



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 28, 2014

NOTICE OF INTENT TO DENY LICENSE

Marcos Bekuto
Langano Grocery & Meat LLC
421 University Avenue West
Saint Paul, MN 55103

RE: Cigarette/Tobacco license application submitted by Langano Grocery & Meat LLC d/b/a Langano Grocery & Meat LLC for the premises located at 421 University Avenue West in Saint Paul
License ID #20120005385

Dear Marcos Bekuto:

The Department of Safety and Inspections (DSI) will recommend denial of the Cigarette/Tobacco license application submitted by Langano Grocery & Meat LLC d/b/a Langano Grocery & Meat LLC for the premises located at 421 University Avenue West in Saint Paul. The basis for the recommendation is as follows:

On January 31, 2014, you were sent a letter from the Department of Safety and Inspections (DSI) stating that your Cigarette/Tobacco license application was in "pending" status since November 19, 2012. In order for DSI to continue processing the application you were ask to obtain all necessary building and/or trade permits related to any construction work associated with the establishment of this use and all required inspection approval(s) related to these permits. Permit(s) including, but not necessarily limited to the following must have all inspection approval(s) completed: *Building Permit #12-212139.*

DSI records show that the above-referenced permit has had no inspections associated with it since September 23, 2013; also, DSI has received no response from you regarding an anticipated completion date for the establishment of this use.

In addition, according to DSI records, as of November 21, 2013, the building was boarded up front and back and was classified as Commercial Vacant Building after a Fire Inspection on November 27, 2013.

At this time, you have three (3) options 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 **Monday, March 10, 2014**. The matter will then be scheduled before the City Council for a public hearing to determine whether to deny your Cigarette/Tobacco 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 **Monday, March 10, 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 then 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).

3. You may withdraw your license application. Send a written statement to that effect to the Department of Safety and Inspections (DSI), 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, March 10, 2014**. Information should be directed to the attention of Kristina Schweinler. Any request for a refund of the license application fee must also be made in writing to the Department of Safety and Inspections (see enclosed form).

If you have not contacted me or DSI by Monday, March 10, 2014, I will assume that you are not contesting the denial of you Cigarette/Tobacco 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: Kristina Schweinler, Senior License Inspector – DSI
Marcos Bekuto, 3832 Dunbar Court, Brooklyn Park, MN 55443

Enc.

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 28th day of February she served the attached **NOTICE OF INTENT TO DENY LICENSE** and correct copy thereof in an envelope addressed as follows:

Marcos Bekuto
Langano Grocery & Meat LLC
421 University Avenue West
Saint Paul, MN 55103


Marcos Bekuto
3832 Dunbar Court
Brooklyn Park, MN 55443

(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 28th day of February 2014



Notary Public

