

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

ADMINISTRATIVE HEARING OFFICER

**In the matter of the Property
Located at 921 20th Avenue N.E.
Located in Minneapolis, MN and
owned by Javeed Hadi**

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

The above entitled matter came on for hearing before Administrative Hearing Officer Fabian Hoffner on August 9, 2016, at 10:00 a.m. at Room 310, Minneapolis City Hall, Minneapolis, Minnesota. The City of Minneapolis was represented by Lee C. Wolf, Assistant City Attorney and Vu Tran, Supervisor in the Housing Inspections Division of the Department of Regulatory Services. Joseph Boehmer, property manager for owner, Javeed Hadi, was present on the owner's behalf.

FINDINGS OF FACT

Javeed Hadi owns the property located at 921 20th Avenue N.E. in the City of Minneapolis.

Javeed Hadi obtained a rental license for the property at 921 20th Avenue N.E. on January 13, 2014, and operated the property as a rental property.

On March 12, 2015, the Inspections Division of the Minneapolis Department of Regulatory Services issued a Directors Determination of Non-Compliance to Mr. Hadi indicating that the property was in violation of Minneapolis Code of Ordinances (M.C.O) § § 244.1910 (11) & (19) due to unpaid administrative citations at the property and for good cause. The owner was given 10 days to bring the property into compliance.

The owner contact the Inspections Division to bring the property into compliance and on April 1, 2015, the owner and the Inspections Division entered into a Rental License Condition and Stipulated Agreement. The agreement allowed Mr. Hadi to retian the rental license for the property pursuant to certain conditions set forth in the agreement.

On June 12, 2015, the Inspections Division issued a Directors Determination of Non-Compliance to Mr. Hadi, indicating that the property was in violation of M.C.O. § 244.1910 (19) good cause, due to the owner's failure to abide by the conditions set out in the agreement. Specifically, the owner had failed to comply with 5 of the 10 listed conditions.

On July 8, 2015, the Inspections Division issued a Notice of Revocation the owner and placarded the property. The Notice and placard stated that the revocation action was based upon a violation of M.C.O. § 244.1910(19), good cause.

On July 27, 2015, the owner requested that the Inspections Division review its decision and requested that the license stay open until the end of September 2015, due to a pending sale of the property.

In September of 2015, Kathy Zierke of the Inspections Division contacted Mr. Hadi regarding the sale of 921 20th Avenue N.E. Mr. Hadi responded that the sale of the property fell through but that he had given his tenants until the end of September to move out of the property and that he was not going renew his rental license or rent out the property.

On September 28, 2015, the revocation was cancelled by the Inspections Division based upon Mr. Hadi's statement that the property was going to be vacated and no longer operated as a rental property.

On April 19, 2016, Mr. Hadi applied for a rental license for the property at 921 20th Avenue N.E., listing himself as the owner and Joseph Boehmer as the person responsible for the maintenance and management of the property.

On May 3, 2016, the Inspections Division issued a Notice of Denial of Rental License. The Notice indicated that the license application was being denied under M.C.O. § 244.1910 (19) good cause, based upon the owner's violation of the previous conditions placed on the rental license through the Stipulated Agreement dated April 1, 2015.

On May 9, 2016, an appeal of the denial was received by the Inspections Division from Mr. Boehmer, stating that he would like to be approved for a rental license and that he would be managing the property.

After applying for the rental license and filing the appeal of the denial, Mr. Boehmer placed tenants in the property under the hope that he would be able to work with the Inspections Division to obtain a valid rental license. As of the date of the hearing the property remained occupied.

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 (19) of M.C.O. § 244.1910 states:

The provisions of this section are not exclusive. Adverse license action inclusive of, but not limited to, revocation, may be based upon good cause at any time upon proper notice and hearing. This section shall not preclude the enforcement of any other provisions of this Code or state and federal laws and regulations.

On March 12, 2015, a valid Notice of Director's Determination of Non-Compliance was issued by the Housing Inspections Division to Mr. Hadi, noting violations of M.C.O. §§ 244.1910(11) and (19) for unpaid administrative citations and for good cause.

On June 12, 2015, a valid Notice of Director's Determination of Non-Compliance was issued by the Housing Inspections Division to Mr. Hadi, noting violations of M.C.O. § 244.1910 (19) for good cause due to failure to comply with conditions placed upon his rental license.

On July 8, 2015, the Housing Inspections Division issued a valid Notice of revocation, for violations of M.C.O. § 244.1910 (19), due to Mr. Hadi's failure to comply with the conditions placed upon his rental license.

Mr. Hadi's rental license was closed and the revocation action closed, on September 28, 2015, based upon the property going vacant and Mr. Hadi's claim that the property would not be operated as a rental property.

On May 5, 2016, the Housing Inspections Division issued a valid Notice of Denial, for violations of M.C.O. § 244.1910 (19), due to Mr. Hadi's previous failure to comply with the conditions placed upon his rental license.

RECOMMENDATION

That the rental license for the property located at 921 20th Avenue N.E., Minneapolis, MN, applied for by Javeed Hadi and Joseph Boehmer be denied.

Dated Aug 31 2016


FABIAN HOFFNER
ADMINISTRATIVE HEARING OFFICER