

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

**In the matter of the Rental
Dwelling License held by
Helena Atwell for the Premises
at 1307 Washington Street N.E.
Minneapolis, Minnesota**

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

FINDINGS OF FACT

Helena Atwell is listed as the owner of the property located at 1307 Washington Street N.E. in the City of Minneapolis. Helena Atwell, on February 4, 2008, applied for a rental license for the property at 1307 Washington Street N.E. Helena Atwell was listed on the rental license application as the owner of the property with a listed address of 1435 6th Street N.E., Minneapolis, MN. Ms. Atwell was also listed as the person responsible for the maintenance and management of the property.

This matter was commenced by the SAFE unit of the Minneapolis Police Department and the Department of Inspections to revoke the rental dwelling license for the property at 1307 Washington Street N.E. under Minneapolis Code of Ordinances (M.C.O.) § 244.2020. Section 244.2020, “Conduct on Licensed Premises”, requires a rental licensee to take appropriate action following conduct on the premises defined as disorderly under Section 244.2020(a). Specifically included within the ambit of disorderly use is “conduct by tenants and/or their guests on the licensed premises which is determined to be disorderly, in violation of [provisions] which prohibit gambling; prostitution; the unlawful sale or possession of controlled substances; the unlawful sale of alcoholic beverages; noisy assemblies; the unlawful possession, transportation, sale, or use of a weapon and disorderly conduct.”

On March 9, 2016, Minneapolis Police Officers executed a search warrant at 1307 Washington Street N.E. Once inside the property Sherriff's deputies discovered narcotics, specifically Methamphetamine.

On March 10, 2016, Crime Prevention Analyst Luther Krueger, issued a violation letter to Helena Atwell, indicating that the discovery of controlled substances at 1307 Washington Street N.E. on March 9, 2016, constituted a violation of M.C.O. § 244.2020 (a)(3). The violation letter was sent to Ms. Atwell at her listed address of 1435 6th Street N.E., Minneapolis, MN. The violation letter also stated that pursuant to M.C.O. § 244.2020 (c) the owner/licensee was required to submit a management plan to CPA Krueger within ten (10) days and to take action to prevent further use of the property in a disorderly manner.

On May 10, 2016, no management plan had been submitted and a Notice of Revocation of Rental License or Provisional License was sent to the owner/licensee, Helena Atwell at her listed address of 1435 6th Street N.E., Minneapolis, MN. Additionally, the property was posted with a placard noting that the property was subject to revocation of its rental license. The owner/licensee was given 15 days to file an appeal of the Notice of Revocation.

The owner/licensee failed to file an appeal of the Notice of Revocation. Additionally, no management plan has been submitted with regards to 1307 Washington Street N.E., Minneapolis, MN.

CONCLUSIONS

One incident of conduct, determined to constitute a disorderly use and defined as disorderly in M.C.O. § 244.2020(a)(3) by tenants and/or guests, occurred on the premises of 1307 Washington Street N.E. on March 9, 2016, for which proper notices of disorderly use were issued.

The owners and licensee failed to take timely, appropriate action in response to notices from the Minneapolis Police Department concerning the disorderly incident on the premises of 1307 Washington Street N.E.

The Minneapolis Police Department and the Inspections Division followed the appropriate procedural steps and provided the necessary notices as required under the Minneapolis Code of Ordinances.

The owner failed to comply with the requirement of M.C.O. § 244.2020(c) which requires submission of a written management plan within ten (10) days of issuance of a notice of disorderly use involving illegal possession of weapons. This failure provides a basis for adverse license action, specifically inclusive of revocation, against the rental dwelling license held by the licensee and any interest in the rental license held by the owner, at 1307 Washington Street N.E.

The rental dwelling license held by Helena Atwell for 1307 Washington Street N.E. is subject to revocation or suspension under M.C.O. §§ 244.2020(c). Revocation of the referenced rental dwelling license is the appropriate adverse license sanction.

RECOMMENDATION

That the rental dwelling license held by Helena Atwell for the property at 1307 Washington Street N.E., Minneapolis, Minnesota be revoked.