



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

Date: July 14, 2015

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

Subject: Rental Dwelling License Revocation for 3424 Humboldt Ave N, Owner Benjamin Bryan

Recommendation: Revocation of Rental Dwelling License at 3424 Humboldt Ave N, Owner Benjamin Bryan

Previous Directives: None

Department Information:

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

Approved by:

Nuria Rivera-Vandermyde, Director of Regulatory Services

Presenters in Committee: Christina Dowling, Legal Process Coordinator, 612-673-2449

Community Impact

- City Goals

Supporting Information

On April 17, 2015, notice was sent to the owner, Benjamin Bryan indicating that a recommendation to revoke the rental license for the property listed above would be sent to the City Council. The owner Benjamin Bryan did not appeal this recommendation. Assistant City Attorney, Lee Wolf has found this property has failed to meet the licensing standard under Minneapolis Code of Ordinance 244.2020 - Conduct on Licensed Premise.

(See enclosed Evidence Packet and Findings of Fact)

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.