



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 14, 2014

NOTICE OF VIOLATION

Kyrina Sengmavong, President  
Thai Ginger  
173 Robert Street South  
Saint Paul, MN 55107

RE: All licenses held by Thai Ginger Restaurant, Inc. d/b/a Thai Ginger for the premises located at 173 Robert Street South in Saint Paul.  
License ID #: 20080000932

Dear Kyrina Sengmavong:

The Department of Safety and Inspections (DSI) has recommended adverse action against all licenses held by Thai Ginger Restaurant, Inc. d/b/a Thai Ginger for the premises located at 173 Robert Street South in Saint Paul. The basis for the recommendation is as follows:

**DSI received a Notice of Cancellation indicating that Array Financial Services cancelled your liquor liability insurance policy as of December 16, 2013 for non-payment of premium.**

**On October 28, 2014, the Department of Safety and Inspections (DSI) hand-delivered a letter to you regarding the fact that the liquor liability insurance you have on file was cancelled as of December 2013. You were instructed to discontinue serving alcohol until a new insurance certificate was submitted showing no lapse in coverage since December 2013.**

**You submitted your newly acquired proof of liquor liability insurance to DSI on October 31, 2014, showing coverage from October 31, 2014 to October 31, 2015. It does not show coverage for the lapse from December 16, 2013 through October 31, 2014. Accordingly, the Department has concluded that you operated a liquor serving establishment without any liquor liability insurance for 10 ½ months.**

Saint Paul Legislative Code § 409.26 (b) (12), requires that you hold current liquor liability insurance without a lapse in coverage in order to continue operating your business; therefore, due to the egregiousness of your conduct, and the public safety risk it posed, the licensing department will recommend revocation of all of your licenses.

At this time, you have three (3) 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, November 24, 2014**, I will presume that you have chosen to contest the proposed adverse action, and the matter will be placed on the City Council agenda for approval of the proposed remedy.
2. 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, November 24, 2014**. The matter will then be scheduled before the City Council for a public hearing to determine whether to revoke your licenses. You will have an opportunity to appear before the Council and make a statement on your own behalf.
3. 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, November 24, 2014**. 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 by Monday, November 24, 2014, I will assume that you do not contest the revocation of your licenses. 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, Deputy Director - DSI  
Kyrina Sengmavong, 8991 Hidden Meadow Road, Woodbury, MN 55125  
Mason Wells, Community Organizer, West Side Community Organization, 1 West Water Street, Ste. 260  
Saint Paul, MN 55107

STATE OF MINNESOTA)  
 ) ss.

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

COUNTY OF RAMSEY )

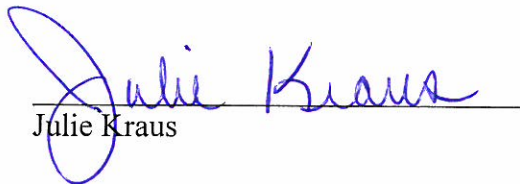
Julie Kraus, being first duly sworn, deposes and says that on the 14th day of November she served the attached **NOTICE OF VIOLATION** and correct copy thereof in an envelope addressed as follows:

Kyrina Sengmavong, President  
Thai Ginger  
173 Robert Street South  
Saint Paul, MN 55107

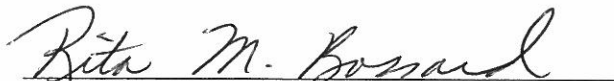
Kyrina Sengmavong  
8991 Hidden Meadow Road  
Woodbury, MN 55125

Mason Wells, Community Organizer  
West Side Community Organization  
1 West Water Street, Suite 260  
Saint Paul, MN 55107

(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 14th day of November, 2014

  
Notary Public

