



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

May 20, 2011

### NOTICE OF INTENT TO SUSPEND LICENSES

Xor Xiong  
Herbal Healing Tea Shop  
995 University Avenue West  
St. Paul, MN 55104

RE: Retail Food (B) – Grocery 101-1000 sq. ft and Retail Food – Restricted Food Services licenses held by Herbal Healing Tea Shop d/b/a Herbal Healing Tea Shop for the premises located at 995 University Avenue West in Saint Paul  
License ID #20070004891

Dear Xor Xiong:

The Department of Safety and Inspections (DSI) has recommended suspension of the Retail Food (B) – Grocery 101-1000 sq. ft and Retail Food – Restricted Food Services licenses held by Herbal Healing Tea Shop d/b/a Herbal Healing Tea Shop for the premises located at 995 University Avenue West in Saint Paul. The basis for the recommendation is as follows:

**On April 11, 2011, you were sent a letter from the Department of Safety and Inspections (DSI) stating that your Retail Food (B) – Grocery 101-1000 sq. ft and Retail Food – Restricted Food Services licenses had been renewed but could not be issued until DSI received completed Certificate of Compliance Minnesota Workers' Compensation Law form.**

**You were given until April 25, 2011, to submit the requested information. As of today's it has not been received.**

In addition to the suspension of your Retail Food (B) – Grocery 101-1000 sq. ft and Retail Food – Restricted Food Services licenses, per Saint Paul Legislative Code §310.05 (m) (2), the licensing office will also recommend a \$500.00 matrix penalty for failure to submit required information in order to maintain your license.

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

1. You can submit the requested information. If this is your choice, you should send the information directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, May 30, 2011**. Information should be directed to the attention of Christine Rozek. A self-addressed envelope is enclosed for your convenience. Submission of the requested information will be considered to be a waiver of the hearing to which you are entitled.
2. 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, May 30, 2011**. The matter will then be scheduled before the City Council for a public hearing to determine whether to suspend your licenses and impose the \$500.00 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.
3. 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, May 30, 2011**. Information should be directed to the attention of Christine Rozek.

**If you have not contacted me by Monday, May 30, 2011, I will assume that you do not contest the suspension of your license and imposition of the \$500.00 matrix penalty. 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,



Kyle Lundgren  
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI

STATE OF MINNESOTA) )  
) )

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY )

Julie Kraus, being first duly sworn, deposes and says that on the 20<sup>th</sup> day of May, she served the attached **NOTICE OF INTENT TO SUSPEND LICENSES** a correct copy thereof in an envelope addressed as follows:

Xor Xiong  
Herbal Healing Tea Shop  
995 University Avenue West  
St. Paul, MN 55104

(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 20<sup>th</sup> day of May, 2011

Rita M. Bossard  
Notary Public

