

Year 20.

Registration Fee: \$

Please complete both sides of application

APPLICATION FOR RENTAL REGISTRATION

City of Detroit Lakes
1025 Roosevelt Avenue, P.O. Box 647
Detroit Lakes, MN 56502-0647
(218)846-7130 •FAX (218)847-8969

1. Address of Rental Property: _____
2. Parcel Number of Rental Property: _____
3. Name, address, phone and FAX No. (if applicable) of each owner/partner/corporate office of above rental property:

(Use separate sheet for additional names)

4. Name, address, phone and FAX No. (if applicable) of caretaker/manager for above rental property: (Please note: If the owner lives more than 30 miles from the City of Detroit Lakes, there must be a designated property manager/caretaker to contact in case of emergency, etc.)

5. Name, address, phone and FAX No. (if applicable) of person authorized to make or order repairs or services (if different than owner or property manager).

6. Type of Dwelling: (Example: Owner occupied with a sleeping room is considered a two-family dwelling unit according to our office.)

One Family

Two Family

Multiple
Family

Mobile
Home

(Please note: If the rental unit is a mobile home outside a mobile home park, please include the year, make, model and serial number of trailer)

7. Total number of rental units at above listed rental property: _____
8. How many sleeping rooms are in this rental dwelling: _____
9. How many apartments/sleeping rooms are located in the basement of the rental property?

Basement Apartments

Basement Sleeping Rooms

10. Is off-street parking provided? Yes No Number of Spaces:

11. **NOTICE TO APPLICANTS:**

- A. The City Administrator must be notified, in writing, within five- (5) business days of any transfer of legal control.
- B. Copies of the Dwelling Maintenance Code, Chapter 1002, of the City Code, are available from the City of Detroit Lakes. Owners, agents and managers should become familiar with its provisions.
- C. Failure to register rental property after the due date will result in a late charge, which will be according to the Annual Registration Late Fee Schedule.

12. **APPLICATION**

The undersigned hereby applies for a rental dwelling registration as required by City Code, acknowledges that the provisions of the Rental Registration: Program have been reviewed and attests that the subject premises will be operated and maintained according to the requirements contained therein, subject to applicable sanctions and penalties. The undersigned further agrees that the subject premises may be inspected by the compliance official. The applicant further certifies that all statements and facts in this application are true and authorizes the City of Detroit Lakes to investigate any or all statements or facts contained herein; acknowledging that the misrepresentation or the omission of facts called for will be just cause for the disqualification or repeal of this registration.

SIGNATURE _____
Owner/Resident Agent.

DATE _____

NOTE: If application and payment is made After January 15, 2013, there will be a \$50.00 late fee bringing the rental registration fee to \$90.00. Thank you.

State of Minnesota License Applicant Information

Under Minnesota law (M.S. 270.72), the agency issuing you this license is required to provide to the Minnesota Commissioner of Revenue your Minnesota business tax identification number and the Social Security number of each license applicant.

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we must advise you that:

- This information may be used to deny the issuance, renewal or transfer of your license if you owe the Minnesota Department of Revenue delinquent taxes, penalties, or interest;
- The licensing agency will supply it only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Act, the Department of Revenue is allowed to supply this information to the Internal Revenue Service;
- Failing to supply this information may jeopardize or delay the issuance of your license or processing your renewal application.

Please fill in the following information and return this form along with your application to the agency issuing the license. **DO NOT RETURN THIS FORM TO THE DEPARTMENT OF REVENUE.**

Please print or type

Name of license being applied for and license number (if renewal):		License Number #:
Licensing Authority (name of city, county, or state agency issuing license):		
License Renewal Date:		

PERSONAL INFORMATION:		
Applicant's last name	Applicant's first name and middle initial	Social Security Number
Applicant's address	City	State Zip Code

BUSINESS INFORMATION:		
Business name		
Business address	City	State Zip Code
Minnesota tax identification number	Federal tax identification number	
(If a Minnesota tax identification is not required, please explain on the reverse side of this form.)		

Applicant Signature: _____

Signature _____ Title _____ Date _____

Certificate of Compliance Minnesota Workers' Compensation Law

PRINT IN INK or TYPE.

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. The required workers' compensation insurance information is the name of the insurance company, the policy number, and the dates of coverage, or the permit to self-insure. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

BUSINESS NAME (Individual name only if no company name used)	LICENSE OR PERMIT NO (if applicable)
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DBA (doing business as name) (if applicable) _____

BUSINESS ADDRESS (PO Box must include street address)	CITY	STATE	ZIP CODE
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YOUR LICENSE OR CERTIFICATE WILL NOT BE ISSUED WITHOUT THE FOLLOWING INFORMATION. You must complete number 1, 2 or 3 below.

NUMBER 1 COMPLETE THIS PORTION IF YOU ARE INSURED:

INSURANCE COMPANY NAME (not the insurance agent) _____

WORKERS' COMPENSATION INSURANCE POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE
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NUMBER 2 COMPLETE THIS PORTION IF SELF-INSURED:

I have attached a copy of the permit to self-insure.

NUMBER 3 COMPLETE THIS PORTION IF EXEMPT:

I am not required to have workers' compensation insurance coverage because:

- I have no employees.
- I have employees but they are not covered by the workers' compensation law. (See Minn. Stat. § 176.041 for a list of excluded employees.) Explain why your employees are not covered: _____
- Other: _____

ALL APPLICANTS COMPLETE THIS PORTION:

I certify that the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify that I am authorized to sign on behalf of the business.

APPLICANT SIGNATURE (mandatory)	TITLE	DATE
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NOTE: If your Workers' Compensation policy is cancelled within the license or permit period, you must notify the agency who issued the license or permit by resubmitting this form.
This material can be made available in different forms, such as large print, Braille or on a tape. To request, call 1-800-342-5354 (DIAL-DLI) Voice or TDD (651) 297-4198.

612. Rental Unit Registration

612.01 Purpose And Findings

Subdivision 1. The City Council of the City of Detroit Lakes finds that there is a need for periodic municipal inspection of residential rental units in the City to ensure that such units meet City and State safety, health, fire and zoning codes and to promote the public health, safety and welfare of the community at large and the residents of rental units within this City.

Subdivision 2. The City Council of the City of Detroit Lakes finds that a municipal registration program is appropriate to effectively enforce residential rental unit maintenance standards and correct or prevent law violations, nuisances and other disturbances and disorders involving residential rental units within this City.

Subdivision 3. The City Council of the City of Detroit Lakes finds that an effective means of implementing the foregoing findings is registration of all residential rental units within the City and inspection of such units from time to time as determined appropriate in the exercise of discretion by staff and personnel of the City and in response to complaints involving such units.

612.02 DEFINITIONS: For purposes of this Ordinance, the following definitions shall apply:

Subdivision 1. "Rental Unit" or "Residential Rental Unit" means any house, apartment, condominium, townhouse, room, or group of rooms, constituting or located within, a dwelling and forming a single habitable unit.

Subdivision 2. "Dwelling" means any building or other permanent or temporary structure, including a manufactured or mobile home which is wholly or partly used, or intended to be used, for living or sleeping by human occupants.

Subdivision 3. "Rent," "Lease," "Let" or "Sublet" means the leasing of a rental unit to a non-owner for a fixed or non-fixed period of time, and shall include lease to buy, contract for deed, installment sales, purchases, and other similar arrangements whereby nonpayment of a periodic payment means the occupants may be evicted without the necessity of either a statutory mortgage foreclosure procedure, a statutory termination of contract for deed procedure, or a statutory repossession procedure.

Subdivision 4. "Shall" and "must" as used in this Ordinance are each mandatory. "Should" and "may" as used in this Ordinance are each permissive or directory.

Subdivision 5. "Administrator" or "City Administrator" mean the Detroit Lakes City Administrator, or the Deputy Detroit Lakes City Administrator in the absence of the City Administrator, or such person as the City Administrator designates, in writing, to carry out the responsibilities of the City Administrator as provided by this Ordinance.

Subdivision 6. "Registration Holder" means a person or entity to whom registration for a rental unit is issued under this ordinance.

Subdivision 7. "Local Property Manager" means a natural person residing within 30 miles of the City of Detroit Lakes who is authorized by the rental unit owner to make decisions for the owner about rental, occupancy and maintenance of the rental unit.

612.03 REGISTRATION REQUIREMENTS

Subdivision 1. No person or entity may hereafter occupy, allow to be occupied or rent, lease, let or sub-let a rental unit, to another person or entity for occupancy unless that rental unit is registered for occupancy pursuant to a valid and current rental unit registration issued by the Detroit Lakes City Administrator.

Subdivision 2. Each rental unit must have an owner, or Local Property Manager designated by the owner, who resides within 30 miles of the City of Detroit Lakes.

Subdivision 3. Any person or entity desiring to rent, let, lease or sub-let any rental unit shall apply for registration by using forms furnished by the City for that purpose. The forms must provide information required by the City Administrator, including the following:

- A. Name, address, phone number (and FAX number, if owner has one) of the property owner.
- B. Name, address, phone number (and FAX number, if manager has one) of a designated Local Property Manager.
- C. The street address of the rental property.
- D. The number and types of units within the rental property (dwelling units or sleeping rooms).
- E. The maximum number of occupants permitted for each

dwelling unit or sleeping room.

- F. The name, phone number, FAX number and address of the person authorized to make, or order, made repairs or services for the property if in violation of City or State codes, if the person is different than the owner or Local Property Manager.

612.04 EXEMPTIONS This Ordinance does not apply to campus dormitory and campus residence units owned, operated or managed by a governmental entity or agency, hospital units or rooms, nursing homes, retirement homes or other similar rental space which is otherwise registered by the State of Minnesota or the City of Detroit Lakes.

612.05 MANNER OF REGISTRATION RENEWAL Registration shall be required each calendar year and may be issued on a calendar year basis prior to January 1 of each successive year. The City will annually mail registration renewal forms to rental unit owners or their designated Local Property Managers on or about October 1 of each year. Registration renewal forms must be delivered to the City Administrator no later than the 15th day of November each year. Failure of the City to mail renewal forms and failure of an owner or Local Property Manager to receive a renewal form, does not excuse or waive the registration required by this Ordinance.

612.06 TRANSFER OF PROPERTY Every new owner of a rental unit, whether fee owner or contract purchaser, shall furnish to the City Administrator the new owner's name, address, phone number and fax number and the name, address, phone number and fax number of the new owner's designated Local Property Manager before taking possession of the rental property upon closing of the transaction. No new registration fee is be required of the new owner during the year in which such possession takes place, provided that the previous owner has paid all registration fees and has complied with all requirements of this Ordinance and any violations of health, zoning, fire or safety codes of the City. If any change in the type of occupancy as originally registered is contemplated by the new owner, a new registration application will be required.

612.07 POSTING OF REGISTRATION Each rental unit registration holder must post the rental unit registration in a conspicuous spot near the front entry to the rental unit in a public corridor, hallway or lobby. Failure to post the registration and keep the registration posted is a misdemeanor, but is not grounds for termination of registration.

612.08 FEES The fees for rental unit registration, registration renewal, late fees and inspection may be set by resolution of the City Council adopted from time to time.

612.09 MAINTENANCE OF RECORDS All records, files and documents pertaining to rental unit registration and rental unit inspections may be maintained by the City Administrator and will be available to the public as allowed, permitted or required by State Law or City Ordinance.

612.10 MAINTENANCE STANDARDS Every rental unit must be maintained in compliance with the building code, dwelling maintenance standards, nuisance ordinance and noise ordinance of the City of Detroit Lakes as set forth in Detroit Lakes City Code Chapters 1004, 1002, 900 and 505, respectively as now in force and hereafter amended, revised or replaced, and in compliance with all other standards, ordinances, laws and regulations governing use, occupancy, construction and maintenance of property and conduct of persons in or on that property.

612.11 INSPECTIONS AND INVESTIGATIONS

Subdivision 1. Fire Department personnel, police officers, the City Health Officer, City Building Inspector, City Administrator and their respective designees and representatives, are hereby authorized to make inspections reasonably necessary to the enforcement of this Ordinance.

Subdivision 2. All persons authorized herein to inspect shall have the authority to enter, at all reasonable times, any rental unit or structure containing a rental unit, registered or required to be registered, for the purpose of enforcing this Ordinance.

Subdivision 3. Written notice of a violation of this ordinance may be given to the Registration Holder by certified mail directed to the address of the Registration Holder as shown by the Administrator's registration application file. Said notice may contain a Compliance Order stating that compliance with this ordinance shall be made immediately and, in that case, the notice shall advise the Registration Holder that the property may be re-inspected in not less than fifteen (15) days, unless extended by the Administrator, based on good cause.

Subdivision 4. A Registration Holder may appeal to the City Administrator the requirements of any Compliance Order by filing a written appeal with the office of the City Administrator no later than ten (10) days after the date of issuance of the compliance order. The City Administrator should schedule a hearing within ten (10) days after filing of the Notice of Appeal. Enforcement of the Compliance Order shall be stayed pending the decision of the City Administrator on the appeal. The City Administrator may reschedule the hearing as the Administrator determines is necessary.

612.12 CONDUCT ON REGISTERED PREMISES

Subdivision 1. It is the responsibility of the Registration Holder to

require and ensure that occupants of the registered premises conduct themselves in such a manner as to not cause the premises to be disorderly or to be used, occupied or maintained in violation of law or ordinance. For purposes of this section, a rental unit is disorderly and in violation of law or ordinance when any of the following activities occur in, on or at the registered premises:

- A. Conduct which constitutes a violation of Chapter 900 of the Detroit Lakes City Code relating to nuisances as it now exists or as hereafter amended.
- B. Conduct which constitutes a violation of Detroit Lakes City Code 505, the noise ordinances as it now exists or as hereafter amended.
- C. Conduct which constitutes disorderly conduct in violation of Minnesota Statutes 609.72 as it now exists or as hereafter amended.
- D. Conduct which constitutes a violation of laws relating to possession of controlled substances pursuant to Minnesota Statutes Chapter 152 as it now exists or as hereafter amended.
- E. Conduct which constitutes a violation of any City ordinance or State law relating to minors possessing or consuming alcohol, or relating to providing, furnishing or serving alcohol to minors, or relating to sale of alcoholic beverages.
- F. Conduct which constitutes a violation of State laws or City ordinances relating to prostitution, indecent exposure or acts related to prostitution as defined by State law.
- G. Conduct which constitutes a violation of City ordinances and State laws relating to weapons or fire arms.
- H. Conduct which constitutes a violation of City ordinances or State laws relating to assault, specifically including domestic assaults and criminal sexual conduct.
- I. Conduct which constitutes a violation of ordinances or laws relating to contributing to the need for protection, services or delinquency of a minor as defined in Minnesota Statute 260.315 as it now exists or as hereafter amended.
- J. Conduct which constitutes a violation of any other federal, state or local ordinance or regulation and which is

reasonably likely to threaten, annoy or harass tenants or visitors to rental units, or to residents, visitors or occupants of neighboring properties.

Subdivision 2. The City Administrator shall administer this section of the Ordinance and may delegate administration to a designee authorized in writing by the City Administrator.

Subdivision 3. If the Administrator determines that a violation of this section has occurred, then the Administrator will give notice of the violation to the Registration Holder and the renters of the rental unit, if known, and will direct that the Registration Holder take steps to prevent further violations.

Subdivision 4. If another violation of this section occurs within ninety (90) days of the incident for which notice was given as provided in Subdivision 3 above, then the City Administrator will give notice of the violation to the Registration Holder and the renters of the rental unit, if known, and will direct that the Registration Holder take steps to prevent further violations. The City Administrator will also, at that time, request that the Registration Holder submit to the City Administrator, within ten (10) days of the City Administrator's mailing of the notice of violation provided in this section, a report itemizing all actions taken by the Registration Holder in response to all notices of violations as to the rental unit within the preceding ninety (90) days.

Subdivision 5. If a third violation of this section occurs within ninety (90) days after the last of any two or more previous violations for which notices were given pursuant to this section, and the Registration Holder has not sufficiently taken action to prevent further violations, then the rental unit registration for the premises may be denied, revoked, suspended or not renewed.

A. Action to deny, revoke, suspend or not renew a rental unit registration may be initiated by the City Administrator who shall give to the Registration Holder a written notice of hearing before the City Administrator to consider such denial, revocation, suspension or non-renewal.

B. A notice of intent to deny, revoke, suspend or not renew registration shall specify all violations of this section and shall state the date, time, place and purpose of the hearing provided by this subdivision.

C. The hearing held pursuant to this subdivision shall occur no later than thirty (30) days after notice.

D. Following the hearing, the City Administrator may deny, revoke,

suspend or not renew registration for all or any part of the registered premises or may grant conditional registration upon such terms and conditions as the Administrator finds necessary to accomplish the purpose of this Ordinance.

Subdivision 6. No adverse registration action may be imposed where the violation of this section occurred during the pendency of unlawful detainer eviction proceedings brought under Minnesota Statute Chapter 566 or within thirty (30) days of notice given by the Registration Holder to a tenant to vacate the premises at which the violation occurred. Unlawful detainer eviction proceedings or a notice to vacate the premises, will not, however, bar adverse registration action unless diligently pursued by the Registration Holder. Action to deny, revoke, suspend or not renew registration for violation of this section may be postponed or dismissed by the City Administrator at any time if it appears to the Administrator that the Registration Holder has taken appropriate remedial action.

Subdivision 7. The standard of proof to be used in determinations by the City Administrator as to conduct constituting violations under this section is a fair preponderance of evidence in support of such a determination. It is not necessary that criminal charges be brought to support a determination of violation of this section or a determination that conduct constituting a violation of this section has occurred. It is necessary, in determining a violation of this section, that law enforcement officers be called to the rental unit in response to a complaint and that a police report and investigation of the same be prepared.

Subdivision 8. For the purpose of this ordinance, a violation under this section includes violations by the rental unit renters or occupants, or by their visitors or guests, in or at the rental unit of the renters or tenants, or in, at or upon its curtilage, including anywhere on the property grounds and premises of an apartment building, home or mobile home park at which the rental unit is situated.

Subdivision 9. Failure of a Registration Holder to respond to notices provided in this section is not, by itself alone, a violation of this Ordinance.

612.13 FAILURE TO GRANT REGISTRATION, REVOCATION, SUSPENSION OR FAILURE TO RENEW REGISTRATION

Subdivision 1. The City reserves the right to not register a rental unit unless it complies with the requirements of this Ordinance.

Subdivision 2. Any registration issued under this Ordinance is subject to the right, which is hereby expressly reserved by the City, to deny, suspend, revoke or not renew the same should the Registration Holder or their

agents, employees, representatives or lessees directly or indirectly operate or maintain the rental dwellings contrary to the provisions of this Ordinance or any other ordinance of the City or any special permit issued by the City, or the laws of the State of Minnesota. Provided, however, registration shall not be denied, suspended, revoked or not renewed if the Registration Holder complies with a compliance order or orders in a reasonably timely manner as determined by the City Administrator.

Subdivision 3. The City Administrator shall notify the applicant that registration has been denied, or the Registration Holder that registration is being suspended, revoked or not-renewed. The suspension, revocation or non-renewal shall occur thirty-five (35) days after the date of the notification order, or at such later date as set out in the notification.

Subdivision 4. A determination by the City Administrator to deny, suspend, revoke or not-renew registration of a rental unit may be appealed to the City Council by filing with the City Administrator a written notice of appeal within fifteen (15) days of the date on which the City Administrator mails such determination to the applicant or Registration Holder. In that event, the appeal will be heard by the City Council at its next meeting occurring at least fifteen (15) days after the filing of the Notice of Appeal.

Subdivision 5. At any appeal of a determination by the City Administrator under this Ordinance, the Registration Holder or applicant, Local Property Manager for the Registration Holder or applicant, or an attorney representing them, may appear and make a presentation to the City Council. The City Administrator shall present to the City Council the basis for the determination being appealed. After the hearing, the Council may uphold, reverse or modify the decision of the City Administrator based upon the provisions of this Ordinance and upon the protection of the public health, sanitation, safety or general welfare of the community at large or the residents of rental units within the City. The City Council shall issue written findings and determination within thirty-one (31) days of the hearing, unless the Council extends that time for good cause.

Subdivision 6. A decision of the City Council made as provided in this section may be appealed by Writ of Certiorari to the Court of Appeals of the State of Minnesota pursuant to its Rules of Civil Appellate Procedure.

612.14 SUMMARY ACTION

Subdivision 1. As a condition of receiving rental unit registration, each Registration Holder is presumed to agree and consent that when the conduct of any Registration Holder or Registration Holder's agent, representative, employee or lessee, or the condition of their rental unit, or the property in or on which it is located, is detrimental to the public health, sanitation, safety and

general welfare of the community at large, or residents of the rental units so as to constitute a nuisance, fire hazard, or other unsafe or dangerous condition and thus give rise to an emergency, the City Administrator shall have the authority to summarily condemn or close individual rental units or such areas of the rental dwelling as the Administrator deems necessary. Notice of summary condemnation shall be posted at the units or areas affected and shall describe the units or areas affected. No person shall remove the posted notice, other than the Fire Marshall, City Administrator, or their designated representative. Any person aggrieved by the decision or the action of the City Administrator or Fire Marshall set out in this Subdivision, may appeal the decision following the procedures set out in this Ordinance. The hearing shall be conducted in the same manner as provided in this Ordinance, however, the date of the hearing may be expedited with the consent of the Registration Holder.

Subdivision 2. The decision of the City Administrator set forth in this Subdivision is not voided by the filing of such appeal. Only after the hearing by the City Council has been held will the decision or action of the City Administrator be affected.

612.15 APPLICABLE LAWS Registration Holders are subject to all of the ordinances of the City and State of Minnesota relating to rental dwellings, and this Ordinance shall not be construed or interpreted to supersede or limit any other applicable ordinance or law.

612.16 VIOLATIONS, INJUNCTIVE RELIEF

Subdivision 1. Nothing in this Ordinance prevents the City from taking enforcement action under any of its fire, housing, zoning, health safety or other codes, ordinances and State laws for violations thereof, or to seek injunctive relief and criminal prosecution for violations of any ordinance, code or law. Nothing contained in this Ordinance prevents the City from seeking injunctive relief against a property owner or designated property manger who fails to comply with the terms and conditions of this Ordinance or to obtain an order closing such rental units until violations of this particular Ordinance have been remedied by the property owner or designated property manager.

Subdivision 2. Violation of this Ordinance is a misdemeanor. Each separate day on which a continuing violation occurs is a separate violation.

612.17 WRITTEN NOTICES Notices from the City required by this ordinance shall be effective if personally delivered or if mailed to the addressee by certified mail, return receipt requested, to the address shown in the City file pertaining to the rental unit involved in the notice.

612.18 EFFECTIVE DATE This Ordinance is effective upon its adoption pursuant to the Detroit Lakes City Charter. Provided, however, that the initial

registration provisions of this Ordinance do not become effective until August 1, 1996 to allow rental unit owners to complete the process of registration. The initial registration covers a period of time from the date of issue through December 31, 1997.

612.19 SEVERABILITY CLAUSE If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect validity of the remaining portions of this Ordinance.