



The City of Burnsville has a “Three Strikes and you’re out” ordinance applied to rental property. When a strike is issued a letter indicating that your rental unit has been issued a strike is sent to the property manager and also the address being struck as notification. Strikes are issued based on a police response where a criminal violation occurred that was confirmed by police officers. Tenants are also responsible for their guest’s behavior and may receive a strike for that behavior. A citation does not have to be issued for a unit to receive a strike. If a rental unit receives three strikes within a 12 month period of time, the owner/manager of the rental unit must remove the tenants from the unit within 14 days.

There is no action required upon receipt of this letter unless it is a 3rd strike. There is also is no criminal proceeding associated with this letter. This letter does not go on any person’s record. Rather the strike letter is only associated with a rental unit and is not attached to a person.

The owner/manager may take action as a result of issuance of strike one or two based on potential lease infractions.

For more information on the ordinance please refer to ordinance wording below.

3-28-11: "THREE STRIKES AND YOU'RE OUT"; DISORDERLY USE BY TENANTS:

1. First Strike: Upon the occurrence of an alleged disorderly use, the police department shall inform the city manager or designee of the suspected disorderly use. The city manager or designee shall then send to the tenant, and license holder, as appropriate, a written notice of the violation. The license holder shall be responsible to take action as appropriate to terminate the disorderly use.
2. Second Strike: If another instance of disorderly use takes place in the same unit or by the same tenant or guest within twelve (12) months of an incident for which a notice in subsection (B)1 of this section was given, the police department shall inform the city manager or designee of the alleged violation. The city manager or designee shall then send to the tenant, and license holder, as appropriate, a written notice of the violation. The license holder shall be responsible to take action as appropriate to terminate the disorderly use.
3. Third Strike: If a third or more instance of disorderly use takes place in the same unit or by the same tenant or guest within twelve (12) months of an incident for which a notice in subsection (B)1, (B)2 of this section or this subsection was given, the city shall notify the license holder by mail of the violation and shall also require the license holder to immediately undertake the process necessary to remove the tenant from the property. If the license holder fails to comply with the requirements of this section, this constitutes a property owner violation under subsection [3-28-10\(A\)5](#) of this chapter.

--Process Following Disorderly Use: It shall be the responsibility of the license holder to take appropriate action within 14 days following notification of disorderly use by tenants or their guests using or occupying the premises

--Conduct Constituting Disorderly Use: The following conduct by tenants or their guests on the licensed premises is hereby deemed to be a disorderly use, if such conduct is in violation of any of the following statutes or ordinances:

1. Minnesota statutes sections 609.75 through 609.76, which prohibit gambling;
2. Minnesota statutes sections 609.321 through 609.324 which prohibit prostitution and acts relating thereto;

3. Minnesota statutes sections 152.01 through 152.025, and 152.027, subdivisions 1 and 2, which prohibit the unlawful sale or possession of controlled substances;
4. Minnesota statutes section 340A.401, which prohibits the unlawful sale of alcoholic beverages;
5. Minnesota statutes section 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;
6. Section [6-1-2](#) of this code, which prohibits noisy assemblies;
7. Minnesota statutes sections 97B.021, 609.66 through 609.67 and 624.712 through 624.716, and section [6-4-4](#) of this code, which prohibits the unlawful possession, transportation, sale or use of a weapon;
8. Minnesota statutes section 609.72, which prohibits disorderly conduct, when the violation disturbs the peace and quiet of the occupants of at least one unit on the licensed premises or other premises, other than the unit occupied by the person(s) committing the violation;
9. Minnesota statutes sections 609.221 through 609.224, which prohibit assaults, including domestic assault as defined in Minnesota statutes section 518B.01;
10. Violation of laws relating to contributing to need for protection or services or delinquency of a minor as defined in Minnesota statutes sections 260B.425 and 260C.425;
11. Violations of this city code which relate to animal noises and public nuisances;
12. Any of the following part I or II crimes:
 - a. Part I offenses (serious crime): Criminal homicide, forcible rape (and attempts to rape), robbery, aggravated assault, burglary - breaking and entering (including: forcible entry, unlawful entry-no force, attempted forcible entry), larceny-theft, motor vehicle theft, and arson.
 - b. Part II offenses (less serious crime): Other assaults, forgery and counterfeiting, fraud, embezzlement, stolen property (buying, receiving, and possessing), vandalism-destruction of property, weapons, prostitution and commercialized vice, narcotics drug laws, gambling, driving under the influence, disorderly conduct-disturbing the peace, sex offenses (inclusive of incest, indecent exposure, carnal abuse).
13. Minnesota statutes section 609.505, which prohibits falsely reporting a crime or providing false information to a peace officer.