

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Shawn McDonald, being first duly sworn, deposes and says that on the 15th day of July, he served the attached **NOTICE OF VIOLATION RECOMMENDATION FOR IMPOSITION OF \$500 MATRIX PENALTY** and a correct copy thereof in an envelope addressed as follows:

Reemo Corp
d/b/a Minnoco
1200 Rice Street
St. Paul, MN 55117
Attn: Iman Akli

Iman Akli
13850 Guild Avenue
Apple Valley, MN 55124

Kerry Antrim, Executive Director
North End Neighborhood Organization
171 Front Avenue
St. Paul, MN 55117

1188 Rice St LLC
13850 Guild Avenue
Apple Valley, MN 55124-7653

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Shawn McDonald

Subscribed and sworn to before me
This 15th day of July 2021


Notary Public





July 15, 2021

**NOTICE OF VIOLATION
RECOMMENDATION FOR IMPOSITION
OF \$500 MATRIX PENALTY**

Reemo Corp
d/b/a Minnoco
1200 Rice Street
St. Paul, MN 55117
Attn: Iman Akli

RE: Cigarette/Tobacco and Gas Station license held by Reemo Corp. d/b/a Minnoco for the premises located at 1200 Rice Street in Saint Paul
License ID #: 20130005314

Dear Licensee:

The Department of Safety and Inspections ("Department") will recommend adverse action against the Cigarette/Tobacco and Gas Station license held by Reemo Corp. ("Licensee") for the premises known as Minnoco located at 1200 Rice Street ("Licensed Premises")

Under Minn. Stat. 297F.21 (j) "Any cigarette packages or tobacco products offered for sale or held as inventory for which there is not an invoice from a licensed seller as required under section 297F.13, subdivision 4" are contraband.

Saint Paul Legislative Code Section 310 provides that adverse action may be taken against your licenses when:

Section 310.06 (b) (6) (a): "the licensee or applicant (or any person whose conduct may by law be imputed to the licensee of applicant) has violated, or performed any act which is a violation of, any of the provisions of these chapters or of any statute, ordinance or regulation reasonably related to the licensed activity, regardless of whether criminal charges have or have not been brought in connection therewith..."



The Department asserts the following facts along with attachments herein constitute proof of a violation of Minn. Stat. § 297F.21(j), Saint Paul Legislative Code §310.06 by a preponderance of the evidence.

Synopsis of alleged facts:

On January 12, 2021, the Department of Safety and Inspections (DSI) received a letter and Notice of Seized Contraband from the Minnesota Department of Revenue related to an inspection and seizure of contraband at the licensed premises on November 10, 2021.

During this inspection the following tobacco products were found to be offered for sale or held as inventory without an invoice from a licensed seller and were seized as contraband under the authority granted in Minn. Stat. §297F.21(j). All time periods for judicially challenging the seizure have since expired:

17	2 pack offers	Double Platinum Blunt Wraps Zero
24	2 pack offers	Double Platinum Blunt Wraps Sweet
55	2 pack offers	Double Platinum Blunt Wraps Kush

Pursuant to Saint Paul Legislative Code Section 310.05 (m)(2) the Department is recommending a \$500.00 matrix penalty.

You have four (4) options:

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 **July 29, 2021**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the City Council Consent Agenda for approval of the proposed remedy.
2. You can admit the violation and pay the \$500.00 matrix penalty. If this is your choice, send the payment directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **July 29, 2021**. A self-addressed envelope is enclosed for your convenience. Payment of the \$500.00 matrix penalty will be considered a waiver of the hearing to which you are entitled.



3. If you wish to admit the facts but you contest the \$500.00 matrix 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 no later than **July 29, 2021**. The matter will then be scheduled before the City Council to determine whether to 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 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 **July 29, 2021**. 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 July 29, 2021, I will assume that you do not contest the 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 Shawn McDonald, my Legal Assistant at (651) 266-8729.

Sincerely,

Therese Skarda
Assistant City Attorney
License No. 0240989



SAINT PAUL
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY
LYNDSEY M. OLSON, CITY ATTORNEY

Civil Division, 15 Kellogg Blvd. West, 400 City Hall
Saint Paul, MN 55102
Tel: 651-266-8710 | Fax: 651-298-5619

Cc: Iman Akli, 13850 Guild Avenue, Apple Valley, MN 55124
Kerry Antrim, Executive Director, North End Neighborhood Organization, 171 Front Avenue, St. Paul, MN 55117
1188 Rice St LLC, 13850 Guild Avenue, Apple Valley, MN 55124-7653

Attachments:

Minnesota Department of Revenue Seized Cigarette/Tobacco Product letter dated January 12, 2021
Minnesota Department of Revenue Notice of Seized Contraband dated November 17, 2020
Screenshots from DSI ECLIPS System
STAMP Ownership-Zoning Information
Minnesota Statutes Section 297F.21 Contraband

Properties For License 1200 RICE ST



Licensee: REEMO CORP
DBA: MINNOCO

License Licensee Lic. Types Insurance Bond Requirements

Licensee Name: REEMO CORP Browse...

DBA: MINNOCO Properties...

Sales Tax Id: ***** Non-Profit: Worker's Comp: 08/01/2021

AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000

AA Fee Collected: 00/00/0000 Discount Rec'd:

Other Agency Licenses				Financial Hold Reasons		
Other Licensing Agency Name / License Type	License #	Expiration	Reason	Active	Date	

Contacts for this Licensee

Last Name	First Name	Title	Bus. Phone	Home Phone	Contact Address
AKLI	IMAN	OWNER	(612) 750-4448		1200 RICE ST
AKLI	IMAN	OWNER	(612) 750-4448		13850 GUILD AVE
ALSADI	SAM	MANAGER	(651) 757-0411		
ALSADI	BILAL	OFFICER	(612) 750-4448		13850 GUILD AVE

Background Check Required Contact Properties...

Mail License To:

Mail To Contact

License Address

Mail Invoice To:

Mail To Contact

License Address

License # 130005314 Save Changes to History

OK Cancel Help

Properties For License 1200 RICE ST



Licensee: REEMO CORP
DBA: MINNOCO

License Licensee Lic. Types Insurance Bond Requirements

Licensee Name: REEMO CORP Browse...

DBA: MINNOCO Properties...

Sales Tax Id: ***** Non-Profit: Worker's Comp: 08/01/2021

AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000

AA Fee Collected: 00/00/0000 Discount Rec'd:

Other Agency Licenses				Financial Hold Reasons		
Other Licensing Agency Name / License Type	License #	Expiration	Reason	Active	Date	

Contacts for this Licensee

Contact Address	City	Zip	DOB	Last Check	Driv
1200 RICE ST	ST PAUL	55117	00/00/0000	00/00/0000	
13850 GUILD AVE	APPLE VALLEY	55124	04/22/1972	00/00/0000	P00619
13850 GUILD AVE	APPLE VALLEY	55124	03/18/1967	00/00/0000	D82404

Background Check Required Contact Properties...

Mail License To:

Mail To Contact

License Address

Mail Invoice To:

Mail To Contact

License Address

License # 130005314 Save Changes to History

OK Cancel Help

License Group Conditions Text

07/07/2021

Licensee: REEMO CORP

DBA: MINNOCO

License #: 20130005314

LICENSE CONDITION 1-4 PER ZONING CONDITION USE PERMIT 13-170780:

1. The hours of operation shall be between 6:00 a.m and 1:00 a.m. Sunday through Saturday;
2. Fencing must be of substantial quality of material to provide for the safety and security of the property and must be opaque along the eastern property line adjoining the alley.
3. All City-issued maintenance orders for the fencing must be completed within 45 days of receipt of the order.
4. A maintenance plan for the storm water detention pond must be filed with the City that, at a minimum, requires annual maintenance of the storm water detention pond.

ADDITIONAL LICENSE CONDITIONS:

5. Surveillance cameras must be installed, in accordance the Saint Paul Police Department(SPPD) recommendation, to record all activities inside and outside of the establishment. The quality of the recording shall also be in compliance with orders of the SPPD. Cameras must be in operation and recording at all times. The establishment shall maintain these recordings for 30 days and they must be immediately available to the Saint Paul Police Department upon request and to the Department of Safety and Inspections within 24 hours of the receipt of a written request for recordings. In addition, if the SPPD responds to a call at the licensed premises, and due to the serious nature of the crime, requests that a copy of the surveillance footage be immediately provided, the license holder or his staff shall have technology available to make the copy at the time of the request and shall have it for the Police without delay.
6. Signage shall be maintained in accordance with Ch. 64 of the St. Paul Legislative Code. Temporary window signs placed between the height of four (4) to seven (7) feet above grade shall not cover more than thirty (30) percent of this window space area, and cannot block views into the clerk or cashier station.
7. Licensee shall, on a daily basis, pick up trash on and around the property including the adjacent alley immediately east of the licensed premises and the public sidewalk fronting along the property.
8. Licensee will maintain the property in accordance with the St. Paul Legislative Code Ch. 34 and Ch.114, including but not limited to tall grass and weeds and snow removal.
9. Lighting will be installed to provide illumination for the security cameras and for the safety of customers, vehicle maneuvers, etc., pursuant to St Paul Leg. Code Sec. 63.116. Outdoor lighting shall be shielded to reduce glare and shall be so arranged as to reflect lights away from all adjacent residences in such a way as not to exceed three (3) foot-candles measured at the residence district boundary. Lighting shall not to interfere with the vision of persons on adjacent highways or adjacent property. The illumination of any other outdoor feature shall be maintained stationary and constant in intensity and color at all times when in use.
10. Licensee agrees to complete all site improvements as required under the approved site plan on file with the Department of Safety and Inspections (DSI) #13-169828 by 07/16/2014.

License Group Comments Text

07/07/2021

Licensee: REEMO CORP

DBA: MINNOCO

License #: 20130005314

10/8/2020 Complaint inspection Pass JNV
6/11/19 Youth tobacco compliance check, pass. ARM
04/16/2019 Flavor and Price Compliance Check: Passed. DC
10/01/2018 Came to DSI & paid \$250.00 fine. DLL
9/25/18 settlement agreement reached for 4/23/18 violation / \$250.00 / 12 month stayed - Next violation \$1000.00 JNV
7/31/18 Tobacco youth compliance check pass ARM
08/17/2018 Rcvd. letter from licensee requesting ALJ regarding flavor violation (emailed to CAO/EH/KS on 08/20/2018). JWF
07/05/2018 Sent to CAO for adverse action JNV
4/23/18 Inspection violations fail flavor cigars and wraps JNV
03/08/2017 passed tobacco compliance check BLB
8/20/2015 Passed tobacco compliance check BLB
6/30/14 Passed tobacco comp. check. JWF/aa
06/10/2014 Corrected effective dates of license to be from 05/27/2014 to 05/27/2015 per CofO issued by building inspector. JWF
05/23/2014 Building inspector approved occupancy of the building. Confirmed with Nathan Bruhn. LRZ
04/10/2014 Letter sent advising of unmet requirements, and cannot begin operating until all licenses obtained. Rck 05/15/2014 (gray file). JWF
04/02/2014 Council file #14-488 approves license with ten (10) conditions. JWF
03/26/2014 At DSI front counter gave licensee Bilal Alsadi (Bill) SPPD contact/number to call for review of security camera placement, lighting, recording quality. Reminded him of requirements per license conditions. JWF
03/19/2014 Per Nhia Vang will be scheduled for CC review in next week or two. JWF
01/23/2014 Per KS Leg. Hearing Officer will recommend to CC approval with no additional conditions. JWF
12/03/2013 Per email from Wendy Lane (DSI Zoning Manager) ok for gas pumps to be open 24 hours, store hours for convenience market limited to 6:00 a.m. - 1:00 a.m. JWF
11/27/2013 License notification sent. 53M/35EM, response date 12/27/2013. JWF
11/26/2013 Per ZC meeting minutes for CUP #13-170780 gas pumps were to be will be open 24 hours per day, store hours will be 6:00 a.m. - 1:00 a.m. JWF

Licensee: REEMO CORP

DBA: MINNOCO

License #: 20130005314

8/7/2018 - Sent Notice of Violation with an 8/17/2018 deadline to respond. JAK

STAMP - Ownership / Zoning Information

STAMP - Ownership / Zoning Information

[New Search](#)

[Help using this report](#)

Run Date: 07/07/21 11:43 AM

House#:

Last updated from Ramsey County data on:

Street Name:

Click on "Other Application" links below to access GISmo, MapIT, and Ramsey County Info

1194 Rice St / 1196 Rice St - Vacant Land / 1200 Rice St - 55102-3641 - [Other Applications](#)

PIN: 302922220177

Census Track: 30500

Census Block: 3026

Council Ward: 5

District Council: 6

Year Built:

Foundation Sq Feet:

Loan Company:

Land Value: 115800

Building Value: 279500

Existing Primary Use:
W-Warehouse

Legality of Use:

Occupancy Group Type: S-1

Units:

Zoning: B2

Legal Desc: STINSON'S RICE STREET, ADDITION SUBJ TO ESMT LOTS 10 THRU LOT 14 BLK 2

Owner:

1188 Rice St Llc
13850 Guild Ave
Apple Valley MN 55124-7653
612-750-4448



January 12, 2021

Tobacco Licensing Division
375 Jackson Street #220
St Paul, MN 55101Address

Seized Cigarette/Tobacco Product

The Minnesota Department of Revenue recently seized cigarette and/or tobacco products as contraband under Minnesota Statute 297F.21 from a business located in your jurisdiction. Because all time periods for judicially challenging the seizure have expired, the property has been forfeited to the State.

Attached you will find a copy of our Notice of Seized Contraband. The notice lists the products we seized.

Why are you contacting me?

We are providing you information about our seizure of tobacco contraband so you may take any action against the city/county license as appropriate.

Contact me if you have any questions.

Sincerely,

Steve Johnson
Compliance Coordinator
Phone: 651-556-4708
Email: steve.johnson@state.mn.us

Supervisor Contact Information:
Dan Hughes
651-556-4750
dan.hughes@state.mn.us



November 17, 2020

ID: XX-XXX9901
Letter ID: L0646461984
Notice Date: November 17, 2020

REEMO CORPORATION
1200 RICE MARKET
ST PAUL MN 55117

Notice of Seized Contraband

Seized Date and Time: 10-Nov-2020 12:55pm
Seized by: Tom Piskor & Steve Johnson
Seizure Location: 1200 Rice Street, St Paul, MN 55117
Seized From: Minnoco

The Minnesota Department of Revenue seized the following property as contraband under the authority granted to the commissioner of revenue (Minnesota Statutes Chapter 297F)

Quantity	Unit	Product Description
17	2 pack offers	Double Platinum Blunt Wraps Zero
24	2 pack offers	Double Platinum Blunt Wraps Sweet
55	2 pack offers	Double Platinum Blunt Wraps Kush

The property listed was seized as contraband under the authority granted in M.S. 297F. The specific section of the law under which this property is declared to be contraband is M.S. 297F.21, which state(s).

Subdivision 1. Contraband defined. The following are declared to be contraband and therefore subject to civil and criminal penalties under this chapter

Cigarette/Tobacco 297F.21

(j) Any cigarette packages or tobacco products offered for sale or held as inventory for which there is not an invoice from a licensed seller as required under section 297F.13, subdivision 4.

What must I do?

You must request a judicial review of this seized property within 60 days of the Notice Date. If you do not, the property that we seized will become property of the state of Minnesota.

How do I demand a judicial review?

1. File a civil complaint with the court administrator in the county where the seizure occurred.
2. Include proof that you served a copy of the complaint on the Department of Revenue.
3. List your name as "plaintiff" and the seized property as "defendant" in the title of the complaint.
4. State the grounds on which you allege the property was improperly seized and what your ownership interest is in the property.

You do not have to pay the court filing fee if it is determined you cannot afford the fee. If the value of the seized property is \$15,000 or less, you can file an action in conciliation court to recover the property. If the value of the seized property is less than \$500, you do not have to pay the conciliation court filing fee.

Steven Johnson
Revenue Tax Specialist
Phone: 651-556-4708
Email: steve.johnson@state.mn.us
Fax: 651-282-3933

297F.21 CONTRABAND.

Subdivision 1. **Contraband defined.** The following are declared to be contraband and therefore subject to civil and criminal penalties under this chapter:

(a) Cigarette packages which do not have stamps affixed to them as provided in this chapter, including but not limited to (i) packages with illegible stamps and packages with stamps that are not complete or whole even if the stamps are legible, and (ii) all devices for the vending of cigarettes in which packages as defined in item (i) are found, including all contents contained within the devices.

(b) A device for the vending of cigarettes and all packages of cigarettes, where the device does not afford at least partial visibility of contents. Where any package exposed to view does not carry the stamp required by this chapter, it shall be presumed that all packages contained in the device are unstamped and contraband.

(c) A device for the vending of cigarettes to which the commissioner or authorized agents have been denied access for the inspection of contents. In lieu of seizure, the commissioner or an agent may seal the device to prevent its use until inspection of contents is permitted.

(d) A device for the vending of cigarettes which does not carry the name and address of the owner, plainly marked and visible from the front of the machine.

(e) A device including, but not limited to, motor vehicles, trailers, snowmobiles, airplanes, and boats used with the knowledge of the owner or of a person operating with the consent of the owner for the storage or transportation of more than 5,000 cigarettes which are contraband under this subdivision. When cigarettes are being transported in the course of interstate commerce, or are in movement from either a public warehouse to a distributor upon orders from a manufacturer or distributor, or from one distributor to another, the cigarettes are not contraband, notwithstanding the provisions of clause (a).

(f) A device including, but not limited to, motor vehicles, trailers, snowmobiles, airplanes, and boats used with the knowledge of the owner, or of a person operating with the consent of the owner, for the storage or transportation of untaxed tobacco products intended for sale in Minnesota other than those in the possession of a licensed distributor on or before the due date for payment of the tax under section 297F.09, subdivision 2.

(g) Cigarette packages or tobacco products obtained from an unlicensed seller.

(h) Cigarette packages offered for sale or held as inventory in violation of section 297F.20, subdivision 7.

(i) Tobacco products on which the tax has not been paid by a licensed distributor.

(j) Any cigarette packages or tobacco products offered for sale or held as inventory for which there is not an invoice from a licensed seller as required under section 297F.13, subdivision 4.

(k) Cigarette packages which have been imported into the United States in violation of United States Code, title 26, section 5754. All cigarettes held in violation of that section shall be presumed to have entered the United States after December 31, 1999, in the absence of proof to the contrary.

(l) Cigarettes subject to forfeiture under section 299F.854, subdivision 5, and cigarette packaging and markings, including the cigarettes contained therein, which do not meet the requirements under section 299F.853, paragraph (a).

Subd. 2. **Seizure.** Cigarettes, tobacco products, or other property made contraband by subdivision 1 may be seized by the commissioner or authorized agents or by any sheriff or other police officer, with or without process, and are subject to forfeiture as provided in subdivision 3.

Subd. 3. **Inventory; judicial determination; appeal; disposition of seized property.** (a) Within ten days after the seizure of any alleged contraband, the person making the seizure shall serve by certified mail an inventory of the property seized on the person from whom the seizure was made, if known, and on any person known or believed to have any right, title, interest, or lien in the property, at the last known address, and file a copy with the commissioner. The notice must include an explanation of the right to demand a judicial forfeiture determination.

(b) Within 60 days after the date of service of the inventory, which is the date of mailing, the person from whom the property was seized or any person claiming an interest in the property may file a demand for a judicial determination of the question as to whether the property was lawfully subject to seizure and forfeiture. The demand must be in the form of a civil complaint and must be filed with the court administrator in the county in which the seizure occurred, together with proof of service of a copy of the complaint on the commissioner of revenue, and the standard filing fee for civil actions unless the petitioner has the right to sue in forma pauperis under section 563.01. If the value of the seized property is \$15,000 or less, the claimant may file an action in conciliation court for recovery of the property. If the value of the seized property is less than \$500, the claimant does not have to pay the conciliation court filing fee.

(c) The complaint must be captioned in the name of the claimant as plaintiff and the seized property as defendant, and must state with specificity the grounds on which the claimant alleges the property was improperly seized and the plaintiff's interest in the property seized. No responsive pleading is required of the commissioner, and no court fees may be charged for the commissioner's appearance in the matter. The proceedings are governed by the Rules of Civil Procedure. Notwithstanding any law to the contrary, an action for the return of property seized under this section may not be maintained by or on behalf of any person who has been served with an inventory unless the person has complied with this subdivision. The court shall decide whether the alleged contraband is contraband, as defined in subdivision 1. The court shall hear the action without a jury and shall try and determine the issues of fact and law involved.

(d) When a judgment of forfeiture is entered, unless the judgment is stayed pending an appeal, the commissioner:

(1) may authorize the forfeited property to be used for the purpose of enforcing a criminal provision of state or federal law;

(2) shall cause forfeited cigarette packages or tobacco products not used under clause (1) to be destroyed and products used under clause (1) to be destroyed upon the completion of use; and

(3) may cause the forfeited property, other than forfeited cigarette packages or tobacco products, to be sold at public auction as provided by law.

The person making a sale, after deducting the expense of keeping the property, the fee for seizure, and the costs of the sale, shall pay all liens according to their priority, which are established as being bona fide and as existing without the lienor having any notice or knowledge that the property was being used or was intended to be used for or in connection with the violation. The balance of the proceeds must be paid 75 percent to the Department of Revenue for deposit as a supplement to its operating fund or similar fund for official use, and 25 percent to the county attorney or other prosecuting agency that handled the court proceeding, if there is one, for deposit as a supplement to its operating fund or similar fund for prosecutorial

purposes. If there is no prosecuting authority involved in the forfeiture, the 25 percent of the proceeds otherwise designated for the prosecuting authority must be deposited into the general fund.

(e) If no demand for judicial determination is made, the property seized is considered forfeited to the state by operation of law and may be disposed of by the commissioner as provided in the case of a judgment of forfeiture.

Subd. 4. [Repealed, 1Sp2001 c 5 art 18 s 11]

History: 1997 c 106 art 1 s 21; 2000 c 490 art 10 s 20,21; 2000 c 496 s 1; 1Sp2001 c 5 art 18 s 6-8; 2008 c 154 art 7 s 3; 2008 c 366 art 14 s 7; 2012 c 283 s 3; 2018 c 182 art 1 s 88