

FINDINGS OF FACT

**3354 Washburn Avenue N.; 5209 Washburn Avenue N.
3234 Humboldt Avenue N.; 1207 Knox Avenue N.
3454 Knox Avenue N.; 3527 Knox Avenue N.
3506 Aldrich Avenue N.; 3223 Vincent Avenue N.
3823 Queen Avenue N.; 3658 Emerson Avenue N.**

1. Diane Miller is the owner of the below listed properties:

5209 Washburn Avenue N.
1207 Knox Avenue N.
3454 Knox Avenue N.
3506 Aldrich Avenue N.
3223 Vincent Avenue N.
3823 Queen Avenue N.
3658 Emerson Avenue N.

Richard Miller is the owner of the below listed properties:

3354 Washburn Avenue N.
3234 Humboldt Avenue N.
3527 Knox Avenue N.

Mr. Jon E. Helgason applied for and was awarded rental licenses for all of the above listed properties, except for 3527 Knox Avenue N., with T.J. Waconia as the listed owner and Mr. Ronnie C. Franklin as the Property manager for the properties. Tom J. Balko applied for and was awarded a rental license for 3527 Knox Avenue N. with T.J. Waconia as the listed owner and Mr. Ronnie C. Franklin as the property manager. Jon Helgason and Tom Balko are owners of T.J. Waconia.

2. The property located at 2639 Girard Avenue N. was condemned for being a boarded building on June 20, 2008. Persons with an interest in the property include Terry Koenigs, owner; T.J. Waconia, owner; Ronnie Franklin, Manager/contact person and Jon E. Helgason and Tom Balko as owners of T.J. Waconia.

3. The property located at 3234 Humboldt Avenue N. was condemned for being a boarded building on August 29, 2007. Persons with an interest in the property include Richard Miller, owner; T.J. Waconia, owner; Ronnie Franklin, manager/contact person and Jon E. Helgason and Tom Balko as owners of T.J. Waconia.

4. The property located at 1207 Knox Avenue N. was condemned for being a boarded building on September 27, 2006. Persons with an interest in the property include Diane Miller, owner; T.J. Waconia, owner; Ronnie Franklin, manager/contact person and Jon Helgason and Tom Balko as owners of T.J. Waconia.

5. The property located at 3229 Humboldt Avenue N. was condemned for being a boarded building on February 16, 2007. Persons with an interest in the property include Greenland Properties, owner; T.J. Waconia, owner; Ronnie Franklin, manager/contact person; Tamara Peltan and Michael Pletan as owners of Greenland Properties and Jon E. Helgason and Tom Balko as owners of T.J. Waconia.
6. The property located at 3306 James Avenue N. was condemned for being a boarded building on July 18, 2007. Persons with an interest in the property include Greenland Properties, owner; T.J. Waconia, owner; Ronnie Franklin, manager/contact person; Tamara Peltan and Michael Pletan as owners of Greenland Properties and Jon E. Helgason and Tom Balko as owners of T.J. Waconia.
7. The property located at 3240 Sheridan Avenue N. was condemned for being a boarded building on October 19, 2006. Persons with an interest in the property include Greenland Properties, owner; T.J. Waconia, owner; Ronnie Franklin, manager/contact person; Tamara Peltan and Michael Pletan as owners of Greenland Properties and Jon E. Helgason and Tom Balko as owners of T.J. Waconia.
8. The property located at 3235 Vincent Avenue N. was condemned for being a boarded building on October 9, 2007. Persons with an interest in the property include Joe Althaus, owner and manager/contact person.
9. 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.
10. The rental licenses for the properties at 2693 Girard Avenue N; 3234 Humboldt Avenue N.; 1207 Knox Avenue N.; 3229 Humboldt Avenue N; 3306 James Avenue North and 3235 Vincent Avenue N. were cancelled on the effective date of the condemnations pursuant to MCO 244.1925. The persons who had an interest as an owner/license or manager in those properties were Terry Koenigs (one property); Tamara Peltan and Michael Pletan (three properties); Jon E. Helgason (five properties); Tom Balko (five properties); Joe Althaus (one property); Ronnie Franklin (five properties) and Diane and Richard Miller (one property each).
11. 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.
12. On November 9, 2007 a Notice of Director's Determination of Non-Compliance was sent to Jon E. Helgason, Ronnie Franklin, T.J. Waconia and Richard and Diane

Miller to notify the persons of interest that the 10 properties listed above were in violation of MCO 244.1910 (13) in that the owner, licensee or manager of the properties had 2 or more licenses revoked or cancelled. The persons of interest were given until November 19, 2007 to bring the building into compliance.

13. The properties listed above were not brought into compliance by November 19, 2007 as the owner, licensee and manager remained the same at the properties.

14. On November 30, 2007 a Notice of Revocation, Denial, Non-Renewal, or Suspension of Rental License or Provisional License was sent to Richard and Diane Miller, Jon E. Helgeson, Tom J. Balko and Ronnie Franklin regarding the 10 above listed properties based upon violation of MCO 244.1910 (13).

15. The individuals with an interest in the property had fifteen days from the receipt of the Notice of Revocation, Denial, Non-Renewal or Suspension of Rental License or Provisional License to appeal.

16. None of the individuals with an interest in the property appealed the Notice of Revocation, Denial, Non-Renewal, of Suspension of Rental License or Provisional License.