESU Search Warrant - 2014/09/30 - N. Lovejoy #592 **Created By:** Neil Lovejoy
 On 4/9/30 I, Deputy Lovejoy #592, was involved in a search warrant at 3424 Humboldt Avenue North in the city of Minneapolis.

On this warrant I was assigned to drive the BEAR. When the team entered the house I made announcements that anyone inside of the residence was being detained and that they were to comply with officers commands.

The rest of the ESU team searched the house.

I cleared after custody of the home was transferred to VOTF.

Supplemental Report

ICR: 14023990 **Last Modified:** 10-01-2014 1455
Title: ESU search warrant - 2014/09/30 - S. Tomasko 613 **Created By:** Steven Tomasko
 I, Deputy Steven Tomasko #613 executed a search warrant with the Hennepin County ESU team on 09-30-2014. The warrant was executed at the address of 3424 Humboldt Ave N. MPLS.

I was assigned to the avon and did not make initial contact with any suspects inside the house. I helped clear the

first level and the garage.

ESU on scene at 0929

ESU code 4 at 0939

ESU cleared at 1020

Supplemental Report

ICR: 14023990

Last Modified: 10-01-2014 1456

Title: ESU Warrant Service – 09/30/2014 -C. McLouden #564

Created By: Cory McLouden

On 09/30/14, I, Deputy McLouden #564, was involved in a search warrant with the Hennepin County Emergency Services Unit at 2434 Humboldt Ave N in the city of Minneapolis.

On this warrant I was assigned to the entry team (1291) with a M4 rifle.

As 1291 approached the front of the residence, Deputy Guina breached the front door with a breaching ram. I then assisted in clearing the main floor and the upstairs of the residence.

I did not locate any persons or items of evidence.

I cleared after custody of all parties and the house was transferred to VOTF.

Supplemental Report

ICR: 14023990

Last Modified: 10-01-2014 1457

Title: Supplement - ESU Trupe

Created By: Jason Trupe

On 09/30/2014 the Emergency Services Unit conducted a search warrant for the address of 3424 Humboldt Avenue North in the city of Minneapolis. I, Deputy Jason Trupe was assigned to carry the hoolie and throw bot.

At approximately 0929 we arrived at the residence. Upon arrival we learned the hoolie would not be needed so I dropped the tool in the front yard and joined the entry team. I assisted the entry team in clearing the main level and basement of the house. Deputies in the upper level of the house found an attic space so I got the arm for the throw bot and deployed the throw bot into the attic before anyone climbed up to clear it.

At approximately 0939 the residence was secured and turned over to investigators. I then drew a sketch of the basement and joined other deputies on the perimeter until we were ready to clear. At approximately 1020 the Emergency Services Unit cleared the address and returned to ESD.

Supplemental Report

ICR: 14023990

Last Modified: 10-01-2014 1458

Title: ESU Search Warrant - 09/30/2014 - J. Steffens #589

Created By: Joseph Steffens

On 9/30/2014 I, Deputy Joseph Steffens #589, was assigned to the Emergency Services Unit to assist in conducting a High Risk Search Warrant at 3424 Humboldt Ave N in Minneapolis. At approximately 0929 hours we arrived on scene and I provided cover for Deputy Dauble who used a flash bang on the south west corner of the residence while the team breached the front door of the residence. After the bang went off, I entered the house through the front door and assisted the team clear and secure all individuals inside the residence. Once the house was clear, I went and assisted in clearing the garage behind the residence. The scene was Code 4 at 0939 hours and I maintained a perimeter spot in the rear of the address until we cleared the scene at 1020 hours.

Supplemental Report

ICR: 14023990

Last Modified: 10-01-2014 1459

Title: Supplemental report - Sweeney #46 - 09/30/2014

Created By: Sean Sweeney

**HENNEPIN COUNTY SHERIFF'S OFFICE
SUPPLEMENTAL REPORT**

SYNOPSIS:

The following report pertains to evidence found by myself at a search warrant executed at 3424 Humboldt Avenue North. For further information see other reports under HCSO case #14-23990.

NARRATIVE:

On 09/30/2014 members of the Emergency Services Unit (ESU) and the Violent Offender Task Force (VOTF) executed an unannounced daytime search warrant at 3424 Humboldt Avenue North in Minneapolis, Minnesota.

Once the residence was secured, photographs were taken of the interior. Members of VOTF began a systematic search of the residence for items listed within the scope of the search warrant. I assisted by searching the upstairs western bedroom.

While searching the upstairs western bedroom I opened the upper right hand dresser drawer. Within the right hand dresser drawer I located two DVD movie cases. I opened the two movie cases and located a large sum of US currency. Myself and Sgt. Poidinger counted the US currency found in the upstairs western bedroom, with the total being \$1,529.

As I continued to search the upstairs western bedroom I located a Apple iPhone in a red case on the bed.

After I finished searching the upstairs western bedroom I assisted by searching the main level living room. In the main level living room I located a box of 7.62x39 bullets. I opened the box and counted a total of 14 bullets within the box.

I had Deputy Zastera photograph all items listed above.

After I packaged and labeled the evidence I gave it to the inventory officer, Detective Lorentz.

End of report.

Supplemental Report	
ICR: 14023990	Last Modified: 09-30-2014 1714
Title:	Created By:

Supplemental Report	
ICR: 14023990	Last Modified: 10-09-2014 1346
Title: ESU Warrant Service - 09/30/14 - D. Zastera#607	Created By: Darrin Zastera
<p>On 09/30/14, I, Deputy Zastera #607, was involved in a search warrant with the Hennepin County Emergency Services Unit (ESU) at 2434 Humboldt Ave N in the city of Minneapolis.</p> <p>On this warrant I was assigned to the entry team (1291) with the duty of driving the Sprinter Vehicle.</p> <p>When ESU made entry, I assisted in clearing the residence. During this, I did not come into contact with persons or locate any items of evidence.</p>	

Supplemental Report	
ICR: 14023990	Last Modified: 10-01-2014 1502
Title: ESU Warrant Service Supp RPT - 09/30/2014 - T. Inglett #605	Created By: Timothy Inglett

**HENNEPIN COUNTY SHERIFF'S OFFICE
ESU WARRANT SERVICE SUPPLEMENTAL REPORT
CASE #14-023990**

SYNOPSIS:

This report pertains to the execution of a high-risk search warrant on the premises located at 3424 Humboldt Avenue North, in the City of Minneapolis, County of Hennepin, State of Minnesota.

NARRATIVE:

On 09/30/2014, I, Deputy T. Inglett #605 HCSO, assisted the Hennepin County Sheriff's Office Emergency Services Unit (ESU) execute a high-risk search warrant on the premises located at 3424 Humboldt Avenue North, in the City of Minneapolis. I was assigned as a member of the primary entry team, Unit 1291, and carried a ballistic shield in addition to a department issued handgun. I wore full tactical gear which displayed placarding to clearly identify me as a Sheriff's Deputy. My role was to assist conducting a security sweep of the residence.

This search warrant was narcotics related, and based on information obtained from investigators of the Hennepin County Violent Offender Task Force.

At approximately 0929 hours, ESU members arrived at 3424 Humboldt Avenue North, in the City of Minneapolis. I exited our transport vehicle and approached the residence on foot with other ESU members. I covered multiple windows at gunpoint during the approach to prevent any individuals from fleeing and/or assaulting officers as they prepared to gain entry into the residence.

When all ESU members were in place, Deputy Gunia breached the West-facing exterior door to the residence with a battering ram.

I entered the residence through the West-facing exterior door, and assisted other ESU members conduct a security sweep of the residence. Initially, I covered the stairway leading upstairs with a handgun and ballistic shield, and yelled up the stairs, "POLICE - SEARCH WARRANT - ANYONE UPSTAIRS ANNOUNCE YOURSELF." An adult male later identified as MOHAHAMMED ABDI IBRAHIM, DOB: 04/02/1988, responded.

I gave IBRAHIM verbal commands to lay on his stomach and crawl down the steps towards my voice. IBRAHIM complied with my commands, and I passed him off to other ESU members. I continued up the stairway, and assisted conducting a security sweep of the second level of the residence. I did not encounter any additional persons, and I did not discover any evidentiary items while conducting the security sweep of the residence.

When the security sweep was completed, and all occupants were detained, ESU members transferred control of the residence to investigators from the Hennepin County Violent Offender Task Force.

At approximately 1020 hours, I cleared the scene with all other ESU members.

End of report.

Supplemental Report

ICR: 14023990

Last Modified: 10-01-2014 1509

Title: Found Items - 09/30/14 - D. Zastera#607

Created By: Darin Zastera

**HENNEPIN COUNTY SHERIFF'S OFFICE
SUPPLEMENTAL REPORT**

SYNOPSIS:

On 09/30/14 I was assigned as an Investigator for the Hennepin County Violent Offender Task Force (VOTF). In this capacity at approximately 0940 hours, I assisted in the search of the residence located at 3424 Humboldt Ave N in Minneapolis MN. During the course of my search I located items that were logged as evidence.

NARRATIVE:

On 09/30/14 at approximately 0940 hours, Hennepin County ESU conducted an unannounced daytime entry at

the residence located at 3424 Humboldt Ave N in Minneapolis via signed search warrant by the Honorable Judge Sipkins. A short time later, ESU deemed the residence clear of all threats and allowed VOTF personnel to begin a search of the residence. Before the search was conducted, I photographed all doorways, hallways, closets, bedrooms, bathrooms, common areas and garage as they were found after ESU cleared. Once my photographs were completed, VOTF personnel began a systematic search for the items covered in the scope of the warrant.

I photographed each item of evidence as it was found. The item was then placed in a paper evidence bag by the finder and the finder then wrote the date, case number, address, and a description of the item on the bag. The bag was then brought to Detective Lorentz by the finder, who was filling out the receipt of inventory log that was attached to the search warrant.

I also assisted in the search of the residence. During the course of my search I found the following items of evidence:

- Item 7 – One black digital AWS scale, found on the cabinet along the south wall in the dining room.
- Item 15 – One black Samsung Verizon flip phone found on the coffee table in the living room.

Once the search of the residence was completed, I took exit photographs of all doorways, hallways, closets, bedrooms, bathrooms, common areas and garage.

VOTF personnel then cleared the residence.

End report.

Supplemental Report

ICR: 14023990

Last Modified: 10-01-2014 1504

Title: Supplement - Assisting Officer Report - 09/30/2014 - J.Gunia #41

Created By: Jeremy Gunia

On 09/30/2014 I, Deputy Gunia #41, was assigned breaching/Ram for the Hennepin County Emergency Services Unit. The target address was 3424 Humboldt Avenue North Minneapolis for a no knock search warrant.

At approximately 0929 hours I approached the number one side of the residence and opened the screen door. I checked the main door and it was locked. I announced "Police Search Warrant" and breached the front door with the RAM. Inside the residence I assisted in clearing the main floor and upstairs.

At approximately 0939 hours, Sgt. Jerde advised the ESU team was "code 4" inside the residence. I took a perimeter position outside the residence for security. At approximately 1020 hours we cleared of the assignment.

Supplemental Report

ICR: 14023990

Last Modified: 10-01-2014 1520

Title: Investigative Report, 10/01/14, J. Kirchoff #314

Created By: Jeff Kirchoff

**HENNEPIN COUNTY SHERIFF'S OFFICE
 INVESTIGATIVE REPORT
 CASE # 14-023990**

This report is being typed by Deputy Kirchoff on 09/30/14.

SYNOPSIS

This report pertains to a search warrant executed at 3424 Humboldt Ave N in the City of Minneapolis, Hennepin County, Minnesota. As a result of this search warrant, a large amount of marijuana, marijuana packaging supplies, and miscellaneous ammunition was recovered from the residence. Mohammed Abdi IBRAHIM 04/02/88 was arrested for PC narcotics charges.

OFFICERS INVOLVED

Deputies Kirchoff, McDaniel, Sweeney, Hughes, McHugh, Detective Daniels, Lorentz, Sgt. Fleck, Sgt Poidinger, Lt. Lunde and Emergency Services Unit (ESU).

DETAILS

On September 25th 2014, I, Deputy Jeff Kirchoff of the Hennepin County Sheriff's Office VOTF (Violent Offender Task Force) obtained a daytime unannounced search warrant for the premises of 3424 Humboldt Ave N in the City of Minneapolis, Hennepin County, Minnesota. The search warrant was signed and reviewed by the Honorable Judge Sipkins of the Hennepin County District Court Bench. (See Search Warrant Affidavits for further details.)

On August 30th 2014 at approximately 0940 hours, the warrant was executed at 3424 Humboldt Ave N in the City of Minneapolis, Hennepin County, Minnesota. Hennepin County ESU (Emergency Services Unit) made forced entry through the front door of 3424 Humboldt Ave N. The ESU team searched the house for occupants and found one adult male inside and two large dogs.

The male suspect was identified as Mohammed Abdi IBRAHIM 04/02/88 (located in the upstairs west bedroom).

Deputy Zastera took initial photos of the residence to document the condition of the residence prior to the search commencing.

VOTF Deputies/Officers then began a systematic search of the residence located at 3424 Humboldt Ave N in the City of Minneapolis. All evidence recovered was photographed as it was found, packaged at the scene, and marked with a case number, date, location of warrant, item number, location of where it was discovered and the officer/deputy that found the item. As the evidence was found, it was logged on the inventory receipt by Detective Lorentz. The following is a list of items found:

Item #1- One large bag of suspected marijuana. Item was found on the kitchen floor near the sink by Deputy Kirchoff.

Item #2- Mailings for Mohammed Ibrahim and a "ZAP" stun gun. Item was found in the east den on the main floor of the residence by Deputy McHugh.

Item #3- .45 cal S&B auto live round found in dining room along the east wall on the floor by Detective Lorentz.

Item #4- Digital scale found on top of fridge in kitchen by Deputy McHugh.

Item #5- \$1,529.00 in U.S. currency found in upstairs west bedroom by Deputy Sweeney.

Item #6- One digital AWS scale and one mailing for Mohammed Ibrahim at 3424 Humboldt Ave N. Items found on coffee table in the living room by Deputy Dawson.

Item #7- One black digital AWS scale found on cabinet in dining room by Deputy Zastera.

Item #8- Five bundles of U.S. currency wrapped in a \$20.00 bill and a rubber band totalling \$5,000.00 in U.S. currency. Item found in a velcro box on top shelf of upstairs hall closet by Lt. Lunde.

Item #9- One box containing 14 = 7.62 x 39 bullets found on TV stand in the living room by Deputy Sweeney.

Item #10- Three 200 gram weights and court paperwork for Mohammed Abdi Ibrahim at 3424 Humboldt Ave N. Items found in DVD shelf in south west corner of living room by Deputy Dawson.

Item #11- Two marijuana grinders and a jar with a marijuana substance found on living room table by Detective Daniels.

Item #12- Two large jars of a dark colored syrup substance suspected to be THC liquid. Both jars found in the kitchen fridge by Deputy Kirchoff.

Item #13- One white Apple I-phone in red case. Item found on bed in upstairs west bedroom by Deputy Sweeney.

Item #14- One hard drive found on the living room table by Detective Daniels.

Item #15- One black Samsung Verizon flip phone found on coffee table in living room by Deputy Zastera.

Item #16- Three different kinds of a frozen suspected THC substance found in the kitchen freezer by Deputy Kirchoff.

Item #17- One 6mm AK47 style BB gun rifle with detachable magazine found on the floor in the living room closet by Sgt. Fleck.

A Post Miranda interview was then conducted at the residence for IBRAHIM (See Miranda reports and audio recordings for further details regarding the interviews)

A copy of the search warrants and inventory receipts were left at the residence. Exit photos were then taken of the residence to document the condition of the residence after the execution of the search warrant was complete and all evidence was secured.

Based on the felony amount of marijuana found in the residence, it was decided that IBRAHIM would be arrested for PC narcotics. Deputy Zastera and I then transported IBRAHIM to the Hennepin County Jail where IBRAHIM was booked for probable cause narcotics.

The evidence was then brought directly to the Hennepin County VOTF office where I field tested the marijuana and suspected THC substances using a Nark II Reagent test kit which I am certified to use. I then weighed and repackaged the evidence. The following list of items was the result of the evidence processing:

Item #1A- Approximately 467.53 grams of field tested positive (FTP) marijuana. Marijuana was removed from item #1 and was tested, weighed, and repackaged by Deputy Kirchoff.

Item #11A- Approximately 12.97 grams of a dark brown powdery substance that field tested positive (FTP) for marijuana. The substance was removed from item #11 and was tested, weighed, and repackaged by Deputy Kirchoff.

Item #12A- Approximately 1,892.7 ML of a dark colored syrup-like liquid that field tested positive (FTP) for marijuana. The liquid was removed from item #12 and was tested, weighed, and repackaged by Deputy Kirchoff.

Item #16A- Approximately 52.08 grams of a dark brown tar textured substance that field tested positive (FTP) for marijuana. The substance was removed from item #16 and was tested, weighed, and repackaged by Deputy Kirchoff.

Item #16B- Approximately 52.88 grams of a light green buttery substance. The substance was removed from item #16 and was tested, weighed, and repackaged by Deputy Kirchoff.

Item #16C- Approximately 52.08 grams of a light green buttery substance that field tested positive (FTP) for marijuana. The substance was removed from item #16 and was tested, weighed, and repackaged by Deputy Kirchoff.

All evidence was then sealed in evidence bags and placed in temporary evidence storage locker #120 to await transport to the Hennepin County Crime Lab for storage.

End of report.

Supplemental Report

ICR: 14023990

Last Modified: 10-01-2014 1304

Title: Lunde Supp, Lunde #401

Created By: Matthew Lunde

**HENNEPIN COUNTY SHERIFF'S OFFICE
SUPPLEMENTAL REPORT**

SYNOPSIS:

This report pertains to the recovery of U.S. Currency during the execution of a search warrant at 3424 Humboldt Avenue North in Minneapolis on September 30, 2014

NARRATIVE:

On September 30, 2014 I was assigned as the Lieutenant of the Hennepin County Violent Offender Task Force (VOTF). On that day, VOTF executed a search warrant at 3424 Humboldt Avenue North with the assistance of the Hennepin County Emergency Services Unit (ESU). I arrived at 3424 Humboldt shortly after the scene was declared secure by ESU personnel.

Upon arrival, VOTF personnel had taken photos of the residence and a systematic search of the residence had begun. I assisted searching officers in the upstairs (top floor) of the house. While searching the upstairs hall closet, I located a box of Velcro on the top shelf of the closet. Inside the box were five stacks of U.S. Currency, each wrapped in a \$20 bill. All five stacks were bound together by a rubber band. Each bundle appeared to be a quantity of \$1000, comprised mostly of \$20 bills. I know through training and experience that this is a common way for drug traffickers to bundle their proceeds in recognizable amounts. Furthermore, \$20 bills are a common denomination used in the sales of controlled substances. I called Deputy Zastera to my location. He photographed the Velcro box containing the money in its place.

Sergeant Poidinger and Deputy Sweeney counted and double-counted the U.S. Currency. A seized evidence currency log was completed. The U.S. Currency was placed in an evidence bag with the evidence description and location found marked on the bag. The bag, later itemized as #8, was brought to Officer Lorentz, who was acting as the Inventory Control Officer.

I did not recover any other items. A short time later, I cleared the scene while VOTF officers continued the search of the residence.

End of report. MRL

Supplemental Report

ICR: 14023990

Last Modified: 10-01-2014 1557

Title: Supplement - Fleck

Created By: Erik Fleck

**HENNEPIN COUNTY SHERIFF'S OFFICE
SUPPLEMENTAL REPORT**

SYNOPSIS:

This report is in regards to my actions and observations during a search warrant at 3424 Humboldt Avenue North, Minneapolis on 09/30/14.

NARRATIVE:

On 09/30/14, I, Sgt Erik Fleck, was assigned as a supervisor to the Hennepin County Violent Offender Task Force.

As such, I assisted with perimeter security while the Emergency Services Unit (ESU) was executing the unannounced daytime warrant. I stood at the north west corner of the residence and saw no movement within the residence while ESU was clearing it.

After ESU had cleared the residence, I assisted by searching areas of the main floor. I searched the main floor living room closet and found a 6mm AK-47 look-a-like BB rifle with a detachable magazine (ITEM #17) lying on the floor. I cleared the weapon and bagged it. I labeled the bag with the date, case number, address, description of the item, and location in which it was found. I then gave the evidence to Detective Lorentz, the inventory officer, to catalog on an inventory receipt.

It should be noted that while I was packaging the weapon, the suspect - Mohamed Abdi IBRAHIM had stated on his own and without being asked, that it is his.

Upon completion of the search warrant, IBRAHIM stated that his two dogs could be left in the care of his neighbor "Bridget".

I contacted Bridget Lewellyn at 3431 Humboldt Avenue North and asked if she would take the dogs and she replied she would. The dogs were brought to her residence without incident.

The front door that had been breached forcefully by ESU upon entry was repaired and a key was used to secure the residence. I then placed the key into the front right pants pocket of IBRAHIM before he was transported to jail.

All officers cleared the scene at approximately 1220 hours.

Supplemental Report

ICR: 14023990

Last Modified: 10-02-2014 0620

Title: ESU Warrant Service - 09/30/2014 - Sgt. M. Jerde 435

Created By: Michael Jerde

On 09/30/2014, the Hennepin County Sheriff's Office Emergency Services Unit executed a Daytime Unannounced Search Warrant at the address of 3424 Humboldt Avenue North Minneapolis, MN. This warrant was originated by the Hennepin County Sheriff's Office Violent Offender Task Force. This warrant was weapons and narcotics related and was signed on 09/25/2014.

The ESU team was briefed by Case Agent Deputy Kirchoff 09/30/2014 at ESD at approximately 0830 hours. ESU team members were briefed on information pertaining to the residence, the occupants, and a summary of the case. ESU team members then departed ESD and went to the secondary brief spot at Folwell Park. Deputy McNamara and Deputy Zastera then went to scout the address one last time before the team executed the warrant. Deputy McNamara and Deputy Zastera came back from the scout and informed me that the original plan is still good.

ESU Team then departed the secondary brief spot and traveled east bound on Dowling Avenue North, south bound on Girard Avenue, west bound on 35th and the team deployed on the corner of 35th and Humboldt. ESU Team was on scene at approximately 0929 hours. Team members made their way to the front door and Deputy Dauble moved to the south corner of the residence. Deputy Dauble deployed a NFDD via the flash-bang pole while Deputy Steffens covered him. This was done to create a tactical distraction away from the entry point of the residence. Deputy Gunia checked the front door and it was locked. Deputy Gunia breached the front door utilizing a breaching ram. Deputy Gunia did check to make sure the front door was locked and he breached the door simultaneous with the NFDD. ESU team started to clear the main floor of the residence. Deputy Inglett and Deputy Diederich were holding a stairwell to the upstairs. I heard Deputy Inglett yell upstairs, "Anyone upstairs come down with your hands up." I heard a male voice from upstairs and approached the stairwell to assist. I

heard a male voice say, "I am coming down, don't shoot me." Deputy Inglett stated, "We are not going to shoot you, get on your hands and knees and come down the stairs. The male was later identified as MOHAMMED ABDI IBRAHIM 04/02/88. IBRAHIM was the target of the investigation according to the brief by Deputy Kirchoff. IBRAHIM complied with Deputy Inglett and Deputy Diederich's commands and came down the stairs. IBRAHIM remained in the prone position in the living room until handcuffed, he was then placed in a chair with team members assistance.

I was informed by Deputy Inglett at this point that a canine had run upstairs when we entered the residence. The canine was not an issue the remainder of the search. The rest of the residence was searched including the garage and no other occupants were located. Code 4 was called at 0939.

North ambulance was stage at 34th and Girard Avenue North.

Team members were debriefed at the scene, the residence was sketched, and no team members informed me of observing anything of evidentiary value.

ESU cleared the scene at 1007.

Supplemental Report

ICR: 14023990

Last Modified: 10-03-2014 1059

Title: Post Miranda Interview for IBRAHIM, 10/02/14, J.Kirchoff #314

Created By: Jeff Kirchoff

**HENNEPIN COUNTY SHERIFF'S OFFICE
SUPPLEMENTAL REPORT
CASE #14-023990**

SYNOPSIS:

The following is a brief synopsis of a post Miranda interview with Mohammed Abdi IBRAHIM DOB 04/02/88.

NARRATIVE:

On 09/30/14 I, Deputy Jeff Kirchoff, conducted a digitally recorded post Miranda interview with Mohammed Abdi IBRAHIM DOB 04/02/88.

At approximately 1050 hours I met with IBRAHIM during the execution of a search warrant for his residence located at 3424 Humboldt Ave N and read IBRAHIM his rights per my Miranda card. I then asked if he understood his rights that I had described and asked if he wanted to speak with me. IBRAHIM stated that he understood his rights and was willing to speak with me. The following is a brief summary of the statements made by IBRAHIM:

IBRAHIM stated that he lives alone at 3424 Humboldt Ave N in Minneapolis.

IBRAHIM stated that the large plastic bag of marijuana found on the kitchen floor (later found to contain more than a pound of field tested positive marijuana) belonged to him and was for "personal use".

When IBRAHIM was asked why he had multiple scales and packaging material indicative to the sale of marijuana he smiled and said "well if I'm honest will you use it against me?" I again asked if he understood the rights I read to him and he said "yes sir".

IBRAHIM stated that the ammunition found in the residence belongs to his landlord and that the landlord had forgot it there.

IBRAHIM stated that the suspected marijuana substances that were found in the freezer along with the suspected marijuana liquid found in the fridge is indeed a marijuana substances he uses for cooking. IBRAHIM stated that he is an "athlete" and that it is better for you to "ingest marijuana" than it is to inhale it.

The interview was recorded and copied to the computer case file. See the digitally recorded statements for additional details of the interview.

End of report.

Supplemental Report

ICR: 14023990

Last Modified: 10-03-2014 1059

Title: ICR - 10/02/2014 K. McNamara #462

Created By: Keith McNamara

I, Deputy K. McNamara, was assigned to the bunker of the Hennepin County Sheriff's Office Emergency Service Unit.

I cleared the first floor and the basement with other members of the ESU unit. I did not encounter anybody during my search of the home.

FINDINGS OF FACT

Benjamin Bryan is the owner of the property at the listed address of 3424 Humboldt Avenue N., Minneapolis, MN. As the owner of this property Benjamin Bryan applied for and was awarded a rental license for the property. Benjamin Bryan is 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 Benjamin Bryan listed an address of 3700 Morgan Avenue N., Minneapolis, MN as the contract address for the mailings from the Inspections Division.

On September 30, 2014, the Hennepin County Sheriff's Office executed a search warrant at 3424 Humboldt Avenue N. based upon a narcotics complaint. During the execution of the search warrant Hennepin County Sheriff's Deputies discovered large amounts of Marijuana along with scales and large amounts of cash. The tenant of the property was arrested and charged with felony possession of a controlled substance.

On January 7, 2015, a First Notice of Conduct on Licensed Premises was sent by Crime Prevention Analyst Luther Krueger. The Notice was sent to Benjamin Bryan at his listed address of 3700 Morgan Avenue N., Minneapolis MN and informed the owner that the September 30, 2014, incident at the property, was a violation of Minneapolis Code of Ordinances (M.C.O) 244.2020(a)(3). M.C.O. 244.2020(a)(3), prohibits the unlawful sale or possession of controlled substances on a licensed property.

Pursuant to M.C.O. 244.2020 (c), the owner was notified that due to the violation of M.C.O. 244.2020(a)(3) he was required to submit a written management plan to Luther Krueger within ten (10) days of receipt of the Notice. The owner was also informed that the failure to submit a written management plan with the ten (10) day period may result in the Minneapolis City Council taking action to deny, refuse to renew, revoke or suspend the rental license for the property. Mr. Krueger's contact information was included in the letter to the owner.

The owner failed to submit a written management plan to Mr. Krueger and on April 17, 2015, a Notice of Revocation, Denial, Non-Renewal, or Suspension of Rental License or Provisional License was sent to Benjamin Bryan at the listed address of 3700 Morgan Avenue N., Minneapolis MN. Notice of the pending revocation was also posted on the rental property located at 3424 Humboldt Avenue N. The Notice informed the owner that a recommendation was being sent to the Minneapolis City Council to revoke the rental license for 3424 Humboldt Avenue N. The owner was given fifteen (15) days to file an appeal in this matter and the fifteen days expired without an appeal being filed.

NOTICE OF REVOCATION OF RENTAL LICENSE OR PROVISIONAL LICENSE



April 17, 2015

Department of Regulatory Services

Nuria P. Rivera-Vandermyde
Director

Housing Inspections

250 South 4th Street – Room 400
Minneapolis, MN 55415-1316

Office (612) 673-3000
Fax (612) 673-3262
TTY (612) 673-2157

Attention: If you have any questions regarding this material please call 311

Spanish - Atención.
Si desea recibir asistencia gratuita para traducir esta información, llame al teléfono (612) 673-2700

Somali - Ogow.
Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda 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: 612-673-2157

If you want help translating this information in any other language, call 612-673-3737

Property Address: 3424 – Humboldt Avenue North

Owner:
Benjamin Bryan
3700 Morgan Avenue North
Minneapolis, MN 55412

The attached police report on the above address shows your building fails to comply with the licensing standards for rental dwellings under Minneapolis Code of Ordinances Section 244.2020 Conduct on Licensed Premise.

A recommendation is being sent to the City Council to **revoke** your license.

If you do not appeal the recommendation within 15 days from the date of this notification, the City Council may **revoke** your license. An appeal form and a copy of appeal procedures (MCO 244.1960) are enclosed.

If the City Council approves the recommendation to deny, revoke, refuse to renew or suspend 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.

The Minneapolis Police Crime Prevention Analyst, Luther Krueger can be reached at 612-673-5371.

Sincerely,

Joann Velde
Deputy Director
Housing Inspections
612-673-5850

Enclosure



City Information
and Services

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 3424 Humboldt Av N

The license your landlord needs for this building cannot be given at this time due to
Conduct on Licensed Premise

Reference: Minneapolis Code of Ordinances 244.1910 Licensing Standards

Your landlord must appeal this decision by 5-8-15

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: 4-7-15

English: American: If you need help translating this information, call
Spanish: American: Si desea recibir asistencia en español, llame al número de línea gratuita al 612-673-2700
Somali: Dagaal: Hindihi iyo dibeyso: Haddii aad u baahno kaftan ama macluumaad ka dhacda, oo la xariir: 612-673-2700
Hmong/Czech: Hmong: You may want to call 311 if you need help with this information. Call 612-673-2700
Siimil language: Hmong/Czech: call 311 if you need help with this information. Call 612-673-2700

244.2020. Conduct on licensed premises.

(a) It shall be the responsibility of the licensee to take appropriate action, with the assistance of crime prevention specialists or other assigned personnel of the Minneapolis Police Department, following conduct by tenants and/or their guests on the licensed premises which is determined to be disorderly, in violation of any of the following statutes or ordinances, to prevent further violations.

- (1) Minnesota Statutes, Sections 609.75 through 609.76, which prohibit gambling;
- (2) Minnesota Statutes, Section 609.321 through 609.324, which prohibits prostitution and acts relating thereto;
- (3) Minnesota Statutes, Sections 152.01 through 152.025, and Section 152.027, Subdivisions 1 and 2, which prohibit the unlawful sale or possession of controlled substances;
- (4) Minnesota Statutes, Section 340A.401, which prohibits the unlawful sale of alcoholic beverages;
- (5) Section 389.65 of this Code, which prohibits noisy assemblies;
- (6) Minnesota Statutes, Sections 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716, and section 393.40, 393.50, 393.70, 393.80, 393.90 and 393.150 of this Code, which prohibit the unlawful possession, transportation, sale or use of a weapon; or
- (7) Minnesota Statutes, Section 609.72, and Section 385.90 of this Code, which prohibit disorderly conduct, when the violation disturbs the peace and quiet of the occupants of at least two (2) units on the licensed premises or other premises, other than the unit occupied by the person(s) committing the violation.

(b) The police department and the department of regulatory services shall be jointly responsible for enforcement and administration of section 244.2020.

(c) Upon determination by a crime prevention specialist, or other assigned police department employee, utilizing established procedures, that a licensed premises was used in a disorderly manner, as described in subsection (a), the responsible crime prevention specialist or other assigned police department employee shall notify the licensee by mail of the violation and direct the licensee to take appropriate action with the assistance of the Minneapolis Police Department to prevent further violations. If the instance of disorderly use of the licensed premises involved conduct specified in paragraphs (a)(2), (a)(3) or (a)(6) of this section the licensee shall submit a satisfactory written management plan to the police department within ten (10) days of receipt of the notice of disorderly use of the premises. The written management plan shall comply with the requirements established in paragraph (d) of this section. The licensee shall implement all provisions of the written management plan within twenty (20) days after acceptance of the management plan by the crime prevention specialist or other assigned police department employee. The notice provided to the licensee of the violation shall inform the licensee of the requirement of submitting a written management plan. That notice shall further inform the licensee that failure to submit a written management plan or failure to implement all provisions of the management plan within twenty (20) days after its acceptance may result in the city council taking action to deny, refuse to renew, revoke, or suspend the license. The established procedures manual is available to the public from the Minneapolis Police Department.

(d) If another instance of disorderly use of the licensed premises occurs within eighteen (18) months, if the premises contains between one (1) and six (6) distinct and separate residential units, or within twelve (12) months, if the premises contains more than six (6) distinct and separate residential units, of an incident for which a notice in subsection (c) was given, the crime prevention specialist or other assigned police department employee shall notify the licensee by mail of the violation. The licensee shall submit a satisfactory written management plan to the police department within ten (10) days of receipt of the notice of disorderly use of the premises. The written management plan shall detail all actions taken by the licensee in response to all notices of disorderly use of the premises within the preceding twelve (12) months. The written management plan shall also detail all actions taken and proposed to be taken by the licensee to prevent further disorderly use of the premises. The licensee shall implement all provisions of the written management plan within twenty (20) days after acceptance of the management plan by the crime prevention specialist or other assigned police department

employee. The notice provided to the licensee of the violation shall inform the licensee of the requirement of submitting a written management plan. That notice shall further inform the licensee that failure to submit a written management plan or failure to implement all provisions of the management plan within twenty (20) days after its acceptance may result in the city council taking action to deny, refuse to renew, revoke, or suspend the license. The licensee or the listed agent/contact person for the licensee shall also successfully complete a property owner's workshop at the direction of and in accordance with a schedule set forth by the police department. Any costs associated with that workshop will be the sole responsibility of the licensee. The notice provided to the licensee of the violation shall inform the licensee of the requirement of the licensee or the listed agent/contact person for the licensee of the requirement to successfully complete a property owner's workshop. That notice shall further inform the licensee that failure to successfully complete the property owner's workshop may result in the city council taking action to deny, refuse to renew, revoke, or suspend the license.

(e) When required by paragraph (d), the rental dwelling license for the premises may be denied, revoked, suspended, or not renewed if the licensee fails to submit a written management plan that satisfies the requirements set forth in paragraph (d), or if the licensee fails to timely implement all provisions of an accepted written management plan, or if the licensee or the listed agent/contact person for the licensee fails to successfully complete a property owner's workshop after a minimum of two (2) approved workshops have been scheduled, offered and held. An action to deny, revoke, suspend, or not renew a license under this section shall be initiated by the director of regulatory services in the manner described in section 244.1940, and shall proceed according to the procedures established in sections 244.1950, 244.1960, and 244.1970.

(f) If another instance of disorderly use of the licensed premises occurs within eighteen (18) months, if the premises contains between one (1) and six (6) distinct and separate residential units, or within twelve (12) months, if the premises contains more than six (6) distinct and separate residential units, after the second of any two (2) previous instances of disorderly use for which notices were sent to the licensee pursuant to this section, the rental dwelling license for the premises may be denied, revoked, suspended, or not renewed. An action to deny, revoke, suspend, or not renew a license under this section shall be initiated by the director of regulatory services in the manner described in section 244.1940, and shall proceed according to the procedures established in sections 244.1950, 244.1960, and 244.1970.

(g) No adverse license action shall be imposed where the instance of disorderly use of the licensed premises occurred during the pendency of eviction proceedings (unlawful detainer) or within thirty (30) days after a notice is given by the licensee to a tenant to vacate the premises, where the disorderly use was related to conduct by that tenant or his/her guests. Eviction proceedings shall not be a bar to adverse license action, however, unless they are diligently pursued by the licensee. A notice to vacate shall not be a bar to adverse license action unless a copy of the notice is submitted to the crime prevention specialist or other assigned police department employee within ten (10) days of receipt of the violation notice. Further, an action to deny, revoke, suspend, or not renew a license based upon violations of this section may be postponed or discontinued by the director of regulatory services at any time if it appears that the licensee has taken appropriate action to prevent further instances of disorderly use.

(h) A determination that the licensed premises have been used in a disorderly manner as described in subsection (a) shall be made upon substantial evidence to support such a determination. It shall not be necessary that criminal charges be brought to support a determination of disorderly use, nor shall the fact of dismissal or acquittal of such a criminal charge operate as a bar to adverse license action under this section.

(90-Or-235, § 6, 9-14-90; 91-Or-071, § 1, 4-26-91; 92-Or-019, §§ 1, 2, 2-21-92; 95-Or-097, § 5, 6-30-95; Ord. No. 98-Or-142, § 1, 12-4-98; 99-Or-163, § 13, 12-17-99; 2004-Or-112, § 2, 10-8-04; 2005-Or-142, § 1, 12-23-05; 2008-Or-090, § 1, 11-21-08; 2013-Or-161, § 53, 12-6-13)

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)

244.1940. 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), (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)

385.170. Disorderly houses.

(a) *Definitions.* Whenever used in this section, the following terms shall have the indicated meaning:

(1)

Controlled substance shall have the meaning assigned by Minnesota Statutes, Section 152.01, Subd. 4.

(2)

Prostitution shall have the meaning assigned by Minnesota Statutes, Section 609.321, Subd. 9.

(3)

Unlawful liquor sales shall mean the unlawful sale of intoxicating liquor or nonsignificants [nonintoxicating] malt liquor.

(4)

Prohibited conduct shall mean activities occurring in violation of statutes or ordinances relating to any of the following:

a.

Gambling;

b.

Prostitution, acts relating thereto, or indecent conduct;

c.

Sale or possession of controlled substances; or

d.

Unlawful liquor sales.

(5)

Disorderly house shall mean a building, dwelling, establishment, premises or place where prohibited conduct occurs. If the building, dwelling, establishment, premises or place is a multi-unit dwelling or residence, hotel or motel, or commercial or office building, this definition only includes the dwelling unit, room or suite of rooms in the hotel or motel, office rooms or suite, or store in which prohibited conduct occurs.

(b)

Prohibitions.

(1)

No person shall own, operate, manage, maintain or conduct a disorderly house, or invite or attempt to invite others to visit or remain in such disorderly house.

(2)

No person shall visit or remain in a disorderly house for the purpose of aiding, abetting, or engaging in prohibited conduct occurring in such disorderly house. (Code 1960, As Amend., § 870.140; 89-Or-092, §§ 1, 2, 5-26-89)

Charter reference— Authority to suppress disorderly houses and houses of ill fame, Ch. 4, § 5(3).

State law reference— Keeping disorderly house, M.S. § 609.33; nuisance declared, M.S. § 617.33.

152.025 CONTROLLED SUBSTANCE CRIME IN THE FIFTH DEGREE.

Subdivision 1. **Sale crimes.** (a) A person is guilty of a controlled substance crime in the fifth degree and if convicted may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both if:

(1) the person unlawfully sells one or more mixtures containing marijuana or tetrahydrocannabinols, except a small amount of marijuana for no remuneration; or

(2) the person unlawfully sells one or more mixtures containing a controlled substance classified in Schedule IV.

(b) Except as provided in paragraph (c), if a person is guilty of a controlled substance crime in the fifth degree and the conviction is a subsequent controlled substance conviction, the person convicted shall be committed to the commissioner of corrections or to a local correctional authority for not less than six months nor more than ten years and, in addition, may be sentenced to payment of a fine of not more than \$20,000 if:

(1) the person unlawfully sells one or more mixtures containing marijuana or tetrahydrocannabinols, except a small amount of marijuana for no remuneration; or

(2) the person unlawfully sells one or more mixtures containing a controlled substance classified in Schedule IV.

(c) Prior to the time of sentencing, the prosecutor may file a motion to have the person sentenced without regard to the mandatory minimum sentence established by paragraph (b). The motion must be accompanied by a statement on the record of the reasons for it. When presented with the motion, or on its own motion, the court may sentence the person without regard to the mandatory minimum sentence if the court finds, on the record, substantial and compelling reasons to do so.

Subd. 2. **Possession and other crimes.** (a) A person is guilty of controlled substance crime in the fifth degree and if convicted may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both if:

(1) the person unlawfully possesses one or more mixtures containing a controlled substance classified in Schedule I, II, III, or IV, except a small amount of marijuana; or

(2) the person procures, attempts to procure, possesses, or has control over a controlled substance by any of the following means:

(i) fraud, deceit, misrepresentation, or subterfuge;

(ii) using a false name or giving false credit; or

(iii) falsely assuming the title of, or falsely representing any person to be, a manufacturer, wholesaler, pharmacist, physician, doctor of osteopathy licensed to practice medicine, dentist, podiatrist, veterinarian, or other authorized person for the purpose of obtaining a controlled substance.

(b) Except as provided in paragraph (c), if a person is guilty of a controlled substance crime in the fifth degree and the conviction is a subsequent controlled substance conviction, the person convicted shall be committed to the commissioner of corrections or to a local correctional authority for not less than six months nor more than ten years and, in addition, may be sentenced to payment of a fine of not more than \$20,000 if:

(1) the person unlawfully possesses one or more mixtures containing a controlled substance classified in Schedule I, II, III, or IV, except a small amount of marijuana; or

(2) the person procures, attempts to procure, possesses, or has control over a controlled substance by any of the following means:

(i) fraud, deceit, misrepresentation, or subterfuge;

(ii) using a false name or giving false credit; or

(iii) falsely assuming the title of, or falsely representing any person to be, a manufacturer, wholesaler, pharmacist, physician, doctor of osteopathy licensed to practice medicine, dentist, podiatrist, veterinarian, or other authorized person for the purpose of obtaining a controlled substance.

(c) Prior to the time of sentencing, the prosecutor may file a motion to have the person sentenced without regard to the mandatory minimum sentence established by paragraph (b). The motion must be accompanied by a statement on the record of the reasons for it. When presented with the motion, or on its own motion, the court may sentence the person without regard to the mandatory minimum sentence if the court finds, on the record, substantial and compelling reasons to do so.

Subd. 3. [Repealed, 2009 c 83 art 3 s 24]

History: 1989 c 290 art 3 s 12; 1990 c 602 art 7 s 6; 1992 c 359 s 9; 1993 c 326 art 13 s 9; 1995 c 244 s 5; 2009 c 83 art 3 s 3,4; 2010 c 382 s 35