



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

November 4, 2013

NOTICE OF INTENT TO REVOKE LICENSE

Jennifer Jahangiri
St. Paul Tobacco Room
152 University Avenue West
Saint Paul, MN 55103

RE: Cigarette/Tobacco license and Alarm Permit (New) held by St. Paul Tobacco Room, LLC d/b/a St. Paul Tobacco Room for the premises located at 152 University Avenue West in Saint Paul
License ID #20120005673

Dear Ms. Jahangiri:

The Department of Safety and Inspections (DSI) has recommended revocation of the Cigarette/Tobacco license and Alarm Permit (New) held by St. Paul Tobacco Room, LLC d/b/a St. Paul Tobacco Room for the premises located at 152 University Avenue West in Saint Paul. The basis for the recommendation is as follows:

On October 2, 2013, you were sent a letter from the Department of Safety and Inspection (DSI) stating that the Fire Certificate of Occupancy (C of O) for the above referenced building had been revoked. You were then informed that DSI would begin the adverse action process to revoke all licenses because there was currently no active C of O authorizing occupancy of the building.

Saint Paul Legislative Code § 40.01 (a) states: "All existing buildings in the city are required to have and maintain a fire certificate of occupancy, issued by the fire marshall...." Also, Saint Paul Legislative Code § 40.12 states: "No person shall occupy any building which does not have a fire certificate of occupancy...."

At this time, you have two (2) options on how to proceed:

1. 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 **Friday, November 15, 2013**. The matter will then be scheduled before the City Council for a public hearing to determine whether to revoke your license. You will have an opportunity to appear before the Council and make a statement on your own behalf.


2. 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 **Friday, November 15, 2013**. 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 Friday, November 15, 2013, I will assume that you do not contest the revocation 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,


Geoffrey Karls
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI
Jennifer Jahangiri, 15477 Frost Path, Apple Valley, MN 55124
Sam Buffington, Community Organizer, Frogtown Neighborhood Association (District 7)
685 Minnehaha Avenue, Saint Paul, MN 55104

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

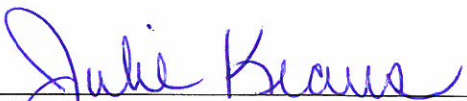
Julie Kraus, being first duly sworn, deposes and says that on the 4th day of November she served the attached **NOTICE OF INTENT TO REVOKE LICENSE** and a correct copy thereof in an envelope addressed as follows:

Jennifer Jahangiri
St. Paul Tobacco Room
152 University Avenue West
Saint Paul, MN 55103

Jennifer Jahangiri
15477 Frost Path
Apple Valley, MN 55124


Sam Buffington, Community Organizer
Frogtown Neighborhood Association (District 7)
685 Minnehaha Avenue
Saint 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

Subscribed and sworn to before me
this 4th day of November, 2013



Notary Public

