

**CHAPTER 907**  
**REGISTRATION OF RESIDENTIAL RENTAL PROPERTY OF**  
**1 TO 4 UNITS**

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**907.01: PURPOSE:**

The City recognizes a need for an organized registration program of residential rental property with 1 to 4 units within the City in order to:

- A. Gather accurate contact information for property owners of residential rental properties; and
- B. Provide educational materials to property owners and occupants of residential rental properties; and
- C. Identify and quantify these units in the City; and
- D. Provide information and a method to enforce minimum standards to meet City and State safety, health, fire, property maintenance and zoning codes within the City; and
- E. Provide a more efficient system to ensure that the stock of residential rental property within the City is properly maintained.

The City recognizes that the most efficient system to provide information on the rental status of certain residential properties is through the creation of a program requiring the registration of residential rental property with 1 to 4 units within the City.

### **907.02: DEFINITIONS:**

As used in this chapter, the following words and terms shall have the meanings ascribed to them in this section:

- A. City: The City of Roseville, or the person or entity designated by the City to administer and enforce this Chapter.
- B. Family: Shall mean one of the following: (City Code Section 1001.10)
  - 1. Any group of people living together as a single housekeeping unit, all of whom are related by blood, marriage, or adoption plus children who are under foster care; or
  - 2. Up to four people not so related, living together as a single housekeeping unit; or
  - 3. Any group of people living together as a single housekeeping unit, if no more than two adult members function as the heads of the household group and the remaining members are dependent upon them for care and direction due to age, physical disability, a mental incompetency, or for other reasons; or
  - 4. Any individual, who is the owner, living and maintaining a common household and using a common cooking and kitchen facility.
- C. Owner: A person, agent, firm, or corporation having a legal or equitable interest in the property. In any corporation or partnership, the term owner includes general partners and corporate officers.
- D. Person: Includes individual, as well as, business entities, whether one or more.
- E. Rent: Includes money or services in exchange for occupation of the unit.
- F. Residential rental property: Any building, structure, room, enclosure, or mobile home with 1 to 4 units including the real property upon which it is located and which surrounds it, which is rented or offered for rent as living quarters. Residential rental property does not mean on-campus college housing, hospital units, nursing home units, multiple rental property over 4 units or hotels or motels with daily rental units, all of which shall be specifically exempt from registration under this Chapter.
- G. Unit: All or a portion of a residential rental property that is arranged, designed, used, or intended to be used as separate living quarters and which is leased to an individual or group.

### **907.03: REGISTRATION REQUIREMENTS:**

- A. Except as provided in Sections 907.06(1) and 907.08, it shall be unlawful for any person to hereafter occupy, allow to be occupied, or let to another person for occupancy any residential rental property of 1 to 4 units within the City for which an application for registration has not been properly made and filed with the City or after the time that a registration is suspended or revoked. Registration shall be made upon forms furnished by the City for such purpose and shall specifically require the following minimum information:
  - 1. Name, street address and phone number of the property owner.

2. The name, street address, and phone number, of any person authorized to make or order repairs or services for the property, if in violation of City or State Codes, if the person is different than the owner.
3. The street address of the rental property.
4. The type of units within the rental property (single family, twinhome, townhome, condo, duplex, triplex or fourplex).
5. The number of bedrooms and bathrooms in the unit.
6. Certification and attestation that the maximum occupancy per unit is either 4 or less unrelated adults or one family pursuant to Roseville City Codes 906.06 and 1001.10.

#### **907.04: EXPIRATION OF REGISTRATION:**

- A. Term: All registrations issued under this Chapter are effective upon issuance and shall expire one year (365 days) from date of issuance. All required renewal registration application materials shall be received and submitted prior to the expiration date.
- B. Late fee: Any renewal registrations submitted 30 days after expiration will be considered late and subject to fee penalties.
- C. Violation: Any registration not renewed 60 days from expiration will be considered in violation of this ordinance. Renters will not be allowed to occupy a property if the renewal registration is not received within 60 days after expiration.

#### **907.05: FEES:**

- A. There shall be a registration fee and late renewal fee as established by the City Fee Schedule in Section 314.05. All fees and fines shall be charged to and payable by the property owner.
- B. Residential Rental Properties in violation of this ordinance may be subject to administrative fines, in addition to any other fees or penalties per Section 907.10 or other applicable sections of City Code.

#### **907.06: MANNER OF REGISTRATION:**

- A. An owner who has an existing rental property as defined by this Chapter that is not already registered must apply for registration pursuant to this Chapter no later than 60 days following the effective date of this Chapter.
- B. An owner of a property that after the effective date of this Chapter wishes to convert the property into a rental property, shall apply for and register the property prior to its conversion.
- C. If there is a change in the type of occupancy from the type stated on the registration form, a new registration form shall be filed within 30 days of the change.
- D. When a previously registered property is sold, the new owner shall register within 30 days of the sale, if the property continues to be a residential rental property.

### **907.07 NOTICE TO TENANT, REQUIREMENT TO POST:**

- A. The owner or its agent must post, in accordance with the instructions provided by the City, in each rental unit a current copy of the Registration Certificate provided by the City upon registration. This certificate shall specifically include the following minimum information:
  - 1. The street address of the registered property; and
  - 2. The name, street address, and telephone number of either the owner or the
  - 3. The expiration date of the registration; and
  - 4. Information about how to access the *Landlord and Tenants Rights and Responsibilities Handbook* provided by the Minnesota Attorney General.

### **907.08 EXEMPTIONS:**

- A. All owners of residential rental properties are required to register their properties according to Section 907.06, however, the following property owners are exempt from the registration fee and the requirement to post a registration certificate:
  - 1. Owners of residential rental properties where all renters residing in the rental property are related to the owner as a parent, child, sibling, grandparent, grandchild, step-parent, step-child, step-grandparent, or step-grandchild and the owner or agent affirms in the registration that each of the renters is one of these relations.
  - 2. Owners of residential rental property licensed by the State of Minnesota as a group home and used as such. The owner or agent must provide the current license number on the registration form.
- B. In all cases, an owner must notify the City in writing within 30 days if an exemption, as described in this Chapter, is no longer applicable. (Ord. 1426, 6-18-2012)

### **907.09: REGISTRATION SUSPENSIONS AND REVOCATION:**

- A. A rental registration may be revoked or suspended at any time under this provision of this chapter by the Community Development Director for grounds including, but not limited to, the following:
  - 1. False or misleading information given or provided in connection with a registration application.
  - 2. Failure to maintain the residential rental property in a manner that meets pertinent provisions of City Code including, but not limited to, Code Chapters 407 and 906.
  - 3. Violations committed or permitted by the owner or the owner's agent, or committed or permitted by the tenant or the tenant's guests or agents, of any rules, codes, statutes and ordinances relating to, pertaining to, or governing the premises including, but not limited to, the following:
    - a. Minn. Stat. 609.75 through 609.76, which prohibit gambling;
    - b. Minn. Stat. 609.321 through 609.324, which prohibit prostitution and acts relating thereto;

- c. Minn. Stat. 152.01 through 152.025 and 152.027, subs. 1 and 2, which prohibit the unlawful sale or possession of controlled substances;
  - d. Minn. Stat. 340A.401, which regulates the unlawful sale of alcoholic beverages;
  - e. Minn. Stat. 609.33, which prohibits owning, leasing, operating, managing, maintaining, or conducting a disorderly house, or inviting or attempting to invite others to visit or remain in a disorderly house;
  - f. Minn. Stat. 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716 and Chapter 103 of the City Code, which prohibit the unlawful possession, transportation, sale or use of weapon;
  - g. Minn. Stat. 609.72, which prohibits disorderly conduct;
  - h. Roseville City Code Section 407, prohibiting public nuisances, Section 405, noise control, Section 906, property maintenance, Sections 1004 and 1005, land use and Section 1018, parking; and
  - i. Minn. Stat. 609.221, 609.222, 609.223, 609.2231 and 609.224, regarding assaults in the first, second, third, fourth and fifth degree.
- B. A suspended or revoked rental registration may be reinstated when the circumstances leading to the suspension or revocation have been remedied.

### **907.10: VIOLATION:**

- A. Misdemeanor: Except as provided in Sections 907.06(1) and 907.08, any person who maintains a residential rental property without having the property registered, or after the registration for the property has been revoked or suspended, or who permits new occupancy in violation of Section 907 is guilty of a misdemeanor and, upon conviction, is subject to a fine and imprisonment as prescribed by state law. Each day of each violation constitutes a separate offense.
- B. Administrative fee: In addition to, or in lieu of, charging a misdemeanor, the City may impose administrative fees in an amount set in the City Fee Schedule. Each day of each violation constitutes a separate offense.
  - 1. Upon the failure to pay an administrative fee, the City may post the dwelling unit as illegal for habitation.
- C. Prohibited occupancy: Pursuant to 907.10.B.1, the dwelling unit may not be occupied by anyone other than the primary homestead owner and that person's immediate family until:
  - 1. The administrative fee has been paid; and
  - 2. A rental registration is obtained or the City is satisfied that the dwelling unit will not be used as a rental dwelling unit; and
  - 3. Completion of any abatement, written compliance order, legal action from a citation or action per City Code Sections 407.06, 407.07 and 407.08.

### **907.11: APPEALS:**

- A. An Appeal pertaining to any violation, suspension, or revocation decision addressed in this Chapter may be filed by a residential rental property owner.

1. The appeal shall be submitted to the City Manager within ten (10) calendar days after the making of the order or decision being appealed.
  2. The appeal shall state the specific grounds upon which the appeal is made.
  3. The appeal shall be accompanied by the fee set forth in Chapter 314.
- B. When an appeal is filed, a public meeting regarding the matter shall be held before the City Council, acting as the Board of Adjustments and Appeals, at a regular meeting held within thirty (30) calendar days of the receipt of the appeal. The Board of Adjustments and Appeals may consider any of the evidence that had previously been considered as part of the formal action that is the subject of the appeal. New or additional information from the appealing applicant(s) may be considered by the Board of Adjustments and Appeals at its sole discretion if that information serves to clarify information previously considered by the Community Development Director.

**907.12: MAINTENANCE OF RECORDS:**

All records, files and documents pertaining to the Rental Registration Program shall be maintained in the office of the City and made available to the public as allowed or required by applicable laws, rules, codes, statutes or ordinances.

**907.13: AUTHORITY:**

Nothing in this Chapter shall prevent the City from taking action under any applicable rule, standard, statute or ordinance for violations thereof and to seek either injunctive relief or criminal prosecution for such violations as therein provided. Nothing contained in this Chapter shall prevent the City from seeking injunctive relief against a property owner or designated agent who fails to comply with the terms and conditions of this Chapter on registration including an order prohibiting the occupancy of such rental units until violations of this Chapter have been remedied by the property owner or designated agent.

**907.14: APPLICABLE LAWS:**

Residential Rental Property shall be subject to all applicable rules, standards, statutes and ordinances governing use, maintenance and occupancy of the dwelling or dwelling unit; and this Chapter shall not be construed or interpreted to supersede any other such applicable rules, standards, statutes or ordinances.

**907.15: RULES, POLICIES, PROCEDURES:**

The City Council may adopt from time to time, by resolution, rules, policies and procedures for the implementation of this Chapter. Violation of any such rule, policy or procedure by a property owner shall be considered a violation of this Ordinance.

**907.16: NO WARRANTY BY THE CITY:**

By enacting and undertaking to enforce this Ordinance, neither the City, its designees, the City Council, or its officers, agents or employees warrant or guarantee the safety, fitness or suitability of any dwelling in the City. Owners or occupants should take whatever steps they deem appropriate to protect their interests, health, safety and welfare. A warning in substantially the foregoing language shall be printed on the face of the rental registration.

**907.17: SEVERABILITY:**

If any provision of this Chapter or amendment thereto, or the application thereof to any person, entity or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of this Chapter shall remain in full force and effect and the application thereof to other persons, entities or circumstances shall not be affected thereby. (Ord. 1361, 3-17-2008) (1495, 2/22/2016)