



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

January 8, 2015

NOTICE OF INTENT TO SUSPEND LICENSE

Theodore Smebakken
Peter's Oldies But Goodies
1814 Selby Avenue
Saint Paul, MN 55104-1834

RE: Second Hand Dealer (Antiques) license held by Theodore Smebakken d/b/a Peter's Oldies But Goodies for the premises located at 1814 Selby Avenue in Saint Paul
License ID #0083897

Dear Mr. Smebakken:

The Department of Safety and Inspections (DSI) has recommended suspension of the Second Hand Dealer (Antiques) license held by Theodore Smebakken d/b/a Peter's Oldies But Goodies for the premises located at 1814 Selby Avenue in Saint Paul. The basis for the recommendation is as follows:

On November 13, 2014, you were sent a letter and RENEWAL INVOICE from the Department of Safety and Inspections (DSI) stating your Second Hand Dealer (Antiques) license expired as of November 3, 2014 and you owed delinquent license and late fees.

You were also asked to submit following information with your payment: 1) location information of where business records will be kept and/or maintained; 2) proposed hours of operation and 3) a completed Certificate of Compliance Minnesota Workers' Compensation Law form

You were given until December 4, 2014, to pay the delinquent license and late fees and submit the required information. As of today's date, neither has been received.

In addition to the suspension of your Second Hand Dealer (Antiques) license, per Saint Paul Legislative Code §310.05 (m) (2), the licensing office will also recommend a \$500.00 matrix penalty for failure to submit the required information in order to maintain your licenses.

Peter's Oldies But Goodies

January 8, 2015

Page 2

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, January 19, 2015**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the City Council Agenda for approval of the proposed remedy.
2. You can pay the delinquent license and late fees and submit the required information. If this is your choice, you should contact the Department of Safety and Inspections (DSI) to determine the total amount due. You may then send in the payment and information directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, January 19, 2015**. A self-addressed envelope is enclosed for your convenience. Payment of the delinquent license and late fees and submission of the required information will be considered to be a waiver of the hearing to which you are entitled.
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 **Monday, January 19, 2015**. The matter will then be scheduled before the City Council for a public hearing to determine whether to suspend your Second Hand Dealer (Antiques) license and 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 no longer wish to do business in the City of Saint Paul, you will need to send a written statement to that effect to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, January 19, 2015**. Information should be directed to the attention of Dan Niziolek.

If you have not contacted me or DSI by Monday, January 19, 2015, I will assume that you do not contest the suspension of your Second Hand Dealer (Antiques) license and 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
Theodore Smebakken, 10760 Otchipwe Avenue North, Stillwater, MN 55082

