



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

Date May 11, 2007

To Honorable Don Samuels, Chairperson Public Safety & Regulatory Services Committee

Referral to City Council

Subject Rental Dwelling License Revocation- 621 26th Ave North, 2906 Emerson Ave North, 2934 Colfax Ave North, 3115 Sheridan Ave North, 305 24th Ave. North, 2402 James Ave North, and 1918 Queen Ave North Owner Paul G. Yackel

Recommendation: On February 22, 2007 notice was sent to owner, Paul G. Yackel, indicating that a recommendation to Revoke, Deny, and/or Non-Renew the rental dwelling licenses for the properties located at 621 26th Ave North, 2906 Emerson Ave North, 2934 Colfax Ave North, 3115 Sheridan Ave North, 305 24th Ave. North, 2402 James Ave North, and 1918 Queen Ave North, would be sent to the City Council. The owner Paul G. Yackel failed to appeal this recommendation.

The properties located 621 26th Avenue North and 2906 Emerson Avenue North were condemned, canceling the rental dwelling licenses. The rental dwelling licenses for the properties listed are subject to Minneapolis Code of Ordinance License Standards 244.1910(13) which states that any person who has had an interest in two (2) or more licensed cancelled pursuant to section 244.1925 shall be ineligible to hold or have an interest in a rental dwelling license or provisional license for a period of five (5) years. The properties listed above have failed to meet licensing standards as set forth in MCO 244.1910(13) and are subject to revocation, denial and/or non-renewal.

The Director of Inspections recommends that the City Council revoke, deny, non-renew the rental dwelling licenses held by Paul G. Yackel for the premises 621 26th Ave North, 2906 Emerson Ave North, 2934 Colfax Ave North, 3115 Sheridan Ave North, 305 24th Ave. North, 2402 James Ave North, and 1918 Queen Ave North, pursuant to MCO 244.1910(13). (See enclosed Recommendation to Revoke Rental Dwelling License, and supporting documentation packet.)

Previous Directives None

Prepared or Submitted by Janine Atchison, District Supervisor 673-3715

Approved by: _____

JoAnn Velde, Deputy Director Housing Inspection Services

_____ Date

Approved by: _____

Henry Reimer, Director of Inspections

_____ Date

Approved by: _____

Rocco Forte, Assistant City Coordinator

_____ Date

Permanent Review Committee (PRC) Approval _____ Not Applicable XX

Note: To determine if applicable see <http://insite/finance/purchasing/permanent-review-committee-overview.asp>

Policy Review Group (PRG) Approval _____ Date of Approval _____ Not Applicable XX

Note: The Policy Review Group is a committee co-chaired by the City Clerk and the City Coordinator that must review all requests related to establishing or changing enterprise policies.

Presenters in Committee (name, title)

Financial Impact (Check those that apply)

XX No financial impact (If checked, go directly to Background/Supporting Information).

___ Action requires an appropriation increase to the ___ Capital Budget or ___ Operating Budget.

___ Action provides increased revenue for appropriation increase.

___ Action requires use of contingency or reserves.

___ Business Plan: ___ Action is within the plan. ___ Action requires a change to plan.

___ Other financial impact (Explain):

___ Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact (use any categories that apply) Not Applicable

Neighborhood Notification

City Goals

Comprehensive Plan

Zoning Code

Other

Background/Supporting Information Attached

See: Findings of Fact

FINDINGS OF FACT

Mr. Paul G. Yackel is the owner of properties at the listed addresses of:

621 26th Ave. North

2906 Emerson Ave. North

2934 Colfax Ave. North

3115 Sheridan Ave. North

305 24th Ave. North

2402 James Ave. North

1918 Queen Ave. North

Mr. Paul G. Yackel, as the owner of these properties, applied for and was awarded rental licenses for the above listed properties.

On December 28, 2006 a Rental License Inspection was completed at the property located at 621 26th Avenue North. This property was owned by Mr. Paul G. Yackel and Mr. Yackel was awarded a rental license for the property. During the inspection numerous Housing Violations were observed and the property was posted on January 5, 2007 with a Letter of Intent to Condemn for Lack of Maintenance. Orders were written to the owner (Paul G Yackel) to correct the violations by February 1, 2007.

On February 2, 2007 a Re-inspection was scheduled for the property located at 621 26th Avenue North. The owner (Paul G. Yackel) failed to comply with the written orders. The property was condemned for lack of maintenance. The property was placarded for condemnation on February 2, 2007 and a Notice of Condemnation was sent to the owner (Paul Yackel) on February 6, 2007.

On January 5, 2007 a Rental License Inspection was completed at the property located at 2906 Emerson Avenue North. This property was owned by Mr. Paul G. Yackel and Mr. Yackel was awarded a rental license for the property. During the inspection numerous Housing Violations were observed and the property was posted on January 5, 2007 with a Letter of Intent to Condemn for Lack of Maintenance. Orders were written to the owner (Paul G Yackel) to correct the violations by February 11, 2007.

On February 14, 2007 a Re-inspection was conducted at the property located at 2906 Emerson Avenue North. The owner (Paul G. Yackel) failed to comply with the written orders. The property was condemned for lack of maintenance. The property was placarded for condemnation on February 14, 2007 and a Notice of Condemnation was sent to the owner (Paul Yackel) on February 16, 2007.

The three of the five other properties listed above all have numerous Housing Violations that have not been corrected by the owner (Paul G. Yackel) to the point that they have been placarded with letters of intent to condemn for lack of maintenance

MCO 244.1925 states: Condemned and boarded buildings. When a building is condemned as hazardous or unfit for human habitation due to defects in its structure or its electrical, plumbing, or mechanical systems, or boarded under Minnesota Statutes, Section 463.251, requiring a code compliance inspection prior to re-occupancy, the rental dwelling license shall be cancelled on the effective date of the condemnation or boarding. The dwelling shall be eligible to hold a rental dwelling license upon issuance of a code compliance certificate.

The owner's (Paul Yackel) rental licenses for the properties at 621 26th Avenue North and 2906 Emerson Avenue North were cancelled on the effective date of the condemnations pursuant to MCO 244.1925.

MCO 244.1910(13) states: Any person(s) who has had an interest in two (2) or more licenses revoked pursuant to this article or canceled pursuant to section 244.1925 or a combination of revocations or cancellations shall be

ineligible to hold or have an interest in a rental dwelling license or provisional license for a period of five (5) years.

On February 22, 2007 a Notice of Revocation, Denial, Non-Renewal, or Suspension of Rental License or Provisional License was sent to the owner (Paul Yackel) regarding the above 7 listed properties based upon violation of MCO 244.1910 (13).

The owner (Paul Yackel) had fifteen days from the receipt of the Notice of Revocation, Denial, Non-Renewal or Suspension of Rental License or Provisional License to appeal.

The owner (Paul Yackel) failed to appeal the Notice of Revocation, Denial, Non-Renewal, of Suspension of Rental License or Provisional License.