



June 5, 2023

**NOTICE OF INTENT TO SUSPEND LICENSE  
AND REQUEST IMPOSITION OF \$500 MATRIX PENALTY**

Vlad Messing  
d/b/a Vlad I Messing  
911 Dayton Avenue  
Saint Paul, MN 55104

RE: Short-Term Rental (Owner-Occupied) license held by Vlad Messing d/b/a Vlad I Messing for the premises located at 911 Dayton Avenue in Saint Paul.  
License ID #: 20210000636

Dear Licensee:

The Department of Safety and Inspections ("Department") will recommend suspension of the Short-Term Rental (Owner-Occupied) license held by Vlad Messing d/b/a Vlad I Messing ("Licensee") for the premises located at 911 Dayton Avenue in Saint Paul ("Licensed Premises"). In addition, the Department will request the imposition of a \$500.00 matrix penalty.

**Legal Basis for Action:**

Saint Paul Legislative Code §310.01, defines Adverse Action as:

"the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee or applicant for a license. "Adverse action" includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. "Adverse action" also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license."

Saint Paul Legislative Code §310.03 (m)(2) sets forth the general penalties for violation of provisions of the legislative code relating to the licensed activity. The matrix prescribes a penalty of \$500 for a first-time violation.

Saint Paul Legislative Code §310.03 (m)(8) sets forth the general penalties for failure to pay license fees. The matrix prescribes a penalty of license suspension for a first-time violation.



Saint Paul Legislative Code §379.03 sets forth license fees and terms for short-term rentals:

Sec. 379.03 License fee and license term.

- (a) The annual fees for the issuance of a short-term rental platform license and short-term rental host license shall be established by ordinance as provided in chapter 310.09 of the Legislative Code.
- (b) A short-term rental platform license and short-term rental host license shall expire one (1) year from the date the license is issued and must be renewed annually.
- (c) Short-term rental platform licenses and short-term rental host licenses are non-transferable.

### **Adverse Action Recommendation:**

The Department of Safety and Inspections will recommend suspension of the Short-Term Rental (Owner-Occupied) license and imposition of a \$500.00 matrix penalty for violations to Saint Paul Legislative Codes §310.03 (m)(2); §310.03 (m)(8) and §379.03.

### **Factual Basis for License Suspension and Imposition of \$500.00 matrix penalty:**

On February 17, 2023, you were sent an email from Inspector Sanchez-Panadero stating that your Short-Term (Owner-Occupied) license expired as of April 7, 2022. The email included an attached invoice for the 2022 renewal of your license requiring you to submit the following:

- Payment of your delinquent license and late fees
- Sign and return the Affidavit of Compliance located on your RENEWAL INVOICE

On April 13, 2023, you were sent a letter and another RENEWAL INVOICE from Eric Hudak stating that your license had expired and was now delinquent. You were instructed again to submit your delinquent license late fee payment along with the signed Affidavit of Compliance located on the RENEWAL INVOICE in order to renew your license by May 8, 2023, or adverse action would be taken against your license.

As of today, the Department of Safety and Inspections has not received payment of your delinquent license and late fees and the signed Affidavit of Compliance.



You have five (5) 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 **June 15, 2023**, 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 pay the delinquent Short-Term Rental (Owner-Occupied) license and late fees and return a signed Affidavit of Compliance. **If this is your choice, you need to contact the Department of Safety and Inspections (651) 266-8989 to determine the total amount now due.** You may then send the payment and signed Affidavit of Compliance directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **June 15, 2023**. A self-addressed envelope is enclosed for your convenience. Payment of the delinquent Short-Term Rental (Owner-Occupied) license and late fees and a signed Affidavit of Compliance will be considered a waiver of the hearing to which you are entitled.
3. If you wish to admit the facts but contest the penalty, you may have a hearing before the Saint Paul City Council, you will need to send me a letter with a statement admitting the facts and requesting a Council hearing by **June 15, 2023**. The matter will then be scheduled before the City Council to determine whether to suspend your Short-Term Rental (Owner-Occupied) license and impose the \$500.0 matrix penalty. You will have an opportunity to appear before 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 **June 15, 2023**. 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 hearing will need to be scheduled before the City Council. 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 recommend that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code §310.03 (k).

5. If you no longer wish to do business in the City of Saint Paul, you will need to complete and return the attached REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **June 15, 2023**.



**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

**If you have not contacted me by June 15, 2023, I will assume that you do not contest the suspension of your Short-Term Rental (Owner-Occupied) license and imposition of the \$500.00 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 feel free to contact Julie Kraus, my Legal Assistant at (651) 266-8776.

Sincerely,

Therese Skarda  
Assistant City Attorney  
License No.: 0240989

Cc: Vlad Messing, 13003 Elmwood Court, Apple Valley, MN 55124  
Vlad I. Messing, 915 Dayton Avenue, Saint Paul, MN 55104-6542  
Jens Werner, Executive Director, Summit University Planning Council  
165 Western Avenue North, Ste. 8, Saint Paul, MN 55102

Attachments: February 17, 2023, email sent to licensee  
April 13, 2023, letter sent to licensee with RENEWAL INVOICE  
Photographs of 911 Dayton (Interior & Exterior) and description of property  
ECLIPS Screen - Properties for License  
STAMP -Ownership/Zoning Information  
Certificate of Compliance Minnesota Workers' Compensation Law Form  
REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL  
Saint Paul Legislative Code §310.01  
Saint Paul Legislative Code §310.03  
Saint Paul Legislative Code §379

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.*

STATE OF MINNESOTA)  
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 5th day of June she served the attached **NOTICE OF INTENT TO SUSPEND LICENSE AND REQUEST IMPOSITION OF \$500 MATRIX PENALTY** and a correct copy thereof in an envelope addressed as follows:


Vlad Messing  
d/b/a Vlad I Messing  
911 Dayton Avenue  
Saint Paul, MN 55104

Vlad Messing  
13003 Elmwood Court  
Apple Valley, MN 55124

Vlad I. Messing  
915 Dayton Avenue  
Saint Paul, MN 55104-6542

Jens Werner, Executive Director  
Summit University Planning Council  
165 Western Avenue North, Ste. 8  
Saint Paul, MN 55102

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

  
Julie Kraus

Subscribed and sworn to before me  
This 5<sup>th</sup> day of June 2023

  
Notary Public



## Luis Sanchez-Panadero

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**From:** Sanchez-Panadero, Luis (CI-StPaul)  
**Sent:** Friday, February 17, 2023 3:17 PM  
**To:** Vlad Messing  
**Subject:** RE: 911 Dayton Ave Short Term Rental  
**Attachments:** 911 Dayton Short Term Rental Invoice.pdf

Hello Vlad,

Thank you for the quick response. Attached is the invoice for the 2022 renewal. Once this renewal is processed, the 2023 invoice should be automatically sent to your mailing address. You may return the invoice in a number of ways, but please do not return it directly to me. You can let me know if you have turned in the invoice so that I may keep an eye on it.

Email: [DSIWEB@ci.stpaul.mn.us](mailto:DSIWEB@ci.stpaul.mn.us)

Mail/Drop Off: 375 Jackson St Suite 220, Saint Paul, MN 55101. Monday-Friday 8:00 a.m. – 4:00 p.m\*.

Fax: 651-266-9124

\*DSI's office will not be open on Monday February 20<sup>th</sup> or Wednesday February 22<sup>nd</sup> of the next week.

Best Regards,  
Luis



**SAINT PAUL**  
**MINNESOTA**

***Luis Sanchez-Panadero***

Pronouns: he/him/his

DSI Inspector I

Department of Safety and Inspections

375 Jackson Street, Suite 220

Saint Paul, MN 55101

P: 651-266-9016

[Luis.sanchez-panadero@ci.stpaul.mn.us](mailto:Luis.sanchez-panadero@ci.stpaul.mn.us)

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**From:** Vlad Messing <[vladimessing@gmail.com](mailto:vladimessing@gmail.com)>  
**Sent:** Thursday, February 16, 2023 1:19 PM  
**To:** Sanchez-Panadero, Luis (CI-StPaul) <[Luis.Sanchez-Panadero@ci.stpaul.mn.us](mailto:Luis.Sanchez-Panadero@ci.stpaul.mn.us)>  
**Subject:** Re: 911 Dayton Ave Short Term Rental

**Think Before You Click: This email originated outside our organization.**

Hi Luis: thanks for reaching out- Id like to renew the license and am happy to cover the fee for 2022 as well as 2023. If you could send me an invoice I'll send the payment promptly. Thanks much, -Vlad

On Thu, Feb 16, 2023 at 1:10 PM Sanchez-Panadero, Luis (CI-StPaul) <[Luis.Sanchez-Panadero@ci.stpaul.mn.us](mailto:Luis.Sanchez-Panadero@ci.stpaul.mn.us)> wrote:

Hello Vlad

I work in the licensing division within the City of Saint Paul's Department of Safety and Inspections. One of my job duties is processing short term rental licenses. Currently I am going through the licenses that are delinquent due to non-payment. Your license for 911 Dayton Ave expired on 04/07/2022. I am reaching out to you if you would like to renew or cancel your short term license.

If you do renew your license, you will be responsible for the 2022 missed renewal as well as this year's upcoming renewal. I can provide you a new invoice for the missed payment. A new invoice will be sent to you for this year's renewal once the missed invoice is processed.

If you would like to cancel your license, please let me know. I will need written confirmation that you would like to do so.

Please let me know how you would like to move forward, or if you have any questions.

Best Regards,

Luis



**SAINT PAUL**  
**MINNESOTA**

***Luis Sanchez-Panadero***

Pronouns: he/him/his  
DSI Inspector I  
Department of Safety and Inspections  
[375 Jackson Street, Suite 220](#)  
[Saint Paul, MN 55101](#)

P: 651-266-9016

[Luis.sanchez-panadero@ci.stpaul.mn.us](mailto:Luis.sanchez-panadero@ci.stpaul.mn.us)





**SAINT PAUL**  
SAFETY & INSPECTIONS

DEPARTMENT OF SAFETY & INSPECTIONS (DSI)  
ANGIE WIESE, DIRECTOR

375 Jackson Street, Suite 220  
Saint Paul, MN 55101-1806  
Tel: 651-266-8989 | Fax: 651-266-9124

April 13, 2023

VLAD I MESSING  
13003 ELMWOOD COURT  
APPLE VALLEY, MN 55124

RE: License ID # 20210000636  
@ 911 DAYTON AVE

Dear Licensee:

Our records indicate the above referenced license(s) which were issued to you have expired and are now delinquent. Renewal of the license(s) is required if you intend to engage in the licensed activity within the City of St Paul.

**You must complete the renewal of your license(s) by May 8th, 2023 or we may submit your delinquent/expired license(s) to the City Attorney's office for adverse action.** To complete the renewal process, submit to this department payment of the renewal fee (including any late fees) and all required supporting documentation as stated on the enclosed invoice.

For your convenience, a copy of the referenced invoice and a self-addressed return envelope is enclosed. If you are no longer working within the City of Saint Paul, please advise our office of the information in writing.

This license expired on 04/07/2022. If you choose to renew this license, you will also be responsible for the 2023 renewal application. Once this license is renewed, you should receive an invoice for the 2023 renewal application.

If you have questions regarding this notice or wish to dispute your license is delinquent/expired, please contact our office at 651-266-8989, Monday through Friday, between 8:00 AM and 4:30 PM.

Sincerely,

Eric Hudak  
Licensing Manager  
Department of Safety and Inspections

Enclosure(s)





**SAINT PAUL  
MINNESOTA**

# Renewal Invoice

Check this box if making any name, mailing address or phone # corrections. Please write the changes on this form. If your business license address is changing, please request a new business license application.

April 12, 2023

# CITY OF SAINT PAUL

Department of Safety and Inspections  
375 Jackson Street, Suite 220  
Saint Paul, MN 55101-1806  
PHONE: (651) 266-8989  
FAX: (651) 266-9124  
[www.stpaul.gov](http://www.stpaul.gov)

**VLAD I MESSING  
13003 ELMWOOD COURT  
APPLE VALLEY MN 55124**

**BUSINESS PHONE: 651-329-6852**

**Invoice #:** 1122789

Invoice Due Date: Upon Receipt

Account Balance: \$42.00

**Pay this Amount: \$42.00**

Transaction Description	Transaction Total
210000636 Short-Term Rental (Owner Occupied) Expires: 04/07/2022 @ 911 DAYTON AVE	42.00
<b>Requirements</b>	<b>Invoice Amount Due: \$42.00</b>

The following must be signed and returned with your payment for your license to be renewed:

**AFFIDAVIT OF COMPLIANCE**

- \* I certify or declare under penalty of perjury under the laws of the State of Minnesota, that the following is true and correct. I understand all information provided is subject to verification. I understand that the City of Saint Paul is authorized to suspend or revoke a license renewed in error or on the basis of incorrect, inaccurate or any false statement or misrepresentation, or in violation of any City ordinance or State statute.
- \* I will maintain liability insurance of no less than \$300,000 dollars to cover the short-term rental use throughout the duration of the license or I will conduct each short-term rental transaction through a short-term rental platform that provides equal or greater coverage.
- \* I will maintain continued and full compliance with all Short-term rental host general provisions set forth in Saint Paul Legislative Code Sec. 379.07 throughout the duration of the license.
- \* I agree to provide the Department of Safety and Inspection with accurate information regarding the name and contact information for a Responsible Party. I understand that this Responsible Party must be available if I am outside of the 16 county metro area of Anoka, Carver, Chisago, Dakota, Goodhue, Hennepin, Isanti, Lesuer, McLeod, Ramsey, Rice, Scott, Sherburne, Sibley, Washington or Wright.
- \* If I am a renter – I hereby certify that I have the consent of the property owner to utilize this property as a Short-term rental.
- \* If I rent a non-owner occupied dwelling unit – I will ensure the property has a valid Certificate of Occupancy.

\_\_\_\_\_  
License Holder Name (printed)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Your Taxpayer Identification is on file. Thank you.**

**Please give us your email address:** \_\_\_\_\_

**Please return this invoice with your payment!**




→ ↻ 🏠 [https://www.airbnb.com/rooms/48951846?adults=1&children=0&enable\\_m3\\_private\\_room=true&infants=0&pets=0&check\\_in=2024-04-29&check\\_out=2024-05-04&federated\\_search\\_id=14e6e435-779b-4b4b-bb6a-5...](https://www.airbnb.com/rooms/48951846?adults=1&children=0&enable_m3_private_room=true&infants=0&pets=0&check_in=2024-04-29&check_out=2024-05-04&federated_search_id=14e6e435-779b-4b4b-bb6a-5...) 🔍 🌐 🏠 👤

airbnb Start your search Airbnb your home

### Historic St. Paul Inn w/Barn Loft! Grand/Summit

★ 5.0 · 38 reviews · Superhost · Saint Paul, Minnesota, United States Share Save

Airbnb Host has the same first name as the License Holder and the listed Property Owner (STAMP)

Entire condo hosted by Vlad  5 guests · 3 bedrooms · 4 beds · 1.5 baths

**\$200** night ★ 5.0 · 38 reviews

**Dedicated workspace**  
A room with wifi that's well-suited for working.

**Self check-in**

CHECK-IN: 4/29/2024 CHECKOUT: 5/4/2024  
GUESTS: 1 guest

1:38:46 PM  
Monday, May 22, 2023

May 2023

Su	Mo	Tu	We	Th	Fr	Sa
30	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	3
4	5	6	7	8	9	10

Date and time settings 1:38 PM 5/22/2023

Figure 3 Airbnb Listing: Historic St. Paul Inn w/Barn Loft! Grand/Summit - Condominiums for Rent in Saint Paul, Minnesota, United States - Airbnb

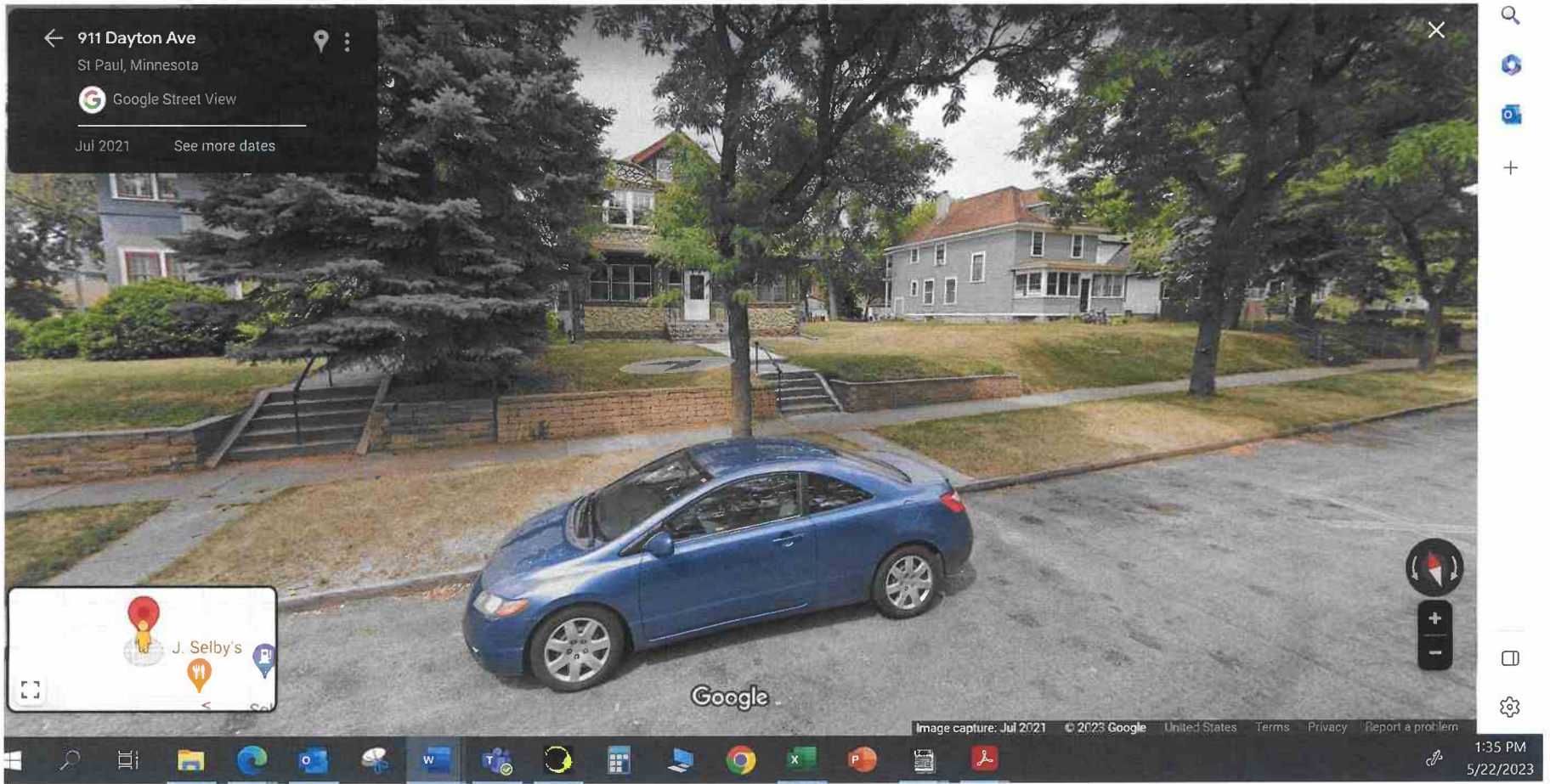


Figure 1 Google Streetview Showing What the Exterior of 911 Dayton Ave Looks Like





Figure 2 Exterior Photo of Airbnb Listing



Licensee VLAD I MESSING  
 DBA VLAD I MESSING

License	Licensee	Lic. Types	Insurance	Bond	Requirements
Licensee Name:	VLAD I MESSING				<input type="button" value="Browse..."/>
DBA:	VLAD I MESSING				
Sales Tax Id:	*****	Non-Profit:	<input type="checkbox"/>	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:	<input type="checkbox"/>		

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

Contacts for this Licensee

Addr. Type	Active	Inactive	Last Name	First Name	Title	Bus. Phone	Ho
Business/M	04/07/2021	00/00/0000	MESSING	VLAD	OWNER	(651) 329-6852	

Mail License To:  
 Mail To Contact  
 License Address  
  
 Mail Invoice To:  
 Mail To Contact  
 License Address

License # 210000636 Save Changes to History

Licensee VLAD I MESSING  
 DBA VLAD I MESSING

License	Licensee	Lic. Types	Insurance	Bond	Requirements
Licensee Name:	VLAD I MESSING				<input type="button" value="Browse..."/>
DBA:	VLAD I MESSING				
Sales Tax Id:	*****	Non-Profit:	<input type="checkbox"/>	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:	<input type="checkbox"/>		

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

Contacts for this Licensee

Contact Address	City	Zip	DOB	Last Check	Driv
13003 ELMWOOD COURT	APPLE VALLEY	55124	11/15/1984	00/00/0000	

Mail License To:  
 Mail To Contact  
 License Address  
  
 Mail Invoice To:  
 Mail To Contact  
 License Address

License # 210000636 Save Changes to History



## STAMP - Ownership / Zoning Information

[New Search](#)

[Help using this report](#)

**Run Date:** 05/22/23 10:14 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

911 Dayton Ave - Condo / 915 Dayton Ave - 55104-6622 - [Other Applications](#)

**PIN:** 022823210264

**Census Track:** 33800

**Census Block:** 1010

**Council Ward:** 1 **District Council:** 8

**Year Built:** CONDO

**Foundation Sq**

**Loan Company:** 00

**Land**

**Building**

**Feet:** 1752

**Value:** 2000

**Value:** 290400

**Existing Primary Use:** R- Duplex side by side

**Legality of Use:**

**Occupancy Group**

**Units:** 1

**Type:** RT1

**Zoning:** RT1

**Legal Desc:** BROWN'S FIRST ADDITION, TO THE LOT 9, LOT 8, EXCEPT THE WEST 50 FT THEREOF, BLK 1

### Owner:

Vladimir I Messing  
915 Dayton Ave  
St Paul MN 55104-6542

### Tax Owner:

Vladimir I Messing  
915 Dayton Ave  
St Paul MN 55104-6542

### Homesteader:

Vladimir I Messing  
911 Dayton Ave  
St Paul MN 55104-6542

### Certificate of Occupancy Responsible Party:

Gayin LLC  
19950 Dodd Blvd, Suite 102  
Lakeville MN 55044  
612-367-7848

\* Disclaimer: Homesteader data is only updated by Ramsey County AS OF THE BEGINNING OF THE CALENDAR YEAR. So this may not be the current homesteader.

# Certificate of Compliance Minnesota Workers' Compensation Law



**SAINT PAUL**  
SAFETY & INSPECTIONS

PRINT IN INK or TYPE.

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. The required workers' compensation insurance information is the name of the insurance company, the policy number, and the dates of coverage, or the permit to self-insure. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

**A valid workers' compensation policy must be kept in effect at all times by employers as required by law.**

BUSINESS NAME (Individual name only if no company name used)	LICENSE OR PERMIT NO (if applicable)
--	--------------------------------------

DBA (doing business as name) (if applicable)

BUSINESS ADDRESS (PO Box must include street address)	CITY	STATE	ZIP CODE
---	------	-------	----------

**YOUR LICENSE OR CERTIFICATE WILL NOT BE ISSUED WITHOUT THE FOLLOWING INFORMATION. You must complete number 1, 2 or 3 below.**

**NUMBER 1 COMPLETE THIS PORTION IF YOU ARE INSURED:**

INSURANCE COMPANY NAME (not the insurance agent)

WORKERS' COMPENSATION INSURANCE POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE
--	----------------	-----------------

**NUMBER 2 COMPLETE THIS PORTION IF SELF-INSURED:**

I have attached a copy of the permit to self-insure.

**NUMBER 3 COMPLETE THIS PORTION IF EXEMPT:**

I am not required to have workers' compensation insurance coverage because:

- I have no employees.
- I have employees but they are not covered by the workers' compensation law. (See Minn. Stat. § 176.041 for a list of excluded employees.) Explain why your employees are not covered: \_\_\_\_\_
- Other: \_\_\_\_\_

**ALL APPLICANTS COMPLETE THIS PORTION:**

I certify that the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify that I am authorized to sign on behalf of the business.

APPLICANT SIGNATURE (mandatory)	TITLE	DATE
---------------------------------	-------	------

**NOTE:** If your Workers' Compensation policy is cancelled within the license or permit period, you must notify the agency who issued the license or permit by resubmitting this form.  
This material can be made available in different forms, such as large print, Braille or on a tape. To request, call 1-800-342-5354 (DIAL-DLI) Voice or TDD (651) 297-4198.



**RE: REQUEST TO CANCEL**

License Number: \_\_\_\_\_

I/We, \_\_\_\_\_, respectfully request to cancel my/our license(s) at the address listed below:

List all licenses to be canceled: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

License holder/Business address: \_\_\_\_\_

Reason(s) for request: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

License Holder Printed Name, Signature and Title \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
License Holder Phone Number

License Holder Printed Name, Signature and Title \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
License Holder Phone Number

RESOLVED, that the Council of the City of Saint Paul does ordain:

## SECTION 2

Chapter 310.01 of the Saint Paul Legislative Code is hereby amended as follows:

### ***Chapter 310. Uniform License Procedures***

The procedures in this chapter are meant to govern the issuance of all licenses and certain permits in the City of Saint Paul unless a different process is required by statute. The requirements laid out in this chapter are meant to supersede all requirements laid out in ordinance related to Applications for the Grant or Issuance of a License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures.

Sec. 310.01. Definitions.

For the purposes of this chapter, any chapter of the Legislative Code pertaining to licenses as hereinafter mentioned, and subsequently enacted ordinances establishing or relating to the requirements for Class R, for routinely issued licenses, Class T for temporary licenses and Class N for licenses in which neighbors are required to be notified, under authority of the City of Saint Paul, the terms defined in this section will have the following meanings:

*Adverse action* means the revocation or suspension of a license, the imposition of conditions upon a license, the denial of an application for the grant, issuance or renewal of a license, the imposition of a fine, the assessment of the costs of a contested hearing, and any other disciplinary or unfavorable action taken with respect to a license, licensee, or applicant for a license. "Adverse action" includes any of the foregoing directed at one (1) or more licenses held by a licensee at any location in the city. "Adverse action" also includes disapproval of licenses issued by the state under statutory provisions which permit the governing body to disapprove the issuance of the license.

*Bond* means a bond meeting the requirements of section 310.05 and indemnifying the city against all claims, judgments or suits caused by, resulting from or in connection with any licensed business, activity, premises, thing, facility, occurrence or otherwise under these chapters.

*Building official* means the official in the department of safety and inspections charged with the responsibility of enforcement of the building code.

*Chapters and these chapters* mean this uniform license ordinance, any chapter of the Legislative Code pertaining to licenses as hereinafter mentioned, and subsequently enacted ordinances establishing or relating to the requirements for class R, class T, and class N licenses under authority of the city.

*Class R licenses* means those licenses and certain permits which can be issued by the Director without council approval if no conditions are imposed upon the license and which do not require a hearing if there is an objection. Class R Licenses follow the Procedures for Application for the Grant or Issuance of a License, New Application Investigation and Review, Application Denial, Notice, Levels of Approval, Objections, and Renewal Procedures laid out in Section 310.02(1). The following licenses are so classified, and the numbers shown opposite them correspond to the chapters in the Legislative Code pertaining to each license:

## SECTION 4

Section 310.05 is renumbered 310.03 and amended as follows:

Sec. 310.03. Hearing procedures.

(a) *Adverse action; notice and hearing requirements.* In any case where the council may or intends to consider any adverse action, including the revocation or suspension of a license, the imposition of conditions upon a license, or the denial of an application for the grant, issuance or renewal of a license, or the disapproval of a license issued by the State of Minnesota, the applicant or licensee must be given notice and an opportunity to be heard as provided herein. The council may consider such adverse actions when recommended by the Director, by the director of any executive department established pursuant to Chapter 9 of the Charter, by the city attorney or on its own initiative.

(b) *Notice.* In each such case where, adverse action is or will be considered by the council, the applicant or licensee must be notified in writing that adverse action may be taken against the license or application, and that they are entitled to a hearing before action is taken by the council. The notice must be served or mailed a reasonable time before the hearing date, and must state the place, date and time of the hearing. The notice must state the issues involved or grounds upon which the adverse action may be sought or based. The council may request that such written notice be prepared and served or mailed by the Director or by the city attorney.

(c) *Hearing.* Where there is no dispute as to the facts underlying the violation or as to the facts establishing mitigating or aggravating circumstances, the hearing must be held before the council. Otherwise, the hearing must be conducted before a hearing examiner appointed by the council or retained by contract with the city for that purpose. The applicant or the licensee shall must be provided an opportunity to present evidence and argument as well as meet adverse testimony or evidence by reasonable cross-examination and rebuttal evidence. The hearing examiner may in its discretion permit other interested persons the opportunity to present testimony or evidence or otherwise participate in such hearing.

(c-1) *Procedure; hearing examiner.* The hearing examiner will hear all evidence as may be presented on behalf of the city and the applicant or licensee and must present to the council written findings of fact and conclusions of law, together with a recommendation for adverse action.

The council will consider the evidence contained in the record, the hearing examiner's recommended findings of fact and conclusions, and may not consider any factual testimony not previously submitted to and considered by the hearing examiner. After receipt of the hearing examiner's findings, conclusions, and recommendations, the council must provide the applicant or licensee an opportunity to present oral or written arguments alleging error on the part of the examiner in the application of the law or interpretation of the facts, and to present argument related to the recommended adverse action. Upon conclusion of that hearing, and after considering the record, the examiner's findings and recommendations, together with such additional arguments presented at the hearing, the council must determine what, if any, adverse action should be taken, which action must be by resolution. The council may accept, reject or modify the findings, conclusions and recommendations of the hearing examiner.

(c-2) *Ex-parte contacts.* If a license matter has been scheduled for an adverse hearing, council members shall not discuss the license matter with each other or with any of the parties or interested persons involved in the matter unless such discussion occurs on the record during the hearings of the matter or during the council's final deliberations of the matter. No interested person shall, with knowledge that a license matter has been scheduled for adverse hearing, convey or attempt to convey, orally or in writing, any information, argument or opinion about the matter, or any issue in the matter, to a council member or his or her staff until the council has taken final action on the matter; provided, however, that nothing herein will prevent an inquiry or communications regarding status, scheduling or procedures concerning a license matter. An interested person, for the purpose of this paragraph, means and includes a person who is an officer or employee of the licensee which is the subject of the scheduled adverse hearing, or a person who has a financial interest in such licensee.

(d) *Licensee or applicant may be represented.* The licensee or applicant may represent himself or choose to be represented by another.

(e) *Record; evidence.* The hearing examiner shall receive and keep a record of such proceedings, including testimony and exhibits, and shall receive and give weight to evidence, including hearsay evidence, which possesses probative value commonly accepted by reasonable and prudent persons in the conduct of their affairs.

(f) *Council action, resolution to contain findings.* Where the council takes adverse action with respect to a license, licensee or applicant for a license, the resolution by which such action is taken must contain its findings and determination, including the imposition of conditions, if any. The council may adopt all or part of the findings, conclusions and recommendations of the hearing examiner, and incorporate the same in its resolution taking the adverse action.

(g) *Additional procedures where required.* Where the provisions of any statute or ordinance require additional notice or hearing procedures, such provisions must be complied with and supersede inconsistent provisions of these chapters. This includes, without limitation by reason of this specific reference, Minnesota Statutes, Chapter 364 and Minnesota Statutes, Section 340A.415.

(h) *Discretion to hear notwithstanding withdrawal or surrender of application or license.* The council may, at its discretion, conduct a hearing or direct that a hearing be held regarding revocation or denial of a license, notwithstanding that the applicant or licensee has attempted or purported to withdraw or surrender said license or application, if the attempted withdrawal or surrender took place after the applicant or licensee had been notified of the hearing and potential adverse action.

(i) *Continuances.* Where a hearing for the purpose of considering revocation or suspension of a license or other disciplinary action involving a license has been scheduled before the council, a continuation of the hearing may be granted by the council president or by the council at the request of the licensee, license applicant, an interested person or an attorney representing the foregoing, upon a showing of good cause by the party making the request.

(j) If the council imposes an adverse action as defined in section 310.01 above, a generic notice of such action must be prepared by the Director and posted by the licensee so as to be visible to the public during the effective period of the adverse action. The licensee shall be responsible for taking reasonable steps to make sure the notice remains posted on the front door of the licensed premises, and failure to take such reasonable precautions may be grounds for further adverse action.

(k) *Imposition of costs.* The council may impose upon any licensee or license applicant some or all of the costs of a contested hearing before an independent hearing examiner. The costs of a contested hearing include, but are not limited to, the cost of the administrative law judge or independent hearing examiner, stenographic and recording costs, copying costs, city staff and attorney time for which adequate records have been kept, rental of rooms and equipment necessary for the hearing, and the cost of expert witnesses. The council may impose all or part of such costs in any given case if (i) the position, claim or defense of the licensee or applicant was frivolous, arbitrary or capricious, made in bad faith, or made for the purpose of delay or harassment; (ii) the nature of the violation was serious, or involved violence or the threat of violence by the licensee or employees thereof, or involved the sale of drugs by the licensee or employees thereof, and/or the circumstances under which the violation occurred were aggravated and serious; (iii) the violation created a serious danger to the public health, safety or welfare; (iv) the violation involved unreasonable risk of harm to vulnerable persons, or to persons for whose safety the licensee or applicant is or was responsible; (v) the applicant or licensee was sufficiently in control of the situation and therefore could have reasonably avoided the violation, such as but not limited to, the nonpayment of a required fee or the failure to renew required insurance policies; (vi) the violation is covered by the Intoxicating Liquor; Nonintoxicating Malt Liquor; Presumptive Penalty Matrix in subsection (m) below; or (vii) the violation involved the sale of cigarettes to a minor.

(l) *Imposition of fines.* The council may impose a fine upon any licensee or license applicant as an adverse license action. A fine may be in such amount as the council deems reasonable and appropriate, having in mind the regulatory and enforcement purposes embodied in the particular licensing ordinance. A fine may be in addition to or in lieu of other adverse action in the sole discretion of the council. To the extent any other provision of the Legislative Code provides for the imposition of a fine, both provisions must be read together to the extent possible; provided, however, that in the case of any conflict or inconsistency, the other provision must be controlling.

(m) *Presumptive penalties for certain violations.* The purpose of this section is to establish a standard by which the city council determines the amount of fines, the length of license suspensions and the propriety of revocations, the General Presumptive Penalty Matrix applies to all license types, except that in the case of a violation involving a liquor license the Penalty Matrix for Intoxicating Liquor; Nonintoxicating Malt Liquor applies and for a violation involving tobacco, the Penalty Matrix for Tobacco applies. These penalties are presumed to be appropriate for every case; however, the council may deviate therefrom in an individual case where the council finds and determines that there exist substantial and compelling reasons making it more appropriate to do so. When deviating from these standards, the council must provide written reasons that specify why the penalty selected was more appropriate.



**1. General presumptive penalties matrix** - The general penalty matrix is to be used if there is not a specific penalty matrix for the license type or a category within the specific penalty matrix does not address the violation.

Type of Violation	Appearance			
	1st	2nd	3rd	4th
(1) Violations of conditions placed on the license	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation
(2) Violation of provisions of the legislative code relating to the licensed activity	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation
(3) Violation of provisions of the legislative code relating to the licensed activity, other than violations of the food code	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation
(4) Failure to permit entrance or inspection by DSI inspector or police	5-day suspension	10-day suspension	15-day suspension	Revocation
(5) Commission of a crime other than a felony on the premises by a licensee or employee	\$700.00 fine	\$1,500.00 fine	5-day suspension	Revocation
(6) Commission of a felony on the premises by a licensee or employee	\$2,000.00 fine	Revocation	n/a	n/a
(7) Death or great bodily harm in establishment related to violation of law or license conditions	30-day suspension	60-day suspension	Revocation	n/a
(8) Failure to pay license fees	Suspension	Revocation		
(9) Taxi fail to display driver's license as required by 376.16(f)	\$100.00 fine	\$250.00 fine	\$500.00 fine	Revocation

(10) Taxi fail to display number of information and complaint office as required by 376.11(v)	\$100.00 fine	\$250.00 fine	\$500.00 fine	Revocation
(11) Violation of restrictions upon sidewalk café license under 106.01(b)	\$200.00 fine	\$400.00 fine	\$800.00 fine	Revocation

## 2. Intoxicating liquor; malt liquor; presumptive penalty matrix.

*Presumptive penalties for intoxicating liquor and nonintoxicating malt liquor violations.* If a violation is not covered under this penalty matrix, the General presumptive penalty matrix should be used. Penalties for convictions or violations are presumed to be appropriate for every case; however, the council may deviate therefrom in an individual case where the council finds and determines that there exist substantial and compelling reasons making it more appropriate to do so. When deviating from these standards, the council must provide written reasons that specify why the penalty selected was more appropriate (unless specified, numbers below indicate consecutive days' suspension):

Type of Violation	Appearance			
	1st	2nd	3rd	4th
(1) Commission of a felony related to the licensed activity.	Revocation	NA	NA	NA
(2) Sale of alcohol beverages while license is under suspension.	Revocation	NA	NA	NA
(3) Sale of alcoholic beverages to underage person.	\$500.00 fine	1,000.00 fine	Up to 18-day suspension	Revocation
(4) Sale of alcoholic beverage to intoxicated person.	\$500.00 fine	1,000.00 fine	Up to 18-day suspension	Revocation
(5) After hours sale of alcoholic beverages.	\$500.00 fine	6-day suspension	18-day suspension	Revocation
(6) After hours display or consumption of alcoholic beverage.	\$500.00 fine	4-day suspension	12-day suspension	Revocation
(7) Refusal to allow city inspectors or police admission to inspect premises.	5-day suspension	15-day suspension	Revocation	NA

## ***Chapter 379. Short Term Rentals***

### **Sec. 379.01 Definitions.**

As used in this chapter, the following terms shall have the meanings ascribed to them in this section:

*Booking service.* Any reservation and/or payment service provided by a person or entity that facilitates a short-term rental transaction between a short-term rental host and a prospective short-term rental guest, and for which the person or entity collects or receives, directly or indirectly through an agent or intermediary, a fee or compensation in connection with the reservation and/or payment services provided for the short-term rental transaction.

*City.* City of Saint Paul.

*Compensation.* Remuneration or anything of economic value that is provided promised or donated primarily in exchange for services rendered. This includes, but is not limited to, voluntary donations, and fee-sharing.

*Director.* The director of the department of safety and inspections or his or her designee.

*Dwelling.* A building that contains one-, two-, or multiple dwelling units, intended or designated to be used, rented, leased, let or hired out to be occupied for living purposes.

*Dwelling Unit.* A single unit providing complete, independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

*Guest.* Any person or persons renting a short-term rental.

*Responsible Party.* An individual(s) with the legal authority to make and act on decisions of tenancy, building maintenance, complaints and repairs relating to applicable safety codes. The responsible party must be available as a point of contact for the city as well as any short-term rental guest(s) for the duration of the guest(s)' stay in the short-term rental.

*Owner.* Any person who, alone or with others, has title or interest in any building, property, dwelling, dwelling unit or portion thereof, with or without accompanying actual possession thereof, including any person who as tenant, agent, executor, administrator, trustee, or guardian of an estate has charge, care, control of any - dwelling or dwelling unit.

*Person.* Any individual, firm, corporation, association, governmental entity, or partnership and its agents or assigns.

*Short-term rental advertisement.* Any method of soliciting use of a dwelling or dwelling unit, or a portion of a dwelling unit for short-term rental purposes.

*Short-term rental.* A dwelling unit, or a portion of a dwelling unit, rented for a period of less than thirty (30) days. No more than one (1) rental of a short term rental dwelling unit or portion thereof shall be permitted per day. Use of a short term rental dwelling unit for any commercial or social events is prohibited.

*Short-term rental host.* Any person who is the owner or tenant of a dwelling unit, or portion thereof who provides a dwelling unit, or portion thereof, for short-term rental use.

*Short-term rental host registry.* A log of information maintained by the short-term rental host.

*Short-term rental platform.* A person or entity that provides a means through which an owner or tenant of a dwelling unit, or portion thereof, may offer the dwelling unit, or portion thereof, for short-term rental use and

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from which the platform derives revenue, including but not limited to, booking fees or advertising revenues from providing or maintaining booking services. This service includes but is not limited to allowing a short-term rental host to advertise the dwelling unit, or portion thereof, for short-term rental use through a website provided by the short-term platform and providing a means for potential users to arrange payment for use of the short-term rental, whether the user pays directly to the owner or tenant or to the short-term rental platform.

(Ord 17-49, § 1, 10-25-17)

### **Sec. 379.02 License required.**

- (a) It is unlawful for any person to operate as a short-term rental platform within the city without a valid short-term rental platform license issued pursuant to this chapter.
- (b) It is unlawful for any person to engage in short-term rental advertisement or operate as a short-term rental host within the city without a valid short-term rental host license issued pursuant to this chapter.

(Ord 17-49, § 1, 10-25-17)

### **Sec. 379.03 License fee and license term.**

- (a) The annual fees for the issuance of a short-term rental platform license and short-term rental host license shall be established by ordinance as provided in chapter 310.09 of the Legislative Code.
- (b) A short-term rental platform license and short-term rental host license shall expire one (1) year from the date the license is issued and must be renewed annually.
- (c) Short-term rental platform licenses and short-term rental host licenses are non-transferable.

### **Sec. 379.04 License investigation and issuance of short-term rental host and short-term rental platform license.**

- (a) Upon receipt of an application for the issuance or renewal of a short-term host license or short-term rental platform license, the director and the police chief must investigate the application for compliance with all applicable provisions of this Code.

(Ord 17-49, § 1, 10-25-17)

### **Sec. 379.05 License applications.**

- (a) Short-term rental platform license:
  - (1) Application for the issuance or renewal of a short-term rental platform license shall be made in writing to the director on a form provided by the director and comply with requirements set out in chapter 310 of the Legislative Code.
  - (2) No license may be issued pursuant to this chapter if short-term rental platform license held by the applicant or any other person holding a twenty-five (25) percent or greater beneficial interest in the property to be used as a short-term rental has been revoked for any reason other than nonpayment of license fees within the previous five (5) years.
  - (3) In addition to grounds for adverse action set out in chapter 310 of the Legislative Code, adverse action may also be taken if the applicant or any other person holding a twenty-five (25) percent or greater beneficial interest in the short-term rental platform has been convicted of a felony within the past five

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(5) years, or any gross misdemeanor or misdemeanor involving the use of force, possession or sale of a controlled substance, prostitution or indecent conduct.

(b) Short-term rental host license:

- (1) Application for the issuance or renewal of a short-term rental host license shall be made in writing to the director on a form provided by the director and comply with requirements set out in chapter 310 of the Legislative Code.
- (2) Short-term rental host licenses must be accompanied by an affidavit of compliance attesting that each dwelling unit, or portion thereof, offered for short-term rental use satisfies the safety requirements of this chapter.
- (3) The application shall include all requested information including the exact location of the dwelling unit or units which will be used as a short-term rental.
- (4) The applicant shall be owner(s) of the short-term rental property to be used as a short-term rental. The full legal names and addresses of all corporate officers and persons holding a twenty-five (25) percent or greater beneficial interest in the business shall be provided on the application.

(Ord 17-49, § 1, 10-25-17; Ord 18-14, § 1, 4-11-18)

### **Sec. 379.06 Short-term rental platform general provisions.**

All short-term rental platforms must comply with the following:

- (a) Possess a valid short-term rental platform license issued in the city pursuant to this chapter.
- (b) Provide the following information electronically to the city on a quarterly basis:
  - (1) The total number of short-term rentals in the city listed on the platform during the applicable reporting period by zip code;
  - (2) The total number of nights listings within a zip code were rented through the short-term rental platform during the applicable reporting period.
- (c) Inform all short-term rental hosts who register with the short-term rental platform of the short-term rental host's responsibility to collect and remit all applicable local, state and federal taxes unless the short-term rental platform does this on the host's behalf.

(Ord 17-49, § 1, 10-25-17; Ord 18-14, § 2, 4-11-18)

### **Sec. 379.07 Short-term rental host general provisions.**

All short-term rental hosts who offer dwelling units, or portions thereof, for short-term rental use in the city must comply with the following within five (5) business days of a request from the department:

- (a) Provide documentation and a signed declaration of compliance attesting to compliance with subsections (b) through (j).
- (b) Provide local contact information to all short-term rental guests during a guest's stay. The local contact must be available to respond to inquiries at the short-term rental during the length of the stay.
- (c) Comply with all applicable city, state and federal laws.
- (d) Ensure that all dwelling units have working smoke detectors and carbon monoxide alarm(s) in every bedroom and on all habitable floors and a properly maintained and charged fire extinguisher.

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- (e) Post the following information in a conspicuous place within each dwelling unit used as a short-term rental:
    - (1) Emergency contact information;
    - (2) Contact information for the short-term rental host or the responsible party;
    - (3) Street address;
    - (4) Floor plan indicating fire exits and escape routes;
    - (5) Information about how a guest can contact the city department of safety and inspections to report any concerns or complaints; and
    - (6) Maximum occupancy limits.
  - (f) Maintain liability insurance appropriate to cover the short-term rental use in the aggregate of not less than three hundred thousand dollars (\$300,000.00) or conduct each short-term rental transaction through a short-term rental platform that provides equal or greater coverage.
  - (g) Remit all applicable local, state and federal taxes unless the short-term rental platform does this on the short-term rental host's behalf.
  - (h) Keep a short-term rental host registry that includes at a minimum a cumulative tally to date of the number of nights that each listing on the platform is booked for rental during the remaining months of the calendar year and documentation of the amount of rent paid by guests and the number of guests for each night the unit is rented in connection with the rental of each short-term rental listed on the platform during the applicable reporting period.
  - (i) Provide the department of safety and inspections with accurate information regarding the name and contact information for responsible party.
  - (j) Provide proof that the short-term rental license is included on any short-term rental advertisement.
- (Ord 18-14, § 3, 4-11-18)

**Sec. 379.08. Reserved.**

Editor's note(s)—Ord 18-14, § 4, adopted April 11, 2018, repealed § 379.08. Former § 379.08 pertained to penalties and derived from Ord 17-49, adopted October 25, 2017.