



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 2, 2017

NOTICE OF INTENT TO DENY LICENSE

Birhanu Astaw Desta  
C/o Massage Envy  
2140 Ford Parkway  
St. Paul, MN 55116

RE: Massage Practitioner license application submitted by Birhanu Astaw Desta for the premises located 2140 Ford Parkway in Saint Paul  
License ID #: 20160003864

Dear Applicant:

The Department of Safety and Inspections will recommend denial of the Massage Practitioner license application submitted by Birhanu Astaw Desta for the premises located 2140 Ford Parkway in Saint Paul. The basis for the recommendation is based on the following information:

**On November 22, 2016, you submitted an application for a Massage Practitioner license to the Department of Safety and Inspections along with a \$93.00 license fee payment.**

**On April 6, 2017, you were sent a LETTER from the Department of Safety and Inspections stating your application had not yet been approved because information required to complete the application process had not been submitted. You then were asked to submit the following information:**

- **Either proof of certification or proof of successful completion of the Massage Practitioner exam.**

**You were given until April 25, 2017 to submit the required information listed above. As of today's date it has been received.**

At this time, you have four (4) 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, May 12, 2017**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the next available City Council Agenda for approval of the proposed remedy.
2. You can submit the required information listed above directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, May 12, 2017**. A self-addressed envelope is enclosed for your convenience. Submission of the required information will be considered to be a waiver of the hearing to which you are entitled.

Birhanu Astaw Desta

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3. 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. I will need to receive your letter by **Friday, May 12, 2017**. The matter will then be scheduled before the City Council to determine whether to deny Massage Practitioner license. You will have an opportunity to appear before the Council and make a statement on your own behalf.
4. You can withdraw your license application. Please complete and return the attached **REQUEST TO WITHDRAW** form to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, May 12, 2017**.

**If you have not contacted me by Friday, May 12, 2017, I will assume that you do not contest the denial of your Massage Practitioner license. In that case, the matter will be placed on the next available 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,



Therese Skarda  
Assistant City Attorney

cc: Birhanu Astaw Desta, 150 Emerald Street SE, Minneapolis, MN 55414

Attachment: REQUEST TO WITHDRAW FORM

STATE OF MINNESOTA)  
 ) ss.

**AFFIDAVIT OF SERVICE BY U.S. MAIL**

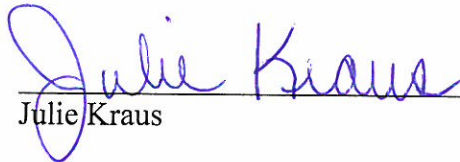
COUNTY OF RAMSEY )

Julie Kraus, being first duly sworn, deposes and says that on the 2<sup>nd</sup> day of May she served the attached **NOTICE OF INTENT TO DENY LICENSE** and a correct copy thereof in an envelope addressed as follows:

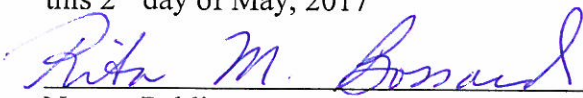
Birhanu Astaw Desta  
C/o Massage Envy  
2140 Ford Parkway  
St. Paul, MN 55116

Birhanu Astaw Desta  
150 Emerald Street SE  
Minneapolis, MN 55414

(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 2<sup>nd</sup> day of May, 2017

  
Notary Public

