

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 23rd day of March, he served the attached **NOTICE OF VIOLATION RECOMMENDATION FOR IMPOSITION OF \$1000 MATRIX PENALTY** and a correct copy thereof in an envelope addressed as follows:

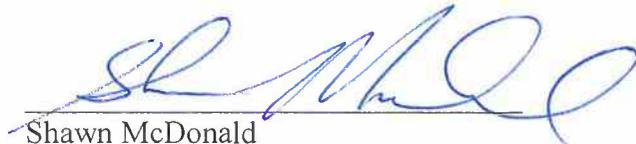
Razan Inc.
d/b/a Winnipeg Grocery
864 Rice Street
Saint Paul, MN 55117

Ammar Alfuraiji
1958 127th Court NE
Blaine, MN 55449

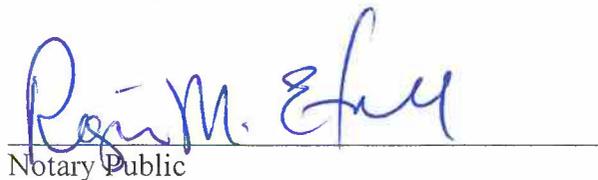
Winnipeg Apartment Lp
755 Selby Avenue Unit A
Saint Paul, MN 55104-7643

Kerry Antrim, Executive Director
North End Neighborhood Organization
171 Front Street
Saint Paul, MN 55117

(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 23rd day of March 2021


Notary Public



OFFICE OF THE CITY ATTORNEY

Lyndsey M. Olson, City Attorney



CITY OF SAINT PAUL

Mayor Melvin Carter

*Civil Division
400 City Hall and Court House
15 West Kellogg Boulevard
Saint Paul, Minnesota 55102*

Telephone: 651 266-8710

Facsimile: 651 298-5619

March 23, 2021

**NOTICE OF VIOLATION
RECOMMENDATION FOR IMPOSITION
OF \$1000 MATRIX PENALTY**

Razan Inc.
d/b/a Winnipeg Grocery
864 Rice Street
Saint Paul, MN 55117

RE: Cigarette/Tobacco license held by Razan Inc. d/b/a Winnipeg Grocery for the premises located at 864 Rice Street in Saint Paul
License ID #: 20190000793

Razan Inc.:

The Department of Safety and Inspections ("Department") will recommend adverse action against the Cigarette/Tobacco license held by Razan Inc. ("Licensee") for the premises known as Winnipeg Grocery located at 864 Rice Street in Saint Paul. ("Licensed Premises").

Saint Paul Legislative Code §324.07(f) provides that: "No person shall sell, offer for sale, or otherwise distribute any flavored products."

Saint Paul Legislative Code Section 310.05 (m)(2) sets the presumptive penalty for a violation of provisions of the legislative code relating to the licensed activity at a \$1000 matrix penalty for a second violation.

Records at the Department show that this is your second violation within one year. On December 21, 2020 you paid a \$500 matrix penalty after inspectors documented the sale of flavored products in violation of your Cigarette/Tobacco License.

The Department asserts the following facts along with attachments herein constitute proof of a violation of Saint Paul Legislative Code §324.07(f) by a preponderance of the evidence.

Synopsis of alleged facts:

On March 3, 2021, Inspector Joseph Voyda conducted a follow up inspection from an 10/8/2020 adverse action at 864 Rice Street, Saint Paul, MN 55117. Upon entry Inspector Voyda noticed flavored tobacco products being offered for sale in violation of Saint Paul Legislative Code 324.07(f) because the business does not hold a Tobacco Product Shop license. During the inspection Inspector Voyda observed and documented violations of Saint Paul Legislative Code §324.07(f). Specifically, he observed a box of 'Black and Mild'- Wine behind the counter. The Clerk was informed of the flavor violations and advised to remove all flavored products and place them in a backroom.

As the Licensee you have four (4) options:

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 **April 6, 2021**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the City Council Consent Agenda for approval of the proposed remedy.
2. You can admit to the violation and pay the \$1000.00 matrix penalty. If this is your choice, send the payment directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **April 6, 2021**. A self-addressed envelope is enclosed for your convenience. Payment of the \$1000.00 matrix penalty will be considered a waiver of the hearing to which you are entitled.
3. If you wish to admit the facts but you contest the \$1000.00 matrix penalty, 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 **April 6, 2021**. The matter will then be scheduled before the City Council to determine whether to impose the \$1000.00 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.
4. 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 **April 6, 2021**. 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, the Department of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing, per Saint Paul Legislative Code § 310.05 (k).

If you have not contacted me by April 6, 2021, I will assume that you do not contest the imposition of the \$1000.00 matrix penalty. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please contact Shawn McDonald, my Legal Assistant at (651) 266-8729.

d/b/a Winnipeg Grocery

March 23, 2021

Page 3

Sincerely,

A handwritten signature in blue ink that reads "Therese Skarda / s.m.". The signature is written in a cursive style.

Therese Skarda

Assistant City Attorney

License No.: 0240989

cc: Ammar Alfuraiji; 1958 127th Court NE; Blaine, MN 55449

Winnipeg Apartment Lp, 755 Selby Avenue Unit A, Saint Paul, MN 55104-7643

Kerry Antrim, Executive Director, North End Neighborhood Organization, 171 Front Street, Saint Paul,
MN 55117

Attachments: Inspector's Report and supporting documentation.



CITY OF SAINT PAUL

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

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dzi

Inspector's Report

Inspectors Name: Joseph Voyda

Date: 3/16/2021

Business/Property Name: Winnipeg Grocery

Property Address: 864 Rice Street

Reason for Visit: Complaint for flavored product being sold

Observations: Flavor violations found behind counter

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

Behind the counter/register

Action Taken: Education / warning

Request for Adverse Action

Other: -

Adverse Action

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

Upon arrival on March 3rd, 2021, I spoke with the clerk Mohamed Shaban, I introduced myself as an Inspector for the City of Saint Paul with DSI I introduced the Saint Paul Police officer that works with DSI. I explained that I was there for a follow up inspection from the adverse action from 10/8/2020 for flavored tobacco product being sold.

In plain sight located behind the counter/cash register was a flavor tobacco product violation (See Attached Photo). I asked Mohamed if there were any other flavor products that were present or hidden, his response was "no we don't sell menthol and no other flavor products". Continuing the inspection, I advised Mohamed to move all products that where flavor violation into the back storage room and advised him to have the owner call the distributor for a pickup. I educated Mohamed on the flavor violations that were discovered, he agreed and said, "please don't tell the owner he trusts me to run his store while he is overseas".

Types of flavored tobacco products found: 'Black & Mild' - Wine

License Group Comments Text

03/16/2021

Licensee: RAZAN INC

DBA: WINNIPEG GROCERY

License #: 20190000793

3/3/2021 Tobacco inspection flavor violations found JNV
 10/15/2020 Sent to th CAO for AA for flavor violation JNV
 10/8/2020 Menthol Cigar Violation -Education for flavor products - High Hemp, American Spirits Black and B&M's Casino found - warning about these flavor violations JNV
 08/26/2019 Paid \$500.00 fine. LAB
 6/18/19 Youth tobacco compliance check, pass. ARM
 7/8/19 To CAO for adverse action on seized tobacco product and flavored product in violation of 297F.21 of State Stat and 324.07 of City ordinance. KS
 4/22/19 Tobacco compliance check, passed. ARM

Adverse Action Comments Text

03/16/2021

Licensee: RAZAN INC

DBA: WINNIPEG GROCERY

License #: 20190000793

12/21/2020 Received and processed \$500 AA penalty fee check. SLH
 11/30/2020- Notice of violation sent with an 12/14/2020 deadline to respond. SM

STAMP - Ownership / Zoning Information

Page 1 of 1

STAMP - Ownership / Zoning Information

[New Search](#)

[Help using this report](#)

Run Date: 03/16/21 09:23 AM

House#:

Last updated from Ramsey County data on:

Street Name:

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

850 Rice St - Winnipeg Apts / 860 Rice St / 864 Rice St - Winnipeg Grocery / 136 Winnipeg Ave - 55117-5435 - [Other Applications](#)

PIN: 302922320230	Census Track: 31400	Census Block: 2023	Council Ward: 1	District Council: 6
Year Built:	Foundation Sq Feet:	Loan Company: 00	Land Value: 271800	Building Value: 2570600

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

ISP:

Units:

Zoning: ' / T2

Legal Desc: LEWIS' ADDITION TO,ST. PAUL LOTS 10 THRU 14 BLK 6

Owner:

Winnipeg Apartments Lp
 755 Selby Ave Unit A
 St Paul MN 55104-7643

Properties For License 864 RICE ST

Licensee: RAZAN INC
DBA: WINNIPEG GROCERY

Pay Print Warn Hist Summ

License Licensee Lic. Types Insurance Bond Requirements

Licensee Name: RAZAN INC Browse...
 DBA: WINNIPEG GROCERY
 Sales Tax Id: ***** Non-Profit: Worker's Comp: 00/00/0000 Properties...
 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

Other Licensing Agency Name / License Type	License #	Expiration	Reason	Active	Date

Financial Hold Reasons

Contacts for this Licensee

Last Name	First Name	Title	Bus. Phone	Home Phone	Contact Address
MOHAMMED	WATHIQ	KEY HOLDER	(651) 487-3110 () -		864 RICE ST
ALFURAJI	AMMAR	PRESIDENT	(612) 478-2704 () -		12443 DRAKE ST NW
			() -		1958 127TH COURT NE

Background Check Required Contact Properties...

License # 190000793 Save Changes to History OK Cancel Help

Properties For License 864 RICE ST

Licensee: RAZAN INC
DBA: WINNIPEG GROCERY

Pay Print Warn Hist Summ

License Licensee Lic. Types Insurance Bond Requirements

Licensee Name: RAZAN INC Browse...
 DBA: WINNIPEG GROCERY
 Sales Tax Id: ***** Non-Profit: Worker's Comp: 00/00/0000 Properties...
 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

Other Licensing Agency Name / License Type	License #	Expiration	Reason	Active	Date

Financial Hold Reasons

Contacts for this Licensee

Contact Address	City	Zip	DOB	Last Check	Dr
864 RICE ST	ST PAUL	55117	00/00/0000	00/00/0000	
12443 DRAKE ST NW	COON RAPIDS	55448	00/00/0000	00/00/0000	
1958 127TH COURT NE	BLAINE	55449	02/05/1980	00/00/0000	S61910

Background Check Required Contact Properties...

License # 190000793 Save Changes to History OK Cancel Help

