

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Shawn McDonald, being first duly sworn, deposes and says that on the 24th day of February, he served the attached **NOTICE OF VIOLATION AND REQUEST FOR REVOCATION OF LICENSE** and a correct copy thereof in an envelope addressed as follows:

Narjis LLC
d/b/a East Side Grocery
1340 Payne Avenue
Saint Paul, MN 55130
Attn: Jaber Albadry

Jaber Albadry
1972 127th Court NE
Blaine, MN 55449

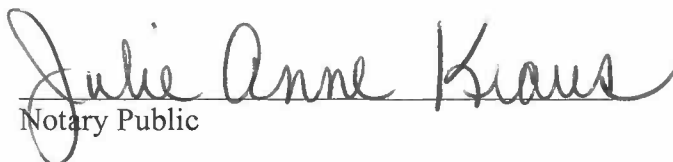
Sadiq Alnabi
1631 Camelot Lane NE
Fridley, MN 55432

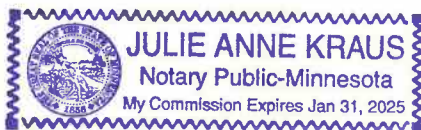
Jack Byers, Executive Director
Payne Phalen Community Council
567 Payne Avenue
Saint Paul, MN 55130

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Shawn McDonald

Subscribed and sworn to before me
This 24th day of February 2022


Notary Public





February 24, 2022

NOTICE OF VIOLATION AND
REQUEST FOR
REVOCAION OF LICENSE

Narjis LLC
d/b/a East Side Grocery
1340 Payne Avenue
Saint Paul, MN 55130
Attn: Jaber Albadry

RE: Cigarette/Tobacco license held by Narjis LLC d/b/a East Side Grocery for the premises located at 1340 Payne Avenue in Saint Paul.
License ID #: 20190003644

Dear Licensee:

The Department of Safety and Inspections ("DSI") is recommending adverse action against the Cigarette/Tobacco license held by Narjis LLC ("Licensee") for the premises known as East Side Grocery located at 1340 Payne Avenue in Saint Paul ("Licensed Premises") for a second flavored tobacco violation.

Saint Paul Legislative Code section 324.07(f) prohibits a licensee from selling, offering for sale, or otherwise distributing any flavored tobacco products.

Saint Paul Legislative Code section 324.10(b)(2) sets the presumptive penalties for violations of provisions of the Legislative Code relating to the display, possession, or multiple incidents of sales of menthol or flavored tobacco products. Under section 324.10(b)(2), the presumptive penalty for a second violation within a 24-month period is revocation of the license.

Records from DSI show that on March 3, 2021, during an inspection of the Licensed Premises, an inspector discovered flavored tobacco products, specifically, Black and Mild Casino Cigarillos and Dutch Master Sweet Fusion Cigars.



DSI asserts that the following facts, along with photos of the violations attached herein, constitute proof of a second violation of section 324.07(a) of the Saint Paul Legislative Code by preponderance of the evidence.

Synopsis of Alleged Facts:

On March 3, 2021, the Minnesota Department of Revenue conducted an inspection of the Licensed Premises and found numerous flavored tobacco products. Based on these findings, DSI recommended adverse action against your Cigarette/Tobacco license and the imposition of a \$500 fine. By paying the \$500 fine, you admitted to the violation.

On January 5, 2022, DSI Inspector Akbar Muhammad went to the Licensed Premises for a complaint inspection. Upon arrival, Inspector Muhammad noticed flavored Black and Mild Casino Cigars, Dutch Master Sweet Fusion cigars, and Blue Palam cigars behind the counter. The Inspector spoke with the store clerk, Akjouj Hafid, and informed him that DSI received a complaint of the business selling flavored tobacco products. The clerk was advised to remove all flavored products into a back storage and to call a distributor to pick them up. Akjouj Hafid contacted the license holder Jaber Albadry and Inspector Muhammad informed Albadry of the flavored tobacco violations that he discovered. Inspector Muhammad also directed Albadry to reach out to the primary DSI licensing inspector for Cigarette/Tobacco licenses with any further questions or concerns.

You have three (3) options to proceed:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **March 10, 2022**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on a City Council Consent Agenda for revocation of your license.
2. If you wish to admit the facts but you contest the revocation of your license, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing no later than **March 10, 2022**. The matter will then be scheduled before the City Council to determine whether to revoke the license. You and your client will have an opportunity to appear before the Council and make a statement.



3. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge ("ALJ"). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **March 10, 2022**. At that hearing both you and the City will appear and present witnesses, evidence and cross-examine each other's witnesses. After receipt of the ALJ's report (usually within 30 days), a public hearing will need to be scheduled. At that time, the City Council will decide whether to adopt, modify or reject the ALJ's report and recommendation. Please note: If you choose an administrative hearing, DSI reserves the right to request that City Council impose the costs of the administrative hearing, per Saint Paul Legislative Code section 310.05(k).

If you have not contacted me by March 10, 2022, I will assume that you do not contest the Revocation of your licenses. In that case, the matter will be placed on a City Council Consent Agenda for approval of the recommended penalty.

Sincerely,

Stephen Earnest
Assistant City Attorney
License No.: 0402652

cc: Jaber Albadry, 1972 127th Court NE, Blaine, MN 55449
Sadiq Alnabi, 1631 Camelot Lane NE, Fridley, MN 55432
Jack Byers, Executive Director, Payne Phalen Community Council, 567 Payne Avenue, Saint Paul, MN 55130

Attachments: Inspector's Report
Licensee information on Eclips System
License Group Conditions Text
License Group Comments Text
Adverse Action Comments Text
STAMP - Ownership/Zoning Information
Photos of tobacco products



SAINT PAUL
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY
LYNDSEY M. OLSON, CITY ATTORNEY

Civil Division, 15 Kellogg Blvd. West, 400 City Hall
Saint Paul, MN 55102
Tel: 651-266-8710 | Fax: 651-298-5619

CITY OF SAINT PAUL
MELVIN CARTER, MAYOR

STPAUL.GOV

*The Saint Paul City Attorney's Office does not discriminate
based on race, color, national origin, religion, sex/gender, disability, sexual orientation, gender identity, age, or veteran status
in the delivery of services or employment practices.*



CITY OF SAINT PAUL

Business Licensing
375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9134
Web: www.stpaul.gov/dsi

Inspector's Report

Inspectors Name: Akbar R. Muhammd

Time & Date: 12:30 pm 1/5/2022

Name of Clerk: Akjouj Hafid

Business/Property Name: -Eastside Grocery

Property Address: -1340 Payne Avenue

Reason for Visit: Complaint

Observations: Flavor Violation behind the counter

Photos Taken: Yes No – Area(s) of where the Photo(s) where taken:

Photos were taken behind front counter

Action Taken: Education / warning

Request for Adverse Action

Other: -

Details of Conversations (Statements to and by Person Responsible for Property):

Upon arrival, I spoke to the clerk Akjouj Hafid, I introduced myself as a DSI licensing Inspector with the City of Saint Paul. I informed Akjouj that today's visit was due to DSI receiving a complaint that this establishment is selling flavor products. I asked Akjouj permission to go behind the counter to conduct my inspection, he stated yes.

In plain site on the shelves behind the counter there were three (3) flavor violations; Black and Mild Casino cigars, Dutch Master Sweet Fusion cigars & Blue Palam cigars (See Attached Photo's). I educated Akjouj that these are flavor violations and that they need to be removed immediately and place the flavor products in the back room to be returned to the distributor.

Akjouj contacted the license holder Jaber Albadry and handed me the phone, I explained to Mr. Albadry what tobacco flavor violations were discovered and directed him to contact the primary licensing inspector for cigarette/tobacco for any further questions or concerns.

(Note: Two (2) of these flavor violations were the same flavor violations discovered from an inspection that was held on 3/3/2021 (Black and Mild Casino Cigarillos & Dutch Master Sweet Fusion cigars). I explained to Akjouj the license holder was instructed by the primary DSI inspector for cigarette/tobacco, that these tobacco products were already identified as flavor violations and was explained that they need to be removed from the shelves and placed in the back room to be returned to the distributor).

Properties For License 1340 PAYNE AVE UNIT B

Licensee NARJIS LLC
 DBA EAST SIDE GROCERY

License | Licensee | Lic. Types | Insurance | Bond | Requirements

Licensee Name: NARJIS LLC
 DBA: EAST SIDE GROCERY
 Sales Tax Id: ***** Non-Profit: Worker's Comp: 00/00/0000
 AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000
 AA Fee Collected: 00/00/0000 Discount Rec'd:

Other Agency Licenses				Financial Hold Reasons		
Other Licensing Agency Name / License Type	License #	Expiration	Reason	Active	Date	

Contacts for this Licensee

Last Name	First Name	Title	Bus. Phone	Home Phone
NARJIS LLC			(763) 222-8284	
ALBADRY	JABER	OWNER	(763) 222-8284	(763) 222-8284

Background Check Required

Mail License To: Mail To Contact License Address

Mail Invoice To: Mail To Contact License Address

License # 190003644 Save Changes to History

Properties For License 1340 PAYNE AVE UNIT B

Licensee NARJIS LLC
 DBA EAST SIDE GROCERY

License | Licensee | Lic. Types | Insurance | Bond | Requirements

Licensee Name: NARJIS LLC
 DBA: EAST SIDE GROCERY
 Sales Tax Id: ***** Non-Profit: Worker's Comp: 00/00/0000
 AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000
 AA Fee Collected: 00/00/0000 Discount Rec'd:

Other Agency Licenses				Financial Hold Reasons		
Other Licensing Agency Name / License Type	License #	Expiration	Reason	Active	Date	

Contacts for this Licensee

Bus. Phone	Home Phone	Contact Address	City	Zip
(763) 222-8284		1340 PAYNE AVE UNIT B	ST PAUL	55130
(763) 222-8284	(763) 222-8284	1972 127TH COURT NE	BLAINE	55449

Background Check Required

Mail License To: Mail To Contact License Address

Mail Invoice To: Mail To Contact License Address

License # 190003644 Save Changes to History

License Group Conditions Text

01/31/2022

Licensee: NARJIS LLC

DBA: EAST SIDE GROCERY

License #: 20190003644

1. Temporary window signs placed between the height of four (4) to seven (7) feet above grade shall not cover more than thirty (30) percent of this window space area, and cannot block views into the clerk or cashier station.

License Group Comments Text

02/01/2022

Licensee: NARJIS LLC

DBA: EAST SIDE GROCERY

License #: 20190003644

09/27/2021 \$300 FINE PAID. SE

8/31/2021 Sent to the CAO for an AA for a TYCC for a \$300 & \$50 fine to the Clerk JNV

8/28/2021 TYCC Fail JNV

6/23/2021 Youth compliance check Pass JNV

05/27/2021 \$500 AA fine paid. SLH

5/14/2021 Sent to the CAO for AA for \$500 fine JNV

3/3/2021 Complaint inspection with MN D of Rev - flavor products found - Wrong address was on the license at issuance - store clerk handed off keys to an unknown person - took off in white SUV with over \$25,000 of product (felony charge). Per LM decision to wait for documents from the MN D of Rev for AA JNV

11/16/2020 Delinquent letter sent. Response deadline date is December 7, 2020. SLH

Adverse Action Comments Text

02/01/2022

Licensee: NARJIS LLC

DBA: EAST SIDE GROCERY

License #: 20190003644

09/14/2021 - Sent Notice of Violation with an 09/28/2021 deadline to respond. SM

STAMP - Ownership / Zoning Information

[New Search](#)

[Help using this report](#)

Run Date: 02/01/22 02:20 PM

House#:

Last updated from Ramsey County data
on:

Street Name:

Click on "Other Application" links below to access GISmo, MapIT, and Ramsey County Info

1340 Payne Ave - Payne Ivy Grocery Store - 55130-3434 - [Other Applications](#)

PIN: 202922420193

Census Track: 30602 **Census Block:** 3012

Council Ward: 6 **District Council:** 5

Year Built:

Foundation Sq Feet: **Loan Company:**

Land

Building

Value: 66400

Value: 152500

Unverified Usage: 10- GENERAL RETAIL & SVC- B- Commercial

ISP:

Units: 0

Zoning: B1

Legal Desc: DENNY HILL ADDITION EX N 4 25/100 FT LOT 3 AND ALL OF LOTS 4 AND LOT 5 BLK 3

Owner:

Sadiq Alnabi
1631 Camelot Ln Ne
Fridley MN 55432-5217
763-227-8005

Certificate of Occupancy Responsible Party:

Sadiq Alnabi
1631 Camelot Ln Ne
Fridley MN 55432-5217
763-227-8005



5 CIGARS **FOR** **\$1.49**

SHOW
CIGARILLOS

**BLUE
PALMA**

WARNING:

**Tobacco smoke
increases the risk
of lung cancer and
heart disease, even
in nonsmokers.**

cigarettes.