

CITY OF SHOREVIEW

ORDINANCE NO. 1041

AN ORDINANCE TO AMEND CHAPTER 30 THE MUNICIPAL CODE AND EXHIBIT A ADMINISTRATIVE FEE SCHEDULE

The purpose of this ordinance is to amend the Administrative Fee Schedule for the fees of same-owner duplex and triplex buildings and Chapter 30 for regulations related to short-term rental housing. The Shoreview City Council ordains that Exhibit A and Chapter 30 of the Shoreview Municipal Code are amended to read as follows (New language is underlined and highlighted red; ~~red stricken text~~ is proposed for deletion):

Exhibit A - Administrative Fee Schedule excerpt

Item	Ordinance	Fee	Comments
Rental Housing License	1025	\$150	General Dwelling Unit
	<u>1041</u>	<u>\$250</u>	<u>Single Owner Duplex</u>
	<u>1041</u>	<u>\$300</u>	<u>Single Owner Triplex</u>
	1025	\$200	Multi-Family Building Base Fee
	1025	\$10	Multi-Family Per Unit Fee
	1025	\$250	Late Renewal Fee
		\$50	1 st Reinspection fee
	1025	\$100	2 nd and each additional reinspection
	1025	\$300	Unlicensed Rental Fee

Chapter 30 – Rental Housing

Sec. 30-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agent means a person designated in writing by the owner as the owner's representative.

Certificate of compliance means a document issued by the city, stating that the dwelling unit has been inspected and is in compliance with applicable property maintenance codes and regulations.

Dwelling means a building or one or more portions thereof occupied or intended to be occupied for residential purposes; but not including rooms in motels, hotels, nursing homes, boardinghouses, tents and recreational vehicles.

Dwelling unit means a residential accommodation located within a dwelling that includes permanently installed cooking and sanitation facilities, designed or intended for use as living quarters for a single family.

Dwelling unit, general, (GDU) means a dwelling unit located in a building that contains up to ten (10) containing dwelling units that may be detached, attached side-by-side, stacked ceiling to floor and having a common entrance and do not have common ownership.

Dwelling unit, multifamily, (MFD) means a community, complex or building containing eleven (11) or more dwelling units that may be attached side-by-side, stacked ceiling to floor and have a common entrance and have a common owner.

Occupant means a person who lives or sleeps in a dwelling unit.

Owner means a person who is the recorded or unrecorded owner of the dwelling unit.

Rent means to permit occupancy of a dwelling unit by a person other than the legal owner thereof, pursuant to a written or unwritten agreement, whether or not a fee is required by the agreement.

Rental dwelling means a dwelling unit that has been rented, but excluding accessory apartments and boarding rooms where the owner of the dwelling unit is an occupant.

Short-Term Rental means a dwelling unit or portion of a dwelling unit including accessory apartments or boarding rooms rented for a period of thirty (30) consecutive days or less.

(Prior Code, § 714.020)

Secs. 30-3—30-22. Reserved.

ARTICLE II. LICENSING

DIVISION 1. GENERALLY

Sec. 30-23. License required.

No person shall rent a dwelling unit to another for occupancy unless the city has issued ~~either~~ a GDU, ~~or~~ MFD, or Short-Term rental license for the dwelling unit. The application for a dwelling unit rental license will be reviewed by the city manager in accordance with the provisions of this chapter and other applicable regulations of the municipal code.

(Prior Code, § 714.030(A); Ord. No. 775, 4-18-2005; Ord. No. 863, 2-10-2010; Ord. No. 910, 6-17-2013)

Sec. 30-24. Application.

The owner of a dwelling unit may submit an application for a GDU, ~~or a~~ MFD, or Short-Term rental license on forms provided by the city manager. A person who has been issued a GDU, ~~or a~~ MFD, or Short-Term rental license shall give notice, in writing, to the city manager, within five (5) business days of any change in the information contained on the license application. In approving a rental license application, the city

manager may impose such reasonable conditions and requirements as it deems necessary and appropriate to ensure compliance with the rental requirements.

(Prior Code, § 714.030(B); Ord. No. 775, 4-18-2005; Ord. No. 863, 2-10-2010; Ord. No. 910, 6-17-2013)

Sec. 30-25. Fees.

Licensing fees shall be as provided in the city fee schedule. The required fees shall be submitted along with the application for a new or renewal license. Applications for a renewal license submitted after the license term expiration are subject to a penalty fee. Submitted applications for a renewal license that have a delinquent utility account for the dwelling are subject to a penalty fee. Properties that do not possess a current rental license with the City that have tenants currently occupying the dwelling unit, or have listed the property for rent 30 days or more after the purchase date shall be subject to a penalty fee.

(Prior Code, § 714.030(C); Ord. No. 775, 4-18-2005; Ord. No. 863, 2-10-2010; Ord. No. 910, 6-17-2013)

Sec. 30-26. Term; expiration.

All dwelling unit rental licenses shall expire on December 31 of each year except as otherwise provided herein or in cases of suspension or revocation.

(Prior Code, § 714.030(D); Ord. No. 775, 4-18-2005; Ord. No. 863, 2-10-2010; Ord. No. 910, 6-17-2013)

Sec. 30-27. Issuance.

The city shall issue a dwelling unit rental license if the dwelling unit is in compliance with the provisions of this chapter, and the real estate taxes and municipal utility bills for the dwelling unit have been paid. Real estate taxes will not be considered to be due and payable for the purposes of this section while a proper and timely appeal of such taxes is pending and is diligently pursued to completion by the licensee.

(Prior Code, § 714.030(E); Ord. No. 775, 4-18-2005; Ord. No. 863, 2-10-2010; Ord. No. 910, 6-17-2013)

Sec. 30-28. Posting.

MFD rental licenses shall be posted in a conspicuous public corridor or hallway or lobby of the building in which the dwelling unit is located if the area is present. The license shall be framed with a clear covering.

(Prior Code, § 714.030(F); Ord. No. 775, 4-18-2005; Ord. No. 863, 2-10-2010; Ord. No. 910, 6-17-2013)

Sec. 30-29. Renewal.

A licensee may continue to rent a dwelling unit after the expiration date of the GDU, ~~or~~ MFD, or Short-Term rental license, provided that the owner or its agent has filed

with the city manager, on or before the expiration date, the appropriate renewal license application and license fee.

(Prior Code, § 714.030(G); Ord. No. 775, 4-18-2005; Ord. No. 863, 2-10-2010; Ord. No. 910, 6-17-2013)

Sec. 30-30. Transfer.

A GDU or Short-Term rental license shall not be transferable to another person or to another dwelling unit. A MFD rental license is transferable, for a fee, to any person who has acquired legal ownership of the building in which the dwelling unit is located. The transfer shall be effective for the unexpired portion of the rental license period, provided that the transfer application is filed with the city manager prior to the actual change of legal ownership and that the transferee is not disqualified from holding the license due to prior revocation or suspension of a license. Failure to submit the license transfer form and the transfer fee may result in termination of the rental license.

(Prior Code, § 714.030(H); Ord. No. 775, 4-18-2005; Ord. No. 863, 2-10-2010; Ord. No. 910, 6-17-2013)

Sec. 30-31. Resident agent required.

Owners who do not reside within the counties of Anoka, Carver, Chisago, Dakota, Hennepin, Ramsey, Scott, Washington Counties (the "metro area") must appoint an agent who does reside within the metropolitan area to be responsible for the maintenance of the dwelling unit, receipt of service of notice of violation, receipt of compliance order, institution or remedial action to effect such order, and acceptance of all service of process pursuant to law. The city manager shall be notified in writing of any change in the identification of the agent within five business days of such change. Agents listed for Short-Term Rental properties shall maintain an up to date phone number as well as a current address on file with the City. The agent shall be available 24-hours a day at the listed phone number during all times that the dwelling unit is being rented to respond immediately to complaints or issues relating to the dwelling unit.

(Prior Code, § 714.030(I); Ord. No. 775, 4-18-2005; Ord. No. 863, 2-10-2010; Ord. No. 910, 6-17-2013)

Secs. 30-32—30-50. Reserved.

DIVISION 2. LICENSE CONDITIONS

Sec. 30-51. Conformity to applicable regulations.

No dwelling unit rental license shall be issued or renewed unless the rental dwelling and its premises conform to all applicable regulations of the city including, but not limited to, chapter 28 and section 30-56. The city manager is authorized to conduct inspections of rental dwelling units to determine the compliance of the applicable provisions of this code, including, but not limited to, chapter 28.

(Prior Code, § 714.040(A); Ord. No. 797, 5-1-2006; Ord. No. 910, 6-17-2013)

Sec. 30-52. Building security.

(a) *Generally.* Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

(b) *Main entryways.* Main entryways shall be equipped with a security device designed to prevent entry to the building from unauthorized individuals.

(c) *Doors.* Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock meeting specifications set forth herein. Such deadbolt locks shall be operated only by the turning of a knob or a key and shall have a lock throw of not less than one inch. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock. Such deadbolt locks shall be installed according to manufacturer's specifications and maintained in good working order.

(d) *Deadbolt locks.* All deadbolt locks required by this section shall be designed and installed in such a manner so as to be operable inside of the dwelling unit, rooming unit or housekeeping unit without the use of a key, tool, combination thereof or any other special knowledge or effort.

(e) *Windows.* Operable windows located in whole or in part within six feet (1,828 millimeters) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking devices, without a tool, key or any special knowledge. Replacement of existing windows shall conform to the egress requirements of the building code.

(f) *Basement hatchways.* Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

(Prior Code, § 714.040(B); Ord. No. 797, 5-1-2006; Ord. No. 910, 6-17-2013)

Sec. 30-53. Inspections.

(a) *Required generally.* No dwelling unit rental license shall be issued or renewed unless the owner of the rental unit agrees in the application to permit inspections of the unit. It shall be the responsibility of the operator or agent to inform tenants of the scheduled inspections. The license holder and designated resident agent shall be present for scheduled inspections. The city reserves the right to perform or require additional inspections if deemed necessary by the city or at the request of the tenant.

(b) *Initial and routine inspections.* Upon receipt of a complete application for a dwelling unit rental license, an inspection of the premises shall be conducted thereafter by the city manager to ensure that the dwelling unit and premises is in substantial compliance with all applicable city regulations.

(c) *Notice of routine inspection.* Prior to conducting an inspection, the city manager shall ~~mail~~ provide written notification to the owner or the owner's agent and provide reasonable notice of the scheduled inspection date.

(d) *Routine inspection schedule.* Licensed units be inspected by the city manager in accordance with the following:

- (1) General dwelling unit: all dwelling units every two years.
- (2) Multi-family dwelling unit: one-third of all dwelling units annually.
- (3) Short Term unit: all dwelling units every year.

(e) *Complaint activated inspections.* Inspections may be scheduled based on complaints received by the city. Not less than seven days prior to the inspection, written notification to inspect a property and the reason therefor shall be mailed sent to the owner and agent of the property ~~by mail~~ stating the date and time of the inspection. If the owner and agent of the property request a change in proposed date of inspection, request must be made within 72 in advance hours of proposed inspection date. It shall be the responsibility of the owner and manager to notify the tenants of the property of the scheduled inspection. The owner and its agent must be on site at the time of inspection for entry and security purposes.

(Prior Code, § 714.040(C); Ord. No. 797, 5-1-2006; Ord. No. 910, 6-17-2013)

Sec. 30-54. Access to premises.

Every occupant of a rental dwelling unit shall, upon reasonable notice, give the owner or agent and the city manager or authorized representative access to any part of the dwelling unit or its associated properties at all reasonable times for the purpose of making inspections, repairs, or alterations as are necessary to effect compliance with the provisions of this code. If any owner, occupant, or other person in charge of the building refuses to permit free access and entry to the structure or premises under their control for inspection, the city manager may seek a court order authorizing such inspection.

(Prior Code, § 714.040(D); Ord. No. 797, 5-1-2006; Ord. No. 910, 6-17-2013)

Sec. 30-55. Tenant register.

The owner or the owner's agent shall keep, or cause to be kept, a current register of occupancy for each dwelling unit which shall be made available for viewing or copying by the city manager as requested. Said register shall provide, at a minimum, the following information:

- (1) Address of the dwelling unit;
- (2) Number of bedrooms in the dwelling unit
- (3) Number of adults and children (under 18 years of age) currently occupying the dwelling unit.
- (4) For all Short-Term Rental Licenses, documentation shall include contact information including a phone number and email of one occupant, per stay, over the age of eighteen (18) years old.

(Prior Code, § 714.040(E); Ord. No. 797, 5-1-2006; Ord. No. 910, 6-17-2013)

Sec. 30-56. Conduct on license premises.

Tenant leases for all licensed rental **dwelling housing** units shall contain language applicable to occupants of the licensed premises which prohibits the occupants from engaging in disorderly conduct. For purposes of this section, an occupant will be considered disorderly if the occupant violates:

- (1) Section 14-19 relating to noise.
- (2) Section 24-1 relating to weapons.
- (3) M.S.A. § 152.01 et seq. relating to the possession of controlled substances.
- (4) M.S.A. § 609.72 relating to disorderly conduct.
- (5) M.S.A. §§ 340A.701, 340A.702 and 340A.703 relating to the sale of intoxicating liquor.
- (6) M.S.A. § 609.321, subd. 9, relating to prostitution or acts of prostitution.
- (7) M.S.A. § 609.66 et seq., relating to the unlawful use or possession of firearms.
- (8) M.S.A. § 609.2242 relating to assault.
- (9) M.S.A. ch. 260C, relating to contributing to the need for protection or services or delinquency of a minor.
- (10) M.S.A. §§ 609.75 through 609.76 relating to gambling. (Prior Code, § 714.040(F); Ord. No. 797, 5-1-2006; Ord. No. 910, 6-17-2013)

Sec. 30-57. Fire safety.

The owner or the owner's agent is responsible for compliance with the provisions of chapter 8, article III.

(Prior Code, § 714.040(G); Ord. No. 797, 5-1-2006; Ord. No. 910, 6-17-2013)

Sec. 30-58. Crime- and drug-free lease addendum.

All tenant leases signed following the enactment of the ordinance from which this section is derived, except for state-licensed residential facilities and subject to all preemptory state and federal laws, shall contain the following crime-free housing language or equivalent thereof in the lease or in the form of an addendum:

- (1) The resident, any members of the resident's household or a guest or other person under the resident's control shall not engage in illegal activity, including drug-related illegal activity, on or near the premises. The term "drug-related illegal activity" means the illegal manufacture, sale, distribution, purchase, use or possession with the intent to manufacture, sell, distribute, or use of a controlled substance (as defined in section 102 of the Controlled Substance Act (21 USC 802)) or possession of drug paraphernalia.

- (2) The resident, any members of the resident's household or a guest or other person under the resident's control shall not engage in any act intended to facilitate illegal activity, including drug-related illegal activity, on or near the premises.
- (3) The resident or members of the household will not permit the dwelling unit to be used for, or to facilitate, illegal activity, including drug-related illegal activity, regardless of whether the individual engaging in such activity is a member of the household.
- (4) The resident or members of the household shall not engage in the manufacture, sale, or distribution of illegal drugs at any locations, whether on or near the dwelling unit premises or otherwise.
- (5) The resident, any member of the resident's household or guest or other person under the resident's control shall not engage in acts of violence or threats of violence, including, but not limited to, the unlawful discharge of firearms, prostitution, criminal street gang activity, intimidation, or any other breach of the rental agreement that otherwise jeopardizes the health, safety and welfare of the landlord, their agents or tenants.
- (6) Violation of the provisions in subsections (1) through (5) of this section shall be a material

violation of the lease and good cause for immediate termination of tenancy.

(Prior Code, § 714.040(H); Ord. No. 797, 5-1-2006; Ord. No. 910, 6-17-2013)

Secs. 30-59—30-89. Reserved.

DIVISION 3. ADMINISTRATION AND ENFORCEMENT

Sec. 30-90. Compliance order.

If the initial, routine or complaint activated inspection or tenant conduct incidents indicates that the owner is not in compliance with the rental licensing regulations, the city shall send a compliance order to the owner.

- (1) *Content of order.* The compliance order shall:
 - a. Be in writing.
 - b. Describe the location and nature of the violations of this code.
 - c. Establish a reasonable time period for the correction of such violation.
 - d. Be served upon the owner or the owner's agent and the occupant, as the case may require. Such notice shall be deemed to be properly served if a copy thereof is:
 - i. Personally served on the owner or the owner's agent;
 - ii. Sent ~~by mail~~ to the owner's or the owner's agent's ~~last known address~~, or

iii. Upon failure to affect notice through subsection (1)d.1 or 2 of this section, notice may be posted at the main entrance to the dwelling unit.

(2) *Tenant conduct violations.* If the compliance order specifies tenant conduct violations, the following additional regulations shall apply:

- a. Upon determination by the city manager that a dwelling unit on the licensed premises was used in a disorderly manner, as described in section 30-56, the city manager shall give written notice via certified mail to the owner or the owner's agent of the violation as provided in subsection (1)d of this section and direct the owner/licensee to take steps to prevent further violations. This shall include a written report submitted by the licensee outlining the actions taken, and proposed to be taken, by the owner or the owner's agent to prevent further disorderly use of the premises. This written report must be submitted to the city manager within five (5) days of receipt of the notice of disorderly use and must detail all actions taken by the licensee in response to all notices of disorderly use of the premises.
- b. An action to deny, revoke, suspend, or not renew a license under this section may be initiated by the city manager who must give to the owner or the owner's agent written notice of a hearing before the city council to consider such denial, revocation, suspension or non-renewal per section 30-91.

(Prior Code, § 714.050)

Sec. 30-91. Rental License Enforcement suspension or revocation.

A dwelling unit rental licenses ~~are is~~ subject to ~~suspension or revocation~~ suspension, revocation, or further enforcement by the city council for the reasons specified herein.

(1) Suspension or Revocation. Prior to suspension or revocation, the owner or the owner's agent shall be notified in writing at least five (5) days prior to the city council's consideration of such action. In the event that a dwelling unit rental license is suspended or revoked by the city council, it shall be unlawful for the owner or the owner's agent to thereafter permit any new occupancies for vacant, or thereafter vacated dwelling units, until the dwelling unit rental license has been reinstated. Upon decision to suspend, revoke, deny or not renew a license, no new application for the same facility will be accepted for a period specified in the council's written decision, not exceeding one year. Issuance of a new dwelling unit rental license after suspension or revocation shall be made in the manner provided for obtaining an initial license, except that the license fee shall be equal to 150 percent of the original license fee. A dwelling unit rental license may be suspended or revoked for any of the following reasons:

- a. Failure of owner or the owner's agent to operate or maintain the dwelling unit in compliance with the provisions of the city's regulations, including the failure

to correct deficiencies noted in a compliance order, within the time specified in the notice.

- b. Upon finding that an owner is in violation of the Rental Licensing Regulations within 365 days of the same initial offense, and reasonable actions have not been taken by the owner since the first offense.
- c. The license was procured by misrepresentation of material facts, by fraud, by deceit or by bad faith.
- d. The owner or the owner's agent made oral or written misrepresentations of material facts in or accompanying the application.
- e. Failure to pay any license, penalty, reinspection or reinstatement fee required by city council resolution.
- f. The owner or the owner's agent has failed to comply with any condition set forth in any other permits granted by the city.
- g. The activities of the owner or the owner's agent create or have created a serious danger to the public health, safety or welfare.
- h. The owner or the owner's agent manage and operate the unit in a manner that permits conditions that injure, annoy, or endanger the safety, health, morals, comfort and repose of any member of the public.
- i. A determination that the licensed premises have been used in a disorderly manner as described in section 30-56 shall be made upon substantial evidence to support such a determination. It shall not be necessary that criminal charges be brought in order to support a determination of disorderly conduct, nor shall the fact of dismissal or acquittal of such a criminal charge operate as a bar to adverse license action under this subsection.
- j. Failure of the owner or the owner's agent to allow access and entry to the structure or premises under their control for inspection pursuant to this article.

(Prior Code, § 714.060)

(2) Criminal Enforcement

- a. An owner, agent, operator, tenant, or occupant of any dwelling, dwelling unit, building or property who is found in violation of the provisions of this Article after the dwelling unit's rental license has been revoked may be charged and found guilty of a misdemeanor and may be held responsible for the cost of enforcement in addition to penalties.
- b. The City may exercise any and all remedies at law or in equity to ensure compliance with this Article. All unpaid costs, charges, and penalties may be certified to the property for collection with the property taxes.

- c. The City hereby further declares that a rental dwelling unit in violation of this Article after the rental license has been revoked may constitute a public nuisance pursuant to Chapter 22 of the City Code and the City may exercise its authority to abate such nuisances.

Sec. 30-92. Conduct pending eviction.

No adverse license action shall be imposed where the instance of disorderly use of a licensed premises occurred during the pendency of eviction proceedings (unlawful detainer) or within 30 days of notice given by the owner or the owner's agent to a tenant to vacate the premises, where the disorderly use was related to conduct by the tenant or by other occupants or guests of the tenant's unit. Eviction proceedings shall not be a bar to adverse license action, however, unless they are diligently pursued by the owner or the owner's agent. Further, an action to deny, revoke, suspend, or not renew a license based upon violations of this chapter may be postponed or discontinued at any time it appears that the owner or the owner's agent has taken appropriate measures which will prevent further instances of disorderly use.

(Prior Code, § 714.070)

Sec. 30-93. Reinspection fee.

There is no fee for an initial inspection to determine the existence of a housing maintenance code violation, nor any fee for the first reinspection to determine compliance with an order to correct a code violation. A fee shall be charged for all subsequent reinspections when the violation is not corrected by the time specified in the written notice. The fee shall be established by resolution from time to time of the city council.

(Prior Code, § 714.080)

Sec. 30-94. Posted to prevent occupancy.

Whenever any dwelling or dwelling unit has not obtained the required license or has been denied a license or has had its dwelling unit rental license suspended or revoked or is deemed unfit for human habitation, it shall be posted with a placard by the city manager to prevent further occupancy.

(Prior Code, § 714.09)

Sec. 30-95. Failure to obtain license.

If it is determined that a rental dwelling unit is being operated without a valid license, the city reserves the right to conduct an immediate inspection with proper notice in accordance with section 30-53. It shall be unlawful for an owner, designated agent or operator, after notice, to continue operation of a rental dwelling unit without submitting an application for a license under this chapter, along with the necessary penalty and license fees. Once an application has been made, it shall be unlawful for the owner, or their duly authorized agent, to permit any new occupancies of vacant, or thereafter vacated, rental units until such time as the license is issued. (Prior Code, § 714.100)

Sec. 30-96. Liability.

Neither the city nor its employees or agents shall be deemed liable for damages to a third person or property by reason of this chapter.

(Prior Code, § 714.110)

Secs. 30-97—30-120. Reserved.

ARTICLE III. SALE OF AFFORDABLE HOUSING BUILDING

Sec. 30-121. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Affordable housing building means a multifamily rental housing building having three or more housing units, where at least 18 percent of the units rent for an amount that is affordable to households at or below 60 percent of area median income, as median income was most recently determined by the United States Department of Housing and Urban Development for the Minneapolis-St. Paul-Bloomington, Minnesota-Wisconsin Metropolitan Statistical Area, as adjusted for household size and number of bedrooms.

Affordable housing unit means a rental unit in an affordable housing building that rents for an amount that is affordable to households at or below 60 percent of area median income, as median income was most recently determined by the United States Department of Housing and Urban Development for the Minneapolis-St. Paul-Bloomington, Minnesota-Wisconsin Metropolitan Statistical Area, as adjusted for household size and number of bedrooms.

Cause means the tenant or a member of the tenant's household materially violated a term of the lease or violated a provision of the crime-free, drug-free, or disorderly use lease requirements of this chapter.

Tenant protection period means the period that commences on the date when a real estate closing transfers ownership of an affordable housing building and runs through the end of the three calendar months following the month in which written notice of the transfer is sent to each affordable housing unit tenant pursuant to this article.

(Prior Code, § 614(A))

Sec. 30-122. Purpose.

The purpose of this article is to provide housing stability, protection and notification to tenants in rental housing during an ownership transition. This article requires notice to tenants and to the city whenever title to property containing three or more rental housing units is conveyed or otherwise transferred. Under this article, the owner would be required to pay resident relocation benefits if they take certain actions during the three-month tenant notification period and the resident needs to move as a result of that action.

(Prior Code, § 614(B))

Sec. 30-123. Notice.

a) *Notice to tenants.* Whenever title to property containing a housing building is conveyed or otherwise transferred, the new owner must, within 30 days after the real estate closing, deliver written notice to each housing unit tenant of the housing building that the property is under new ownership. The notice must include, at a minimum, the following information:

(1) The name, mailing address, and telephone number of the new owner.

(2) The following statement:

"Shoreview City Code chapter 30, article III provides for a three-month tenant notification period for housing unit tenants. Under the article, a housing unit tenant may be entitled to relocation assistance from the new owner if, during the three-month tenant notification period, the new owner:

- i) Terminates or does not renew the tenant's rental agreement without cause;
- ii) Raises the rent and the tenant terminates their rental agreement due to the rent increase;
- iii) Requires existing tenants to be rescreened or comply with new screening criteria and the owner or tenant terminates the tenant's lease; or
- iv) Imposes a material change in the terms of the lease and the owner or tenant terminates or does not renew the tenant's lease."

(3) Whether there will be any rent increase within the three-month tenant notification period and, if so, the amount of the rent increase and the date the rent increase will take effect.

(4) Whether the new owner will require existing housing unit tenants to be rescreened or comply with new screening criteria during the three-month tenant notification period and, if so, a copy of the applicable screening criteria

(5) Whether the new owner will, without the tenant's consent, impose a material change in the terms of the lease during the three-month tenant notification period, and, if so, the language of the material change and explanation of its effect.

(6) Whether the new owner will terminate or not renew rental agreements without cause during the three-month tenant notification period, and, if so, notice to the affected housing unit tenants whose rental agreements will terminate and the date the rental agreements will terminate.

(7) Whether the new owner intends to increase rent, require existing tenants to be rescreened to determine compliance with existing or modified residency screening criteria, terminate or not renew housing unit rental agreements, or impose a material change in the terms of the lease without cause within 30 days immediately following the tenant notification period.

(8) The date that the tenant notification period will expire.

(b) *Notice to the city.* The new owner must deliver a copy of the notice required by this article to the city community development department at the same time that the notice is delivered to tenants.

(c) *Required tenant notification period.* The new owner of a housing building must not terminate or not renew a tenant's rental agreement without cause, raise rent, rescreen existing tenants, or impose a material change to the terms of the lease during the tenant notification period without providing the notices required by this article.

(Prior Code, § 614(C))

Sec. 30-124. Relocation assistance.

(a) *When required.* A new owner of a housing building must pay relocation assistance to housing unit tenants if, during the three-month tenant notification period, the new owner:

- (1) Terminates or does not renew the tenant's rental agreement without cause;
- (2) Raises the rent and the tenant terminates their rental agreement due to the rental increase;
- (3) Requires existing tenants to be rescreened or comply with new screening criteria and the owner or tenant terminates the tenant's lease; or
- (4) Imposes a material change in the terms of the lease and the owner or tenant terminates or does not renew the tenant's lease.

(b) *Amount.* Relocation assistance is an amount equal to three months of the current monthly lease rent.

(c) *When paid.* The new owner shall, when required, pay relocation assistance to the tenant of a housing unit within 30 days after receiving tenant's written notice of termination of the lease or within 30 days after the owner notifies the tenant that the lease will be terminated or not renewed. (Prior Code, § 614(D))

Sec. 30-125. Tenant complaints.

A tenant of a housing unit who believes the new owner has not provided the tenant the notifications required under this article may submit a notice of violation to the city. The purpose of the notice is to inform the city of an alleged violation of this article to assist the city in determining whether to impose an administrative penalty provided for in this article. The city is not required to take any particular action in response to a notice of violation and any enforcement action it does take shall be on behalf of the city, not the

tenant. Filing a notice of violation does not prohibit the tenant from pursuing any remedy available to the tenant under the law.

(Prior Code, § 614(E))

Sec. 30-126. Penalties; administrative citations.

- (a) A violation of this article is an administrative offense that may be subject to an administrative citation and civil penalties.
- (b) The procedure for administrative citations for violation of this article shall be as provided in chapter 28, article III, division 2.
- (c) The penalty for a violation of sections 30-123 and 30-124 shall be the sum of the applicable amount of relocation assistance plus \$500.
- (d) A violation of this article shall constitute a separate offense for each dwelling unit affected.
- (e) Within 30 days after a person pays the penalty in subsection (c) of this section to the city, the city shall pay to the displaced tenant of the housing unit in which the violation occurred an amount equal to the relocation assistance amount specified in section 30-124.

(Prior Code, § 614(F))

Adoption Date: Passed by the City Council of the City of Shoreview on the 18th day of November, 2024.

Effective Date: This ordinance shall become effective the day following its publication in the city's official newspaper.

Publication Date: Published on the ____ of _____, 2024.

Sue Denking, Mayor

Attest:

Brad Martens, City Manager

SEAL