

ORDINANCE #2026-1322
EMERGENCY ORDINANCE

AN EMERGENCY ORDINANCE TO REQUIRE RESIDENTIAL TENANT NOTIFICATION
30-DAYS PRIOR TO INITIATING EVICTION ACTION FOR NON-PAYMENT OF RENT
OR OTHER FINANCIAL OBLIGATIONS

The City of Brooklyn Park does ordain:

SECTION 1. PREAMBLE, PURPOSE, AND INTENT

Operation Metro Surge, initiated in December 2025, is a deployment of federal immigration enforcement agents from numerous agencies of the U.S. Department of Homeland Security to the State of Minnesota, including into the City of Brooklyn Park. The operation has created economic hardships in the community. This emergency ordinance is adopted in response to the emergency and in accordance with Section 3.06 of the City Charter to protect the public peace, health, morals, safety and welfare of residents.

SECTION 2. FINDINGS

- 2.01 Operation Metro Surge has resulted in some Brooklyn Park business owners temporarily closing businesses, employees unable to safely work, and residents falling behind on rent.
- 2.02 In recognition of the economic impacts caused by Operation Metro Surge neighboring communities have allocated funding for rental assistance to prevent evictions. The City of Brooklyn Park is considering a similar program. This emergency ordinance is similarly intended to address eviction concerns.

SECTION 3. 30-DAY PRE-EVICTION NOTICE

- 3.01 "Dwelling" has the same meaning as contained in Section 117.42 of the Brooklyn Park City Code.
- 3.02 At least 30 days before bringing an eviction action alleging nonpayment of rent or other unpaid financial obligations relating to the occupancy of a dwelling, a landlord must provide written pre-eviction notice to the tenant specifying the basis for future eviction action. The pre-eviction notice must be titled "**PRE-EVICTION NOTICE**" and must contain at least the following information:
 - (1) The following statement in English, Hmong, and Spanish: "This is important information about your housing. If you do not understand it, have someone translate it for you now, or request a translation from your landlord." Upon request, the landlord must provide the entire notice in the required language.
 - (2) The name, mailing address, and telephone number of the person authorized to receive rent and fees on behalf of the landlord.
 - (3) The total amount of money due and owing to the landlord by the tenant including an accounting of all past due rents, late fees, and any other charges.

- (4) State that the landlord may file an eviction case if the tenant fails to pay the total amount due or move out of the dwelling within 30 days after the notice was delivered, and such dates must be included in the notice.
 - (5) Include the following statement: "If you need legal or financial help you may contact the resources listed in this pre-eviction notice."
 - (6) Provide a description of how to access legal and financial assistance through information posted on the city's website.
- 3.03 If the tenant fails to either cure the rent delinquency or financial discrepancy or fails to vacate the premises within 30 days after the pre-eviction notice is delivered by the landlord, the landlord may bring an eviction action under Minn. Stat. § 504B.321, subdivision 1 based on nonpayment of rent.
- 3.04 The landlord shall deliver the notice required by this section personally or by first-class mail to the address of the dwelling.
- 3.05 In addition to any other remedy available at equity or law, failure to comply with the provisions of this subsection may result in adverse rental license actions, the imposition of administrative fines, or other penalties as provided in law.
- 3.06 The parties to a written or oral lease of a dwelling must not waive or modify the requirements imposed by this section. Any such waiver provision is invalid and unenforceable.

SECTION 4. PENALTY

- 4.01 A violation of this Ordinance is an administrative offense that may be subject to an administrative citation and civil penalties as provided in Section 117.52 of the Brooklyn Park City Code.
- 4.02 A violation of this Ordinance shall constitute a separate offense for each affected dwelling.
- 4.03 Within 30 days after a landlord pays the civil penalty, the city shall pay that amount to the affected tenant.

SECTION 5. ENFORCEMENT

- 5.01 This emergency ordinance supersedes inconsistent or conflicting provisions of the City Code and any resolution or ordinance while this emergency ordinance remains in effect.

SECTION 6. EFFECTIVE DATE

- 6.01 This uncodified emergency ordinance adopted pursuant to the Brooklyn Park City Charter Section 3.06, shall take effect when adopted.
- 6.02 Unless reenacted this uncodified emergency ordinance pursuant to the Brooklyn Park City Charter Section 3.06, shall automatically stand repealed as of 30 days following the date of adoption.

Adopted by the City Council of the City of Brooklyn Park this 17th day of February, 2026.

HOLLIES WINSTON, MAYOR

ATTEST:

DEVIN MONTERO, CITY CLERK

Approved as to Form by City Attorney
Adopted on 02-17-2026
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