



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

February 4, 2015

NOTICE OF VIOLATION

Charles Belcher, Owner
Best Buy Auto Sales
1414 Arcade Street
Saint Paul, MN 55105

RE: Second Hand Dealer – Motor Vehicle license held by Best Buy Auto Sales, LLC d/b/a Best Buy Auto Sales for the premises located at 1414 Arcade Street in Saint Paul.
License ID #: 20100004369

Dear Mr. Belcher:

The Department of Safety and Inspections (DSI) has recommended adverse action against the Second Hand Dealer – Motor Vehicle license held by Best Buy Auto Sales, LLC d/b/a Best Buy Auto Sales for the premises located at 1414 Arcade Street in Saint Paul. The basis for the recommendation is as follows:

A DSI Inspector came to your establishment on February 2, 2015 and took photographs which showed you had twenty-eight (28) cars parked on and outside your parking lot which is in violation of your site plan and license condition #10: "A maximum of fifteen (15) total vehicles may be parked outdoors on the property at any time; no more than twelve (12) for sale vehicles may be displayed/parked, and at least three (3) customer/employee spaces shall be available on the property. All vehicles must be parked according to the approved site plan on file with DSI."

As a result of this violation, per Saint Paul Legislative Code § 310.05 (m) (1), the licensing department will recommend a \$500.00 matrix penalty.

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 **Monday, February 16, 2015**, I will presume that you have chosen not to contest the proposed adverse, and the matter will be placed on the City Council Agenda for approval of the proposed remedy.
2. You can pay the recommended \$500.00 matrix penalty. If this is your choice, you should send the payment directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, February 16, 2015**. A self-addressed envelope is enclosed for your convenience. Payment of the \$500.00 matrix penalty will be considered to be a waiver of the hearing to which you are entitled.

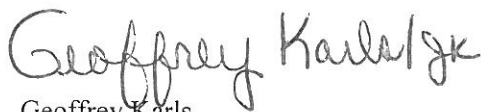
3. If you wish to admit the facts but you contest the penalty, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing. I will need to receive your letter by **Monday, February 16, 2015**. The matter will then be scheduled before the City Council for a public hearing to determine whether to impose the \$500.00 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.
4. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **Monday, February 16, 2015**. 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, February 16, 2015, I will assume that you do not contest the 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,



Geoffrey Karls
Assistant City Attorney

Cc: Dan Niziolek, DSI Deputy Director
Charles Belcher, 1069 Argyle Street, Saint Paul, MN 55103
Leslie McMurray, Executive Director, Payne Phalen District 5 Planning Council
506 Kenny Road, Suite 130, Saint Paul, MN 55130
Gregory M. Grady, 2695-169th Lane NW, Andover, MN 55403-2007

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 4th day of February she served the attached **NOTICE OF VIOLATION** and correct copy thereof in an envelope addressed as follows:

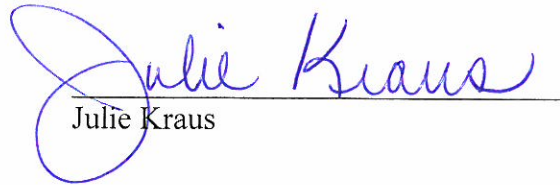
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Saint Paul, MN 55105

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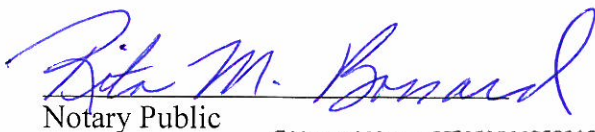
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506 Kenny Road, Suite 130
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Gregory M. Grady
2695-169th Lane NW
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(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Julie Kraus

Subscribed and sworn to before me
this 4th day of February, 2015


Notary Public

