

OFFICE OF THE CITY ATTORNEY

Sara Grewing, City Attorney



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

March 7, 2014

NOTICE OF INTENT TO REVOKE LICENSE

Carl D. De Los Reyes
C/o Lifetime Fitness
2145 Ford Parkway
Saint Paul, MN 55116

RE: Massage Practitioner license held by Carl D. De Los Reyes for the premises located at 2145 Ford Parkway in Saint Paul
License ID #20100003636

Dear Mr. De Los Reyes:

The Department of Safety and Inspections (DSI) will recommend revocation of the Massage Practitioner license held by Carl D. De Los Reyes for the premises located at 2145 Ford Parkway in Saint Paul. The basis for the recommendation is as follows:

On February 11, 2014, you were sent a letter and RENEWAL INVOICE from the Department of Safety and Inspections (DSI) stating that your Massage Practitioner license expired as of December 10, 2013. You currently owe \$117.00 in delinquent license and late fees.

You were also asked to submit the following information with your license payment: 1) current certificates of General and Professional Liability insurance with a 30-day notice of cancellation and naming the City of Saint Paul as additional insured; 2) Proof of Affiliation from a City of Saint Paul licensed therapeutic massage center and 3) a copy of your Tax ID or Social Security Number. You were given until February 24, 2014, to pay the delinquent license and late fees and submit the required information. As of today's date, DSI has not received the delinquent license fee payment and required information.

Please note: Massage Practitioner licenses are not transferrable to a new location. If you are operating at another location, you must obtain a new license.

At this time, you have four (4) options how to proceed:

1. You can pay the delinquent license and late fees and submit the required information. If this is your choice, you should send the payment and information directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, March 17, 2014**. A self-addressed envelope is enclosed for your convenience. Payment of the delinquent license and late fees and submission of the required information will be considered to be a waiver of the hearing to which you are entitled.

Carl D. De Los Reyes

March 7, 2014

Page 2

2. 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 by **Monday, March 17, 2014**. The matter will then be scheduled before the City Council for a public hearing to determine whether to revoke your Massage Practitioner license. You will have an opportunity to appear before the Council and make a statement on your own behalf.
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 **Monday, March 17, 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 then 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).

4. If you no longer wish to do business in the City of Saint Paul, you will need to send a written statement to that effect to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, March 17, 2014**. Information should be directed to the attention of Kristina Schweinler.

If you have not contacted me or DSI by Monday, March 17, 2014, I will assume that you are not contesting the revocation of your Massage Practitioner 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: Kristina Schweinler, Senior License Inspector – DSI
Barbara McMonigal-St. Dennis, DSI Environmental Health Inspector
Carl D. De Los Reyes, 8800 Hillside Trail, Cottage Grove, MN 55016

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 7th day of March she served the attached **NOTICE OF INTENT TO REVOKE LICENSE** and correct copy thereof in an envelope addressed as follows:

Carl D. De Los Reyes
C/o Lifetime Fitness
2145 Ford Parkway
Saint Paul, MN 55116

Carl D. De Los Reyes
8800 Hillside Trail
Cottage Grove, MN 55016

(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 7th day of March 2014

Rita M. Bossard
Notary Public

