

ORDINANCE #2026-1323
EMERGENCY ORDINANCE

AN EMERGENCY ORDINANCE TO REQUIRE COMMERCIAL 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 an unprecedented 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. Operation Metro Surge has instilled fear among people living and working in Brooklyn Park. 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 Fear of federal immigration agents during 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 significant harm caused by Operation Metro Surge neighboring communities have allocated funding for rental assistance to prevent evictions due to Operation Metro Surge. 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 The purpose of the 30-day pre-eviction notice is to provide stability, protection and notification to renters for non-payment of financial obligations, including rent. Landlords and property management teams are required to provide a written pre-eviction notice to the commercial tenant specifying the basis for future eviction action at least 30 days prior to filing eviction on the basis of either an alleged non-payment of rent or other unpaid financial obligations in violation of the lease.
- 3.02 Any pre-eviction notice shall be titled "Pre-eviction notice" and shall at a minimum:
 - 1. The following advisory 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 specific accounting of the money due and owing to the landlord by the tenant, including any past due rents, any 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 within 30 days from the date 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 correct the rent delinquency or financial discrepancy within 30 days of the date of the notice, or fails to vacate, 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 any notice required by this ordinance personally or by first-class mail to the address of the commercial unit. Such notice may, in addition to but not in place of personal delivery or delivery by first-class mail, be delivered to any email or other electronic means to the tenant at the tenant's email address or electronic account.
- 3.05 In addition to any other remedy available at equity or law, failure to comply with the provisions of this ordinance 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 commercial unit shall not waive or modify the requirements imposed by this ordinance. Any such waiver provision that may exist in a lease is not enforceable.
- 3.07 For an expedited eviction action filed pursuant to Minnesota Statutes, section 504B.321, subdivision 2, the landlord shall provide the notice required by Section 12-912D(4)(d) at least three days in advance of filing the eviction action.

SECTION 4. PENALTY

- 4.01 In addition to any other remedy available at equity or law, failure to comply with the provisions of this ordinance may result in the imposition of administrative fines, or other penalties as provided in law.

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. To the extent that this ordinance directly conflicts with County, State or Federal ordinances, they would take precedence.

SECTION 6. EFFECTIVE DATES

- 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.



DEVIN MONTERO, CITY CLERK

HOLLIES WINSTON, MAYOR

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