



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 30, 2018

NOTICE OF INTENT TO SUSPEND LICENSES

Kong Xiong
Kay's Massage
917 Barclay Street
St. Paul, MN 55106

RE: Massage Center-B (Home Location) and Massage Practitioner licenses held by Kong Xiong d/b/a Kay's Massage for the premises located at 917 Barclay Street in Saint Paul
License ID #: 20130003212

Dear Licensee:

The Department of Safety and Inspections will recommend suspension of the Massage Center-B (Home Location) and Massage Practitioner licenses held by Kong Xiong d/b/a Kay's Massage for the premises located at 917 Barclay Street in Saint Paul. The recommendation is based on the following information:

On October 9, 2017, you were sent a LETTER and RENEWAL INVOICE from the Department of Safety and Inspections (DSI) stating your Massage Center-B (Home Location) and Massage Practitioner licenses expired September 24, 2017 and you owed delinquent license and late fees. You were also asked to submit the following information with your license fee payment:

- **Current certificates of General and Professional Liability insurance with a thirty (30) day notice of cancellation and naming the City of Saint Paul as additional insured**
- **A list of massage practitioners currently operating on site with their license numbers**
- **A completed Certificate of Compliance Minnesota Workers' Compensation Law form**

You were given until October 30, 2017 to pay the delinquent license and late fees and submit the required information listed above. As of today's date neither has been received.

In addition to the suspension of your Massage Center - B (Home Location) and Massage Practitioner licenses, per Saint Paul Legislative Code § 310.05 (m) (2), the licensing office will also recommend a \$500.00 matrix penalty for failure to submit required information to maintain your license.

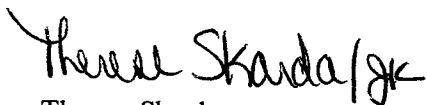
At this time, you have four (4) options to proceed:

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 **Friday, February 9, 2018**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the next available 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 need to contact the Department of Safety and Inspections (651) 266-8989 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 **Friday, February 9, 2018**. 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 **Friday, February 9, 2018**. The matter will then be scheduled before the City Council to determine whether to suspend your Massage Center –B (Home Location) and Massage Practitioner licenses 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 complete and return the attached REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, February 9, 2018**.

If you have not contacted me by Friday, February 9, 2018, I will assume that you do not contest the suspension of your Massage Center–B (Home Location) and Massage Practitioner licenses and imposition of a \$500.00 matrix penalty. In that case, the matter will be placed on the next available City Council Agenda for approval of the recommended penalty.

If you have questions about these options, please feel free to contact Julie Kraus, my Legal Assistant at (651) 266-8776.

Sincerely,



Therese Skarda
Assistant City Attorney

Attachments: Certificate of Compliance Minnesota Workers' Compensation Law form
REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL

STATE OF MINNESOTA)
) ss.

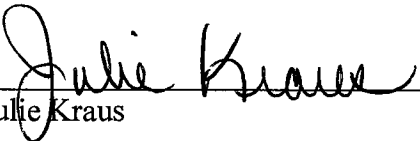
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COUNTY OF RAMSEY)

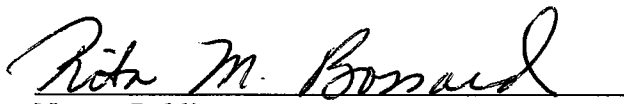
Julie Kraus, being first duly sworn, deposes and says that on the 30th day of January, she served the attached **NOTICE OF INTENT TO SUSPEND LICENSES** and a correct copy thereof in an envelope addressed as follows:

Kong Xiong
Kay's Massage
917 Barclay Street
St. Paul, MN 55106

(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 30th day of January, 2018


Notary Public

