

**CITY OF MINNEAPOLIS**

**Rental Dwelling License Board of Appeals**

**In the matter of the Rental  
Dwelling License held by  
Olav Skjeldestad for the  
Premises at 3153 Columbus Av S  
Minneapolis, Minnesota**

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

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This matter came on for hearing before the Rental Dwelling License Board of Appeals on March 16, 2004 in Room 14, Public Service Center, board chair Brian Bushay presiding. Other board members present were Paul Thomas Kjornes, Daisy Barton, Clinton T. Blaiser, Steve Schachtman and Wayne Jensen. Assistant City Attorney Henry T. Reimer was present. Steven E. Heng, Assistant City Attorney, represented the Department of Inspections. The Licensee, Olav Skjeldestad was present and was represented by attorney Dan McGrath.

**FINDINGS OF FACT**

1. Olav Skjeldestad holds a rental dwelling license for the building at 3153 Columbus Avenue South, in Minneapolis.
2. This matter was commenced by the SAFE unit of the Minneapolis Police Department and the Department of Inspections to revoke the rental dwelling license for the property at 3153 Columbus Avenue South, under Minneapolis Code of Ordinances, Section 244.2020. Section 244.2020, "Conduct on Licensed Premises", requires the licensee to take appropriate action following conduct on the premises defined as disorderly under Section 244.2020(a).

3. Notice of the recommendation to revoke the license was mailed by certified mail to Olav Skjeldestad on January 27, 2004. Mr. Skjeldestad filed an appeal of the proposed revocation on February 11, 2004.

4. On January 30, 2003, Minneapolis Police working with the Minnesota Gang Strike Force executed a narcotics search warrant at 3153 Columbus Avenue South, apartment #4. Officers recovered a bag containing a large chunk of crack cocaine in a bedroom closet, one bag of marijuana on the kitchen table, a glass crack pipe on the floor of the main room and a marijuana cigarette from a second bedroom. The cocaine belonged to Jamoy Tremaine Lee, a Rolling 30's Bloods gang member. Mr. Lee was allowed by the tenants of this apartment to sell crack cocaine from the dwelling, and frequently slept there.

5. Prior to execution of the search warrant, Officers Bjork and Lauridsen had conducted an investigation of the activities of several gang members selling narcotics from this location. A Confidential Informant (CI) had made a controlled buy of crack cocaine from this dwelling. Officers spoke to the building owner, who expressed his belief that narcotics were being sold by gang members at this address.

6. On February 6, 2003, Minneapolis Police Officer Chris Bishop of the Minneapolis Police Department's Community Crime Prevention SAFE Unit mailed a notice to Mr. Skjeldestad, pursuant to Minneapolis Code of Ordinance Section 244.2020. The notice was mailed by Certified Mail. The notice informed Mr. Skjeldestad that there had been an instance of disorderly use at the premises of 3153 Columbus Avenue on January 28, 2003, involving the sale of cocaine. The notice was recorded as a first incident of disorderly use, that steps should be taken to prevent further violations, and

that further disorderly use could result in the denial, revocation, non-renewal or suspension of the rental dwelling license. That letter cited Minneapolis Ordinance 244.2020(a), informing Mr. Skjeldestad that it is the licensee's responsibility to take appropriate action following disorderly use by persons occupying the premises. The letter further directed Mr. Skjeldestad to call SAFE Officer Chris Bishop at his listed phone number.

7. On April 15, 2003, police officers from the Third Precinct Community Response Team executed a search warrant at 3153 Columbus Avenue South, apartment #4, in the course of an investigation of illegal narcotics activity at the address. Police recovered crack cocaine, numerous crack pipes and wrappers with crack residue throughout the apartment. Mary Walker identified herself to police as a tenant of the apartment. She stated that she knew that "the dealers are selling drugs out of my apartment." Prior to execution of the warrant, Officer Nimlos had received information that illegal narcotics trafficking was being conducted out of the apartment. Police set up surveillance of the address and observed a large amount of foot and vehicular traffic consistent with narcotics activity. A controlled buy of crack cocaine had been conducted within 72 hours prior to execution of the warrant.

8. On April 21, 2003, Minneapolis Police Officer Chris Nichols of the Minneapolis Police Department's Community Crime Prevention SAFE Unit mailed a notice of the April 15, 2003 incident to Mr. Skjeldestad by Certified Mail, pursuant to Minneapolis Code of Ordinance Section 244.2020.

9. This "second notice" advised Mr. Skjeldestad that a second incident of disorderly use had occurred and that he was required to respond to Safe Officer Nichols

within (5) days with a written management plan detailing all actions taken to respond to disorderly use and to prevent further disorderly use of the premises. The notice contained Officer Nichols' phone number.

10. Mr. Skjeldestad did not supply a management plan or documentation as required.

11. On January 14, 2004, Minneapolis police executed a narcotics search warrant at 3153 Columbus Avenue South, apartment #1. Officers recovered cocaine and \$350.00 from one tenant or guest, a gravity scale, numerous narcotics paraphernalia throughout the dwelling containing cocaine residue, and several pictures depicting gang activities and gang symbols written by hand. Prior to execution of the warrant, Officer Nimlos had received information that illegal narcotics trafficking was being conducted out of the apartment. Police set up surveillance of the address and observed a large amount of foot and vehicular traffic consistent with narcotics activity. A controlled buy of crack cocaine had been conducted within 72 hours prior to execution of the warrant.

12. On January 27, 2004, a Notice of Denial, Non-renewal, Revocation, or Suspension of Rental License was sent to Mr. Skjeldestad by Certified Mail. The notice advised Mr. Skjeldestad that both the Inspections Division and the police SAFE unit would recommend to the City Council that the rental dwelling license for 3153 Columbus Avenue South, Minneapolis be revoked. The recommendation was made pursuant to Minneapolis Code of Ordinance Section 244.2020(e).

13. The three incidents of disorderly use that occurred on and about January 28, 2003, April 15, 2003 and January 14, 2004 are instances of disorderly use within the meaning of Minneapolis Code of Ordinance Section 244.2020(a).

## **CONCLUSIONS**

1. Three incidents of conduct determined to be disorderly use and defined as disorderly in Minneapolis Code of Ordinance Section 244.2020(a) by tenants and/or guests of 3153 Columbus Avenue South occurred on the premises of 3153 Columbus Avenue South.

2. The licensee, Olav Skjeldestad, failed to make timely, appropriate action in response to notices from SAFE concerning disorderly incidents on the premises of 3153 Columbus Avenue South.

3. The SAFE unit and the Inspections Division followed the appropriate steps and provided the necessary notices.

4. This property has been the source of repeated criminal, disorderly and nuisance activity. The activities at this property have had a serious negative impact on the surrounding community.

5. The rental dwelling license for Olav Skjeldestad for 3153 Columbus Avenue South is subject to revocation or suspension under Minneapolis Code of Ordinance Section 244.2020(e). Revocation of this license is appropriate.

## **RECOMMENDATION**

That the rental dwelling license held by Olav Skjeldestad for the premises at 3153 Columbus Avenue South, Minneapolis be revoked.

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Brian Bushay  
Chair