

# City of Brainerd

## A Practical Guide to Rental Housing

City Code 425 and 450 (IPMC 2021), Minnesota Laws, and Available Resources



### EMERGENCY NUMBERS & CONTACTS

Brainerd Police  
218/829-2805

Brainerd Fire  
218/828-2312

Building Safety  
218/828-2309

Brainerd Public Utilities  
218/829-8726

Center Point Hotline  
800-245-2377

## June 1 License Renewal Deadline

The 2022 licensing period is officially underway. All license renewal applications must be received (or postmarked) on or before June 1, 2022. Staff is available to assist you and prepared to answer questions regarding rental housing licensing.

Enclosed please find a rental license application and on that form the information requirement per **MN Statute 270C.72 Tax Clearances; Issuance of Licenses**. The statute states that all licensing authorities must require the applicant to provide the applicant's social security number and MN business identification number on all license applications. Your cooperation in meeting this requirement is greatly appreciated. The City cannot process license applications without this information.

Please be aware of the changes made regarding late fees, which are shown on the enclosed application(s). Any property **NOT** licensed by **JULY 1st** will result in the property being placarded. (See Brainerd City Code Section 425). **Also, indicate any changes or missing information shown on the enclosed application(s).**

The items in this informational sheet are limited in scope to selected areas of special concern and are not intended to replace a complete review of City Code 425 and 450, known as the **Rental Housing Code** and the **Property Maintenance Code** which references **IPMC 2021 Addition** which is applicable to all properties, both residential and commercial. To review the codes in full, access the "fillable" rental license application, permit application forms, or other building related documents, go to:

<http://www.ci.brainerd.mn.us/156/Building>

## Landlord and Tenants: Rights and Responsibilities

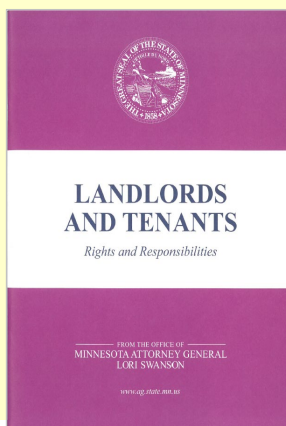
*By Minnesota Attorney General's Office, (2017)*

The rights and duties of landlords and tenants in Minnesota are spelled out in federal law, state statutes, local ordinances, safety and housing codes, common law, contract law, and number of court decisions. These responsibilities can vary from place to place around the state.

Certain rights and duties apply to landlords and tenants everywhere in Minnesota. This handbook attempts to explain those rights. This booklet should not be considered legal advice to use in resolving specific landlord-tenant problems or questions. It is a summary of the laws that govern the landlord-tenant relationship. References to statutes and case law examples appear at the back of the brochure. When references are provided, they are signaled or noted by a number at the end of the sentence. If a cite does not appear, the information is likely derived from common law or case law.

**Minn. Statute § 504B.181, subd. 2(b) requires landlords to notify residential tenants that this handbook is available to them.**

[www.ag.state.mn.us](http://www.ag.state.mn.us)



Lease Addendum for  
Crime-Free/Drug-free  
Housing on reverse side

## Lease Addendum for Crime-Free/Drug-Free Housing

**UNLAWFUL ACTIVITIES:** Minnesota Statute 504B.171 provides that neither Landlord or Resident will unlawfully allow controlled substances, prostitution, or prostitution related activity, use or possession of a firearm in violation of Minnesota Law, or stolen property on the premises.

To access the complete addendum form, go to:

<http://www.ci.brainerd.mn.us/DocumentCenter/View/882/Rental-Unit-Crime-Free-Lease-Addendum-PDF?bidId=>

*This information is intended for use by the general public and does not constitute legal advice. The City of Brainerd makes no representation as to the enforceability of this language and is not liable for reliance on this information. You should consult an attorney for advice regarding your individual situation.*

## New Rental Housing Maintenance Code

The City compiled a rental committee to review and update the existing Rental Housing Maintenance Code Ordinance Section 425 and the Property Maintenance Code Section 450. These new code revisions have been approved and adopted by City Council and have been through the process of public hearings. These revisions will be in effect starting April 18<sup>th</sup>, 2022.

The Rental Housing Maintenance Code Ordinance Section 425 refers to Rental Licensing and Conduct on Premises. The Property Maintenance Code Section 450 is covered by the 2021 edition of the International Property Maintenance Code. The IPMC will cover any maintenance issues for rentals and non-rental properties throughout the City of Brainerd. A copy of the new ordinance can be found on the City website. Please use the link below to view the 2021 IPMC.

<http://www.ci.brainerd.mn.us/DocumentCenter/View/6429/2021-IPMC-International-Property-Maintenance-Code>

Copies of the IPMC 2021 edition may be purchased direct at the link shown below:

<https://shop.iccsafe.org/2021-ipmcr-code-and-commentary.html>

## Checklists for Property Owners to Identify Possible Problems

### Top Rental Violations

1. **Rental License** – Rental licenses should be posted in a frame, inside and near the entrance door of the structure (City Code 425.3018(b).
2. **Fire Extinguishers** – Need to be minimum size and classification 2A10BC and in current service.
3. **Smoke Detectors** – Required in every room used for sleeping and one on each level. Located within 12 inches or less from ceiling if installed on the wall.
4. **Carbon Monoxide Alarms** – CO Alarms are required to be installed within 10 feet of all sleeping rooms. Bedrooms on multiple levels need CO installed on each level near sleeping rooms.
5. **Work Permits** – Ensure that permits are obtained for remodels and repairs.
6. **Dryer Vents** – Smooth hard pipe or foil, slinky-style with UL listed for dryers. NO plastic or corrugated metal.
7. **Plumbing** – Flexible waste lines must be replaced. Slow drains must be unclogged, dripping faucets replaced/repaired.
8. **Accessory Structure** – Ensure that garages are structurally safe and have no electrical or mechanical issues.
9. **Solid Waste Service** – Owners are responsible for contracting with garbage collection providers.
10. **Exterior** – Have sidewalks shoveled and free of ice within 48 hours of the snowfall during the winter months. Keep yards mowed (6" or less) during the growing season.

*Looking outside at **all property types**... is your structure weather-tight?... rodent proof?... well maintained?*

- No peeling, flaking, or chipped paint on any exterior surfaces
- No holes or large cracks in foundation
- Soffit, fascia, and siding in good repair
- Exterior surfaces protected from elements
- Address numbers visible from the street – 4" (6" Commercial)
- Roof material in good condition and roofs free of leaks
- A/C coil, gas line, electrical line penetration, etc. all caulked
- Gutters/downspouts in good condition and free of debris
- Chimney tuck pointing/mortar in good repair
- Porch and decks in good repair (guard railings, decking, supports, stairs, etc.)
- Handrails required at four or more risers
- Garages and sheds in good repair and no peeling paint
- Grass and weeds cut and maintained
- No litter or junk on property grounds
- No abandoned vehicles, car parts, tires, appliances, construction debris etc. on property
- No parking on grass
- Fencing must be in good repair
- Must have trash collection service; containers must not overflow, lids must be closed