



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

June 11, 2013

NOTICE OF INTENT TO SUSPEND LICENSES

Kyrina S. Sengmavong
Thai Ginger
173 Robert Street South
St. Paul, MN 55107

RE: All licenses held by Thai Ginger Restaurant, Inc. d/b/a Thai Ginger for the premises located at 173 Robert Street South in Saint Paul
License ID #: 20080000932

Dear Kyrina S. Sengmavong:

The Department of Safety and Inspections will recommend suspension of all licenses held by Thai Ginger Restaurant, Inc. d/b/a Thai Ginger for the premises located at 173 Robert Street South in Saint Paul. The basis for the recommendation is based on the following information:

On May 8, 2013, the Department of Safety and Inspections (DSI) received NSF (Non-sufficient Funds) check #2706 in payment of your delinquent Liquor On Sale – 100 seats or less (Second-Half) license fees. You currently owe \$3,286.00 in delinquent license and late fees plus \$30.00 late check charge for a total of \$3,316.00.

As of today's date, DSI has not received payment from you for the delinquent license, late fees and late check charges.

At this time, you have three options on how to proceed:

1. You can pay the \$3,316.00 in delinquent license, late fees and late check charges. If this is your choice, you should send the payment directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, June 21, 2013**. A self-addressed envelope is enclosed for your convenience. **Only cash, cashier's check or a credit card will be accepted for payment.** Payment of all delinquent license, late fees and late check charges will be considered a waiver of the hearing to which you are entitled.

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 no later than **Friday, June 21, 2013**. The matter will then be scheduled before the City Council for a public hearing to determine whether to suspend your licenses. 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 by **Friday, June 21, 2013**. 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 or DSI staff by Friday, June 21, 2013, I will assume that you do not contest the suspension of your licenses. 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,



Daphne Lundstrom
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI
Kyrima S. Sengmavong, 8991 Hidden Meadow Road, Woodbury, MN 55125

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 14th day of June she served the attached **NOTICE OF INTENT TO SUSPEND LICENSES** and correct copy thereof in an envelope addressed as follows:

Kyrina S. Sengmavong
Thai Ginger
173 Robert Street South
St. Paul, MN 55107

Kyrina S. Sengmavong
8991 Hidden Meadow Road
Woodbury, MN 55125

(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 14th day of June 2013

Karen M. Doumany
Notary Public

