



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 23, 2013

NOTICE OF INTENT TO DENY LICENSE

Tou Kao Yang
7841 Colfax Avenue North
Brooklyn Park, MN 55444

RE: Retail Food (A) Grocery 1-100 sq. ft. license application submitted by Tou Kao Yang d/b/a Tou Kao Yang for the premises located at 217 Como Avenue, Unit D12 in Saint Paul
License ID #: 20110005056

Dear Tou Kao Yang:

The Department of Safety and Inspections will recommend denial of the Retail Food (A) Grocery 1-100 sq. ft. license application submitted by Tou Kao Yang d/b/a Tou Kao Yang for the premises located at 217 Como Avenue, Unit D12 in Saint Paul. The basis for the recommendation is based on the following information:

On July 13, 2012, you were sent a letter from the Department of Safety and Inspections (DSI) stating that your license application had been "pending" since December 27, 2011. The license would not be issued until you obtained a DSI Environmental Health inspection approval. You were given until August 3, 2012 to call DSI and get the inspection completed. As of today's date, you have not obtained the necessary DSI Environmental Health inspection approval to continue the application process and issue the license.

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

1. You can call Abdi Museid at (651) 266-9141 to schedule an Environmental Health inspection no later than **Monday February 4, 2013.**
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 **Monday, February 4, 2013.** The matter will then be scheduled before the City Council for a public hearing to determine whether to deny your license. You will have an opportunity to appear before the Council and make a statement on your own behalf.
3. You can withdraw your license application. Send a written statement to that effect to the Department of Safety and Inspections at 375 Jackson Street, Suite 220, St. Paul, Minnesota 55101-1806 no later than **Monday, February 4, 2013.** A self-addressed envelope is enclosed for your convenience. Any request for a refund of the license application fees must also be made in writing to the Department of Safety and Inspections.

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If you have not contacted me or DSI by Monday, February 4, 2013, I will assume that you do not contest the denial of your 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,

A handwritten signature in black ink that reads "Daphne Lundstrom/jc". The signature is written in a cursive, slightly slanted style.

Daphne Lundstrom
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI
Tou Kao Yang, 217 Como Avenue, Unit D12, Saint Paul, MN 55103

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 23rd day of January she served the attached **NOTICE OF INTENT TO DENY LICENSE** and correct copy thereof in an envelope addressed as follows:

Tou Kao Yang
7841 Colfax Avenue North
Brooklyn Park, MN 55444


Tou Kao Yang
217 Como Avenue, Unit D12
Saint Paul, MN 55103

(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 23rd day of January, 2013



Notary Public

