

FINDINGS OF FACT

Glen Ford is the owner of the property at the listed address of 1320 16th Avenue S., Minneapolis, MN. As the owner of this property Mr. Ford applied for and was awarded a rental license for the property. On the rental license application Mr. Ford listed himself as the person responsible for the maintenance and management of the property.

On October 30, 2009, Housing Inspector Kyle Breffle conducted an inspection at the property located at 1320 16th Avenue S. During the inspection, Inspector Breffle observed that the basement of the building was being used as a habitable space. On November 3, 2009, Inspector Breffle issued a written order requiring the owner to remove the bed from the illegal basement unit and to discontinue any use of the basement unit as a habitable sleeping room. A placard was also posted on the property notifying the owner and tenants of the illegal occupancy and giving a date of November 12, 2009, for the basement unit to be vacated.

On November 3, 2009, Inspector Breffle sent the owner a Notice of Director's Determination of Non-Compliance indicating that the property failed to meet licensing standard 244.1910(3) as the building was illegally occupied. The owner was given until November 12, 2009, to bring the building into compliance. On November 18, 2009, a re-inspection was conducted and the property was found to be in compliance and the orders issued on November 3, 2009, were abated.

July 9, 2010, Housing Inspection Services received a complaint for over occupancy at 1320 16th Ave N. The complaint source was anonymous and left no number for follow up or verification. Inspector Kyle Breffle went to property and spoke to a male tenant. Inspector Breffle requested that he be allowed to enter to inspect. Tenant refused entry. Inspector Breffle asked tenant who all was occupying the dwelling, if house was being used for rooming and if it was being used as a single unit or multiple. The tenant replied "everyone was family, it's being used as one unit and he is renting unit not rooms." Complaint was canceled because we could not contact source to verify.

July 15, 2009 complaint of over occupancy was received via e-mail. Inspector Kyle Breffle and Lead Inspector Robin Utto spoke to an older woman who responded to their knock at the front door of the dwelling. The tenant stated "we could not go in the basement because the people who live down there were probably not up yet." The inspectors tried to gain entry to the basement by an interior door but it was locked. The inspectors tried to gain entry to the basement through the exterior door and it was locked. Inspectors observed a door bell had been installed next to the exterior door leading to the basement.

On August 4, 2010, Inspector Breffle was able to conduct an inspection of the property through the use of a search warrant. Inspector Breffle discovered that the building was being used as individual rooming units, a couple rented one room for \$450.00 per month, another female rented the attic unit for \$650.00 per month and another tenant rented a room for \$450.00 per month. All the rooms had deadbolts or handle locks on all the doors. Inspector Breffle also discovered that the basement was again being used as a separate unit. On August 5, 2010, Inspector Breffle issued orders to the owner, Glenn Ford to discontinue the over-occupancy of the property, the property was also placarded for unlawful occupancy.

On August 6, 2010, a Notice of Revocation, Denial, Non-Renewal, or Suspension of Rental License or Provisional License was sent to Mr. Ford for violation of M.C.O. § 244.1910 (3), for illegal occupancy or over occupancy of the building. The property was also posted with the notice of revocation. Mr. Ford was given fifteen (15) days to file an appeal which he failed to do.