



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Civil Division

400 City Hall

15 West Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: 651 266-8710

Facsimile: 651 298-5619

May 9, 2014

NOTICE OF INTENT TO DENY LICENSE

Abdullahi A. Rage
3232 Chicago Avenue South, Apt. 3
Minneapolis, MN 55407

RE: Taxicab Driver (Provisional) license application submitted by Abdullahi A. Rage for the City of Saint Paul
License ID #: 20140001056

Dear Abdullahi A. Rage:

The Department of Safety and Inspections will recommend denial of the Taxicab Driver (Provisional) license application submitted by Abdullahi A. Rage for the City of Saint Paul. The recommendation is based on the following information:

On April 25, 2014, you submitted an application for a Taxicab Driver (Provisional) license with the Department of Safety and Inspections (DSI). During a routine criminal history check as part of the application process, DSI discovered that you were convicted on October 6, 2010, in Hennepin County of Gross Misdemeanor Criminal Sexual Conduct – 5th Degree (Minn. Stat. § 609.3451.1(1)).

You were placed on Probation to the Court on October 15, 2010 for a term of two (2) years which was due to expire on October 15, 2012.

Saint Paul Legislative Code § 376.16 (e) (4) (a) provides the following eligibility requirement for taxicab operator licensure: “Not be under sentence or have been discharged from sentence for any felony conviction within five (5) years immediately preceding application for a license, or under sentence or have been discharged from sentence for any non-traffic gross misdemeanor or non-traffic misdemeanor conviction within the three (3) years immediately preceding application for a license.”

In addition, your license application showed that you previously lived in Colorado. DSI records show you have not submitted a copy of your State of Colorado driving record as required by Saint Paul Legislative Code § 376.16 (e) (5) (e): “An applicant who has had a driver’s license outside the state of Minnesota at any time during the ten (10) years prior to application must submit a copy of that applicant’s driving record from that state.”

At this time, you have three (3) options to proceed:

1. If you wish to admit the facts but you contest the 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. I will need to receive your letter no later than **Monday, May 19, 2014**. The matter will then be scheduled before the City Council for a public hearing to determine whether to deny your Taxicab Driver (Provisional) license. You will have an opportunity to appear before the Council and make a statement on your own behalf.
2. If you dispute the facts outlined above, or wish to present evidence that the conviction is not related to your license as a taxicab driver, or that you have been rehabilitated pursuant to Minn. Stat. §364.01 et seq, you may request a hearing before an Administrative Law Judge (ALJ). I will need to receive your letter no later than **Monday, May 19, 2014**. 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).

3. You may withdraw your license application. Send a written statement to that effect to the Department of Safety and Inspections (DSI), 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, May 19, 2014**. Information should be directed to the attention of Dan Niziolek. Any request for a refund of the license application fee must also be made in writing to the Department of Safety and Inspections.

If you have not contacted me or DSI by Monday, May 19, 2014, I will assume that you do not contest the denial of your Taxicab Driver (Provisional) license. 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 me at 266-8710.

Sincerely,


Geoffrey Karls
Assistant City Attorney

cc: Dan Niziolek, DSI Deputy Director
Tom Ferrara, DSI

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 9th day of May she served the attached **NOTICE OF INTENT TO DENY LICENSE** and a correct copy thereof in an envelope addressed as follows:

Abdullahi A. Rage
3232 Chicago Avenue South, Apt. 3
Minneapolis, MN 55407

(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
Julie Kraus

Subscribed and sworn to before me
this 9th day of May, 2014

Rita M. Bossard
Notary Public

