



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

January 26, 2016

NOTICE OF INTENT TO DENY LICENSE

Phillip Smith  
308 Front Avenue  
St. Paul, MN 55117

RE: Second Hand Dealer – Motor Vehicle license application submitted by Fleetwood Motors, LLC d/b/a Fleetwood Motors, LLC for the premises located at 461 Wilder Street North, Ste. A in Saint Paul  
License ID #20150003162

Dear Applicant:

The Department of Safety and Inspections (DSI) will recommend denial of the Second Hand Dealer – Motor Vehicle license application submitted by Fleetwood Motors, LLC d/b/a Fleetwood Motors, LLC for the premises located at 461 Wilder Street North, Ste. A in Saint Paul. The basis for the recommendation is as follows:

**On September 29, 2015 you submitted an application for a Second Hand Dealer – Motor Vehicle license to the Department of Safety and Inspections (DSI). On November 30, 2015, DSI was informed by the Legislative Hearing Officer that there were no objections to issuance of the Second Hand Dealer – Motor Vehicle license at 461 Wilder Street North, Ste. A in Saint Paul.**

**On December 18, 2015, DSI received a letter from your landlord stating you notified him that due to health and financial issues, you could no longer continue your operation at that location and your lease was then rescinded.**

**December 31, 2015, DSI sent you a letter indicating they received notice from your landlord regarding your rescinded lease and they could no longer proceed with processing your license application without a valid lease.**

**You were asked to submit a letter to DSI stating that you wished to withdraw your license application at 461 Wilder Street North, Ste. A in Saint Paul. You were given until January 11, 2016 to submit your license withdrawal letter. As of today's date that letter has not been received.**

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

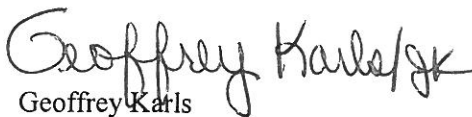
1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **Friday, February 5, 2016**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the City Council Agenda for approval of the proposed remedy.

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 **Friday, February 5, 2016**. The matter will then be scheduled before the City Council for a public hearing to determine whether to deny your Second Hand Dealer – Motor Vehicle license. You will have an opportunity to appear before the Council and make a statement on your own behalf
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 **Friday, February 5, 2016**. Information should be directed to the attention of Eric Hudak. 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 by Friday, February 5, 2016, I will assume that you are not contesting the denial of your Second Hand Dealer – Motor Vehicle 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: Eric Hudak, DSI Licensing Manager  
Phillip Smith, Fleetwood Motors, LLC, 461 Wilder Street North, Ste. A, St. Paul, MN 55104  
Michael Johnson, Community Organizer, Union Park District Council 1602 Selby Avenue, Suite 10  
Saint Paul, MN 55104  
The Fulford Family Partnership, LP, 817 Vandalia Street, St. Paul, MN 55114

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 26<sup>th</sup> day of January she served the attached **NOTICE OF INTENT TO DENY LICENSE** and a correct copy thereof in an envelope addressed as follows:


Phillip Smith  
308 Front Avenue  
St. Paul, MN 55117

Phillip Smith  
Fleetwood Motors, LLC  
461 Wilder Street North, Ste. A  
St. Paul, MN 55104

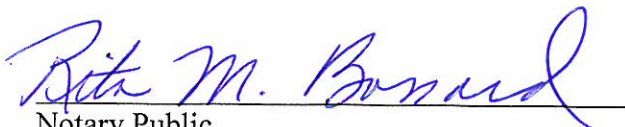
Michael Johnson, Community Organizer  
Union Park District Council  
1602 Selby Avenue, Suite 10  
St. Paul, MN 55104

The Fulford Partnership LP  
817 Vandalia Street  
St. Paul, MN 55114

(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 26<sup>th</sup> day of January, 2016

  
\_\_\_\_\_  
Notary Public

