

CITY OF MINNEAPOLIS
FOR THE DEPARTMENT OF
REGULATORY SERVICES

ADMINISTRATIVE HEARING OFFICER

In the matter of the Property
Located at 2628 13th Avenue S.
Minneapolis, MN and owned by
Abdulaziz Sheikh

FINDINGS OF FACT, in
CONCLUSIONS, AND
RECOMMENDATION

The above entitled matter came on for hearing before Administrative Hearing Officer Fabian Hoffner on April 3, 2013, at 1:00 a.m. at Room 310, Minneapolis City Hall, Minneapolis, Minnesota. The City of Minneapolis was represented by Lee C. Wolf, Assistant City Attorney and Cynthia Gagnier, Manager of Administrative Services for the Department of Regulatory Services. Abdulaziz Sheikh, owner of the above listed property, did not appear for the hearing.

FINDINGS OF FACT

Abdulaziz Sheikh owns the property located at 2628 13th Avenue S. in the City of Minneapolis. Abdulaziz Sheikh's address, as listed on the Hennepin County property information records, is 1132 South 8th Street, #203, Minneapolis, MN.

On August 26, 2011, a rental license application was completed for the property located at 2628 13th Avenue S., Minneapolis, MN. On the rental license application, the applicant was listed as Abulaziz Sheikh and Mr. Sheikh was also listed as the contact person/property manager. The contact address for the Abulaziz Sheikh was listed as 1132 South 8th Street, #203, Minneapolis, MN.

On October 25, 2011, an inspection was conducted at 2628 13th Avenue S. On October 31, 2011, written orders were issued to Abulaziz Sheikh at his listed address of 1132 South 8th Street, # 203, Minneapolis, MN. The written orders directed the owner to make the following corrections at the property: install required exterior handrails for the front steps, repair or replace the defective electrical fixtures in the 2nd floor stairway, to repair or replace the sash cords for the windows in the 2nd floor east bedroom- living room and rear hallway, to provide an approved emergency escape and rescue window in the 2nd floor south bedroom, to repair the walls in the 2nd floor bathroom, to provide required handrails for the stairway to the basement and to provide an operable Carbon Monoxide Detector- the order included several other required repairs.

The written orders gave the owner until November 27, 2011, to make the necessary repairs at the property.

On March 30, 2012, a re-inspection was completed at 2628 13th Avenue S. which revealed that the written orders had not been completed and on April 13, 2012, an administrative citation was issued, in the amount of \$250.00, to Abdulaziz Sheikh at the listed address of 1132 South 8th Street, #203, Minneapolis, MN. Mr. Sheikh was given twenty days to pay or appeal the citation. Minneapolis Housing Inspections' records indicate that Abulaziz Sheikh neither appealed nor paid the \$250.00 administrative citation issued on April 13, 2012.

On June 29, 2012, a re-inspection was completed at 2628 13th Avenue S. which revealed that the written orders, issued on October 31, 2011, had not been completed and on July 12, 2012, an administrative citation was issued, in the amount of \$500.00, to Abdulaziz Sheikh at the listed address of 1132 South 8th Street, #203, Minneapolis, MN. Mr. Sheikh

was given twenty days to pay or appeal the citation. Minneapolis Housing Inspections' records indicate that Abulaziz Sheikh neither appealed nor paid the \$500.00 administrative citation issued on July 12, 2012.

On September 24, 2012, a re-inspection was completed at 2628 13th Avenue S., which revealed that the written orders, issued on October 31, 2011, had not been completed and on October 1, 2012, an administrative citation was issued, in the amount of \$1,000.00, to Abdulaziz Sheikh at the listed address of 1132 South 8th Street, #203, Minneapolis, MN. Mr. Sheikh was given twenty days to pay or appeal the citation. Minneapolis Housing Inspections' records indicate that Abulaziz Sheikh neither appealed nor paid the \$1,000.00 administrative citation issued on October 1, 2012.

On November 20, 2012, a re-inspection of the property located at 2628 13th Avenue S. revealed that the written orders, issued on October 31, 2011, had not been completed and on December 5, 2012, an administrative citation was issued, in the amount of \$2,000.00, to Abdulaziz Sheikh at the listed address of 1132 South 8th Street, #203, Minneapolis, MN. Mr. Sheikh was given twenty days to pay or appeal the citation. Minneapolis Housing Inspections' records indicate that Abulaziz Sheikh neither appealed nor paid the \$2,000.00 administrative citation issued on December 5, 2012.

On November 30, 2012, a Notice of Director's Determination of Non-Compliance was sent to Abdulaziz Sheikh at the listed address of 1132 South 8th Street, #203, Minneapolis, notifying the owner that the property located at 2628 13th Avenue S., was in violation of M.C.O. § 244.1910 (11)(a), for having delinquent financial obligations owing to the city under any action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process, specifically, unpaid administrative citations. The Notice of Director's

Determination of Non-Compliance gave the Mr. Sheikh ten days to bring the property into compliance by paying the unpaid administrative citations and informed the owners that failure to bring the property into compliance may lead to the Minneapolis City Council taking an action to deny, revoke or suspend the rental dwelling license.

Mr. Sheikh failed to bring the property into compliance by paying the unpaid administrative citations and on February 5, 2013, a Notice of Revocation of Rental License was issued to Abdulaziz Sheikh at the listed address of 1132 South 8th Street, #203, Minneapolis, MN. The Notice indicated that the revocation action was based upon a violation of M.C.O. § 244.1910(11)(a) for failure to pay administrative citations. Mr. Sheikh was given 15 days to appeal or the matter would be forwarded to the Minneapolis City Council for action on the recommendation to revoke the rental license for 2628 13th Avenue S.

On February 11, 2013, Abdulaziz Sheikh filed an appeal of the recommendation to revoke the rental license for 2628 13th Avenue S., stating: "My cousin was managing the property and I was not aware, I would like to do all necessary steps."

The matter was set for a hearing on April 3, 2013, at 1:00 p.m. At the hearing Abdulaziz Sheikh failed to appear and the matter was heard as a default.

CONCLUSIONS

M.C.O. § 244.1910 (11) (a) states: There shall be no delinquent property taxes or assessments on the rental dwelling, nor shall any licensee be delinquent on any financial obligations owing to the city under any action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process.

The City of Minneapolis Department of Housing Inspections issued valid written orders to make necessary repairs at the property located at 2628 13th Avenue S. When the

repairs were not completed in the time allotted by the Department, the Department issued valid administrative citations for the non-compliance.

The City of Minneapolis Department of Housing Inspections issued a valid Notice of Director's Determination of Non-Compliance for violations of M.C.O. § 244.1910(11) (a), for having outstanding obligations owing to the city under an action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process.

The City of Minneapolis Department of Housing Inspections issued a valid Notice of Revocation, Denial, Non-Renewal, or Suspension order, for violations of M.C.O. § 244.1910 (11) (a), for having outstanding obligations owing to the city under an action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process.

RECOMMENDATION

That the rental license for the property located at 2628 13th Avenue S., Minneapolis, MN., held by Abdulaziz Sheikh be revoked.

Dated April 12 2013


FABIAN HOFFNER
ADMINISTRATIVE HEARING OFFICER