

**CITY OF MINNEAPOLIS
FOR THE DEPARTMENT OF
REGULATORY SERVICES
BEFORE THE
ADMINISTRATIVE HEARING OFFICER**

**In the matter of the Rental
Dwelling Licenses held by
Randy Olson For the Premises
at 2650 Upton Avenue N., 3250 Dupont
Avenue N. and 3322 Dupont Avenue N.,
Minneapolis, Minnesota**

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

The above entitled matter came on for hearing before Administrative Hearing Officer Fabian Hoffner on October 19, 2009, at 3:00 p.m. at courtroom 310, Minneapolis City Hall, Minneapolis, Minnesota. The City of Minneapolis was represented by Lee C. Wolf, Assistant City Attorney and Janine Atchison, District Manager Department of Housing Inspections. Randy Olson, owner of 2650 Upton Avenue N., 3250 Dupont Avenue N. and 3322 Dupont Avenue N. was present.

After considering all of the evidence presented at the hearing and the arguments presented by both parties before, during and after the hearing, the Administrative Hearing Officer makes the following:

FINDINGS OF FACT

Randy Olson owns the properties located at 2650 Upton Avenue N., 3250 Dupont Avenue N. and 3322 Dupont Avenue N. As the owner of the properties Randy Olson applied for and received a rental license for each of the properties. On the rental license applications Randy Olson was listed as both the owner and the property manager/contact person for the

properties. The rental license applications provided a listed address of 317 Ottawa Avenue S., Golden Valley MN 55416 for the contact address for Randy Olson.

This matter was commenced by the City of Minneapolis Housing Inspections Division to revoke the rental dwelling license held by Randy Olson for the properties located at 2650 Upton Avenue N., 3250 Dupont Avenue N. and 3322 Dupont Avenue N. under Minneapolis Code of Ordinances (M.C.O.) § 244.1910 (11)(a). Section 244.1910 (11)(a), “Licensing Standards”, requires a rental licensee not to be delinquent on property taxes or assessments on the rental dwelling, nor shall the licensee be delinquent on any financial obligations owing to the city under any action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process.

On June 8, 2006, Minneapolis Housing Inspector Vu Tran completed an inspection at the property located at 2650 Upton Avenue N. On June 26, 2006, orders were issued to the owner Randy Olson, requiring the owner to paint the garage, repair the garage door, secure the garage and to paint the exterior trim of the main dwelling. Inspections were conducted over a period of three years with some but not all of the work being completed. On June 10, 2009, an inspection was completed which showed all the work orders had been completed and the matter was closed. As a result of the inspections which occurred between June 26, 2006, and June 10, 2009, which showed that all the required work had not been abated, administrative citations were issued for \$200.00 on November 29, 2006; for \$400.00 on August 13, 2007; for \$800.00 on October 1, 2007; for \$1,600.00 on July 2, 2008 and for \$2,000.00 on October 31, 2008.

The owner, Randy Olson failed to pay any of the administrative citations which were either assessed to the property taxes or are listed as a pending assessment for the property. On

February 5, 2009, a Notice of Director's Determination of Non-Compliance was issued to Mr. Olson. The notice stated that the property failed to meet rental licensing standard M.C.O. § 244.1910 (11)(a), due to the delinquency of financial obligations owing to the city under an action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process. The notice gave the owner until February 20, 2009, to bring the building into compliance with the licensing standards. As of August 29, 2009, the owner had not brought the property into compliance.

On July 30, 2008, Minneapolis Housing Inspector Dan Ehlers conducted an inspection at the property located at 3250 Dupont Avenue N. On August 8, 2008, orders were issued to the owner Randy Olson, requiring the owner to obtain a rental license for the property, in addition a \$500.00 administrative citation was issued for renting the property without a rental license. On September 24, 2008, a review of the property records revealed that Randy Olson had not obtained a rental license for the property and an administrative citation was issued in the amount of \$1,000.00 on October 25, 2008.

The owner, Randy Olson failed to pay the \$500.00 and \$1,000.00 administrative citations and on February 18, 2009, a Notice of Director's Determination of Non-Compliance was issued to Mr. Olson. The notice stated that the property failed to meet rental licensing standard M.C.O. § 244.1910 (11)(a), due to the delinquency of financial obligations owing to the city under an action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process. The notice gave the owner until March 5, 2009, to bring the building into compliance with the licensing standards. As of August 29, 2009, the owner had not brought the property into compliance.

October 30, 2008, Minneapolis Housing Inspector Joy Parizek completed an inspection at the property located at 3322 Dupont Avenue N. On October 31, 2008, orders were issued to the owner, Randy Olson, requiring the owner to discontinue parking vehicles in the yard. On November 10, 2009, an inspection revealed that the violation continued to exist and an administrative citation was issued in the amount of \$200.00 on November 20, 2008. The violation was corrected on December 29, 2008, however the owner did not pay the administrative citation and on February 18, 2009, a Notice of Director's Determination of Non-Compliance was issued to Mr. Olson. The notice stated that the property failed to meet rental licensing standard M.C.O. § 244.1910 (11)(a), due to the delinquency of financial obligations owing to the city under an action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process. The notice gave the owner until March 5, 2009, to bring the building into compliance with the licensing standards. As of August 29, 2009, the owner had not brought the property into compliance.

On November 6, 2008, an inspection of the property at 3322 Dupont Avenue N. revealed that the property was an unlicensed rental property. On November 10, 2008, orders were issued to the owner Randy Olson, requiring the owner to obtain a rental license for the property, in addition a \$500.00 administrative citation was issued for renting the property without a rental license. The owner, Randy Olson failed to pay the \$500.00 administrative citation and on February 5, 2009, a Notice of Director's Determination of Non-Compliance was issued to Mr. Olson. The notice stated that the property failed to meet rental licensing standard M.C.O. § 244.1910 (11)(a), due to the delinquency of financial obligations owing to the city under an action instituted pursuant to Chapter 2, Administrative Enforcement and Hearing Process. The notice gave the owner until February 20, 2009, to bring the building

into compliance with the licensing standards. As of August 29, 2009, the owner had not brought the property into compliance.

On August 28, 2009, a Notice of Revocation, Denial, Non-Renewal or Suspension of rental licenses for the properties located at 2650 Upton Avenue N., 3250 Dupont Avenue N. and 3322 Dupont Avenue N., was sent to Randy Olson. The notice stated that the properties were in violation of M.C.O. § 244.1910 (11)(a). On September 16, 2009, Randy Olson submitted an appeal of the Notice of Revocation.

CONCLUSIONS OF LAW

The City of Minneapolis Department of Housing Inspections issued valid orders, for violations of the maintenance code, for the property located at 2650 Upton Avenue N. The orders were properly issued to the owner, Randy Olson. When the repairs were not completed the Department issued valid administrative citations which the owner, Randy Olson, failed to pay. The Department followed proper procedure in issuing a Notice of Non-Compliance which gave the owner fifteen days to bring the property into compliance with licensing standard M.C.O. § 244.1910 (11)(a). The owner has failed to bring the property into compliance.

The City of Minneapolis Department of Housing Inspections issued valid orders, for a violation of M.C.O. § 244.1810, which requires a rental license for any rental properties in the City of Minneapolis, for the property located at 2350 Dupont Avenue N. The orders were properly issued to the owner, Randy Olson. The Department issued valid administrative citations for the violation of M.C.O. § 244.1810, which the owner, Randy Olson, failed to pay. The Department followed proper procedure in issuing a Notice of Non-Compliance which gave the owner fifteen days to bring the property into compliance with licensing

standard M.C.O. § 244.1910 (11)(a). The owner has failed to bring the property into compliance.

The City of Minneapolis Department of Housing Inspections issued valid orders, for a violation of M.C.O. § 244.1810, which requires a rental license for any rental properties in the City of Minneapolis, for the property located at 3322 Dupont Avenue N. The orders were properly issued to the owner, Randy Olson. The Department issued valid administrative citations for the violation of M.C.O. § 244.1810, which the owner, Randy Olson, failed to pay. The City of Minneapolis Department of Housing Inspections issued valid orders, for violations of the maintenance code, for the property located at 3322 Dupont Avenue N. The orders were properly issued to the owner, Randy Olson. When the repairs were not completed the Department issued valid administrative citations which the owner, Randy Olson, failed to pay. The Department followed proper procedure in issuing a Notice of Non-Compliance which gave the owner fifteen days to bring the property into compliance with licensing standard M.C.O. § 244.1910 (11)(a). The owner has failed to bring the property into compliance.

RECOMMENDATION

That the rental dwelling licenses held by Randy Olson for the properties located at 2650 Upton Avenue N., 3250 Dupont Avenue N. and 3322 Dupont Avenue N., Minneapolis, Minnesota be revoked.

Dated _____ 2009

FABIAN HOFFNER
ADMINISTRATIVE HEARING OFFICER

