

OFFICE OF THE CITY ATTORNEY

Sara Grewing, City Attorney



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Civil Division

400 City Hall

Telephone: 651 266-8710

15 West Kellogg Blvd.

Faxsimile: 651 298-5619

Saint Paul, Minnesota 55102

November 22, 2013

NOTICE OF INTENT TO DENY LICENSE

Emerson Brady, Owner
EB Property Service, LLC
15726 County Road #40
Carver, MN 55315

RE: Tree Trimmer & 1 Vehicle license application submitted by EB Property Service, LLC d/b/a EB Property Service, LLC for the City of Saint Paul
License ID #20120003135

Dear Mr. Brady:

The Department of Safety and Inspections (DSI) has recommended denial of the Tree Trimmer & 1 Vehicle license application submitted by EB Property Service, LLC d/b/a EB Property Service, LLC for the City of Saint Paul. The basis for the recommendation is as follows:

On July 10, 2012, you were sent a letter and from the Department of Safety and Inspections (DSI) stating that your application for a Tree Trimmer & 1 Vehicle license could not be processed until they received the following information:

- Current vehicle information (year, make, model and license plate number)
- Certificate of extended General Liability insurance. The expiration date must coincide with the license expiration date of August 14, 2013.
- A current Sales Tax ID number.
- Proof of Registration with the Commissioner of Agriculture (effective 12/21/2011 any individual or company licensed under this chapter shall be registered with the Commissioner of Agriculture)
- Proof that you have employed an individual who possesses current certification as an arborist from the International Society of Arboriculture (ISA) (Effective 12/21/2012 for new/renewal tree trimmer license applications).
- Contact Tom Ferrara (651) 266-9087 or Kris Schweinler (651) 266-9110 to schedule and inspection of your vehicle.

On October 31, 2012, the Department of Safety and Inspections sent you a 2nd REQUEST indicating that you had not responded to the July 10, 2012 letter to submit the information required to complete the application process. As of today's date, DSI has not received a response from you regarding these outstanding issues.

November 22, 2013

Page 2

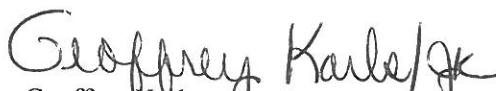
At this time, you have three options on how to proceed:

1. You can submit the required information and call to schedule your vehicle inspection. 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, December 2, 2013**. A self-addressed envelope is enclosed for your convenience. Scheduling the vehicle inspection and submitting the required 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. I will need to receive your letter by **Monday, December 2, 2013**. The matter will then be scheduled before the City Council for a public hearing to determine whether to deny your Tree Trimmer & 1 Vehicle license. You will have an opportunity to appear before the Council and make a statement on your own behalf.
3. You may withdraw your license application. Send a written statement to that effect to the Department of Safety and Inspections (DSI), 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, December 2, 2013**. Information should be directed to the attention of Christine Rozek. Any request for a refund of the license application fee must also be made in writing to the Department of Safety and Inspections.

If you have not contacted me or DSI by Monday, December 2, 2013, I will assume that you do not contest the denial of your Tree Trimmer & 1 Vehicle 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

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 22nd day of November she served the attached **NOTICE OF INTENT TO DENY LICENSE** and a correct copy thereof in an envelope addressed as follows:

Emerson Brady, Owner
EB Property Service, LLC
15726 County Road #40
Carver, MN 55315

(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 22nd day of November, 2013

Karen M. Doumany
Notary Public

