



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

November 7, 2013

NOTICE OF INTENT TO REVOKE LICENSE

Mustafa Albouali, President
Super USA
1333 Thomas Avenue
St. Paul, MN 55104

RE: Cigarette/Tobacco license held by Hamline's Super USA, Inc. d/b/a Super USA for the premises located at 1333 Thomas Avenue in Saint Paul
License ID #20100004377

Dear Mustafa Albouali:

The Department of Safety and Inspections (DSI) has recommended revocation of the Cigarette/Tobacco license held by Hamline's Super USA, Inc., d/b/a Super USA for the premises located at 1333 Thomas Avenue in Saint Paul. The basis for the recommendation is as follows:

On November 2, 2013, the Department of Safety and Inspection (DSI) received a notice from the Minnesota Department of Revenue stating that you had an overdue tax liability. Minn. Stat. § 270C.72, Subd. 1 states: "The state or a political subdivision of the state may not issue, transfer, or renew, and must revoke, a license for the conduct of a profession, occupation, trade or business, if the commissioner notifies the licensing authority that the applicant owes the state delinquent taxes payable to the commissioner, penalties or interest."

As a result, your Cigarette/Tobacco license must be revoked until your tax delinquency is resolved and DSI receives a Clearance Certificate from the Minnesota Department of Revenue.

At this time, you have two (2) options on how to proceed:

1. If you wish to admit the facts but 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 the facts and requesting a public hearing. We will need to receive your letter by **Monday, November 18, 2013**. The matter will then be scheduled before the City Council for a public hearing to determine whether to revoke your Cigarette/Tobacco 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, you may request a hearing before an Administrative Law Judge (ALJ). I will need to receive your letter no later than **Monday, November 18, 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 by Monday, November 18, 2013, I will assume that you do not contest the revocation of your Cigarette/Tobacco 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: Christine Rozek, Deputy Director of DSI
Mustafa Albouali, 89 – 99th Lane NW, Coon Rapids, MN 55448
Michael Jon Olson, Executive Director, Hamline Midway Coalition, 1558 Minnehaha Avenue West
Saint Paul, MN 55104-1264

STATE OF MINNESOTA)
) ss.)

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

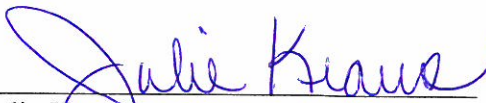
Julie Kraus, being first duly sworn, deposes and says that on the 7th day of November she served the attached **NOTICE OF INTENT TO REVOKE LICENSE** and a correct copy thereof in an envelope addressed as follows:

Mustafa Albouali, President
Super USA
1333 Thomas Avenue
St. Paul, MN 55104

Mustafa Albouali
89 – 99th Lane NW
Coon Rapids, MN 55448

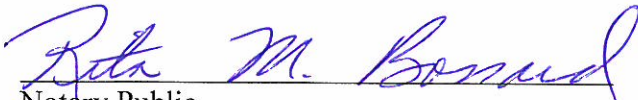
Michael Jon Olson, Executive Director
Hamline Midway Coalition
1558 Minnehaha Avenue West
Saint Paul, MN 55104-1264

(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 7th day of November, 2013



Notary Public

