



## **REQUEST FOR ACTION**

**Brian Rossow Appeal - 409 27 St NE**

**MEETING DATE:**

**November 1, 2023**

**ORIGINATING DEPT:**

**Community Development**

**AGENDA SECTION:**

**Reports and Recommendations**

**PRESENTER:**

**Taryn Edens**

### **Action Requested:**

Denying appeal of the rental property at 409 27 St NE to waive late compliance fees of \$375 assessed for failure to bring the rental property into compliance within 151 days of the correction due date of the last inspection.

### **Report Narrative:**

The owner of the rental property at 409 27 St NE has appealed the Manager of Housing and Neighborhood Services assessment of late compliance fees. Under the Rochester Code of Ordinances, Chapters 1-4, the Rochester Board of Appeals is the appeal body.

The appellant states they did not receive proper communication of the penalty fees due, though our records show proper notice was had, and additional tools exist for rental managers and owners to review the status of their rental properties.

The Manager of Housing and Neighborhood Services Manager recommends that the Board of Appeals deny the appeal due to the following:

- Rental owners/managers are required to display their registration certificates at their rental properties, per Sec. 7-9-8 (which details when the license expires), and are responsible for ensuring the certificate is maintained.
- An inspection was not scheduled before the rental certificate expiration date.
- When reviewing requests to waive fees, we must remain consistent. In similar situations, we have stood firm on assessing fees as we have communicated the need to bring the property into compliance on our end, and no action has been taken within 90 days of the last inspection.

### **Prepared By:**

Taryn Edens

### **Attachments:**

[Staff report - Rossow properties](#)