

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

**ADMINISTRATIVE HEARING OFFICER**

---

**In the matter of the Property**

**Located at 2912 Pleasant Avenue**

**Located in Minneapolis, MN and owned by**

**Ashish Aggarwal d/b/a/ Shree Investments, LLC**

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

---

The above entitled matter came on for hearing before Administrative Hearing Officer Fabian Hoffner on December 13, 2013, at 9:00 a.m. at Room 310, Minneapolis City Hall, Minneapolis, Minnesota. The City of Minneapolis was represented by Lee C. Wolf, Assistant City Attorney and Cynthia Gagnier, Manager, Administrative Services Department of Regulatory Services. Ashish Aggarwal, owner of the property was present for the start of the hearing but had to leave do to a matter coming in front of the City Council. Also present on the owner's behalf were John Leppa, the listed contact person for the property and Robert Carney, Jr., an independent contractor working for Mr. Aggarwal.

**FINDINGS OF FACT**

Ashish Aggarwal d/b/a Shree Investments, LLC owns the property located at 2912 Pleasant Avenue in the City of Minneapolis. Shree Investments, LLC's address, as listed on the Hennepin County property information records, is 16689 Creekside Lane, Minnetonka, MN 55345.

A rental license application was completed for the property located at 2917 Pleasant Avenue. On the rental license application, the applicant was listed as Shree Investments, LLC with Ashish Aggarwal listed as the owner name/Chief Operating Officer. The application

was later updated to list John Leppa as the property manager/contact person with a listed address of 4429 Nicollet Avenue S.

On the following dates the City of Minneapolis Solid Waste and Recycling staff was required, after proper notification to the owner and the tenants, to clean up the solid waste and recycling collection point at 2912 Pleasant Avenue:

January 13, 2012; June 4, 2012; August 9, 2012; November 26, 2012; December 21, 2012; and January 14, 2013.

On February 1, 2013, a Director's Determination of Non-Compliance was issued to Shree Investments, LLC, notifying the owner that the property at 2912 Pleasant Avenue was in violation of the rental licensing standard under Minneapolis Code of Ordinances (M.C.O.) § 244.1910 (5) for repeated accumulation of weeds, vegetation, junk, debris or rubbish. M.C.O. 244.1910 (5) states:

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.

The owner was notified that the City had abated nuisance conditions at the property three or more times in the past twenty four months. The owner was also informed that the property may be subject to adverse license action if the City was required to abate another nuisance condition at the property. The notice was sent to the owner's listed address of 4429 Nicollet Avenue S.

After the issuance of the Director's Determination of Non-Compliance, Minneapolis Solid Waste and Recycling staff was required, after proper notification to the owner and the tenants, to clean up the solid waste and recycling collection point at 2912 Pleasant Avenue on February 22, 2013; March 29, 2013; and June 8, 2013.

On August 19, 2013, a Notice of Revocation of Rental License or Provisional License was issued to Shree Investments, LLC and Ashish Aggarwal at the listed addresses of 4429 Nicollet Avenue, Minneapolis, MN and 16689 Creekside Lane, Minnetonka, MN. The Notice of Revocation stated that the reason for the revocation action was due to a failure of the property to meet the licensing standard set out in M.C.O. § 244.1910 (5) due to having had multiple instances of accumulation of weeds, vegetation, junk, debris or rubbish.

At the hearing the owner and his representatives admitted that Solid Waste and Recycling staff was required to clean up the solid waste and recycling collection point the nine times as stated in the City's evidence packet. The owner's representatives also stated that they have developed new procedures in the management of the property that would ensure that the solid waste and recycling collection point would remain clean and noted that there had not been a problem at the property since early June of 2013.

### **CONCLUSIONS**

M.C.O. § 244.1910. states: Licensing standards. (a) The following minimum standards and conditions shall be met in order to hold a rental dwelling license under this article. Failure to comply with any of these standards and conditions shall be adequate grounds for the denial, refusal to renew, revocation, or suspension of a rental dwelling license or provisional license.

Subdivision 5 of M.C.O. § 244.1910 states: 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.

The City of Minneapolis Solid Waste & Recycling was responsible for solid waste and recycling collection point clean up on January 13, 2012; June 4, 2012; August 9, 2012; November 26, 2012; December 21, 2012; and January 14, 2013.

On February 1, 2013, a valid Notice of Director's Determination of Non-Compliance for violations of M.C.O. § 244.1910(5) for having had multiple instances of accumulation of weeds, vegetation, junk, debris or rubbish was issued for the property at 2912 Pleasant Avenue. Additional cleanups of the solid waste and recycling collection point were required after the issuance of the Director's Determination of Non-Compliance.

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 (5), for having had multiple instances of accumulation of weeds, vegetation, junk, debris or rubbish for the property at 2912 Pleasant Avenue.

## RECOMMENDATION

That the rental license for the property located at 2912 Pleasant Avenue, Minneapolis, MN., held by Ashish Aggarwal d/b/a Shree Investments, LLC be revoked.

That the revocation be stayed for a period of one year on the following conditions:

- 1) That there is no violation of M.C.O. § 244.1910 (5), where the Inspections Division or the Solid Waste and Recycling Department are required to remove nuisance items or clean up the solid waste and recycling collection point at 2912 Pleasant Avenue.
- 2) That the property owner pay a fine of \$2,500.00 by December 16, 2013.

Dated 1/23/ 2014

  
FABIAN HOFFNER  
ADMINISTRATIVE HEARING OFFICER