



July 26, 2021

**NOTICE OF VIOLATION  
RECOMMENDATION FOR IMPOSITION  
OF \$300 ADMINISTRATIVE PENALTY FOR TOBACCO YOUTH COMPLIANCE CHECK FAILURE**

Holiday Stationstores LLC  
d/b/a Holiday Stationstores #5  
629 Rice Street  
Saint Paul, MN 55103  
Attn: Ronald Erickson

RE: Gas Station and Cigarette/Tobacco license held by Holiday Stationstore LLC d/b/a Holiday Stationstore #5 for the premises located at 629 Rice Street in Saint Paul  
License ID #: 0014861

Mr. Erickson:

The Department of Safety and Inspections ("Department") will recommend adverse action against the Gas Station and Cigarette/Tobacco license held by Holiday Stationstore LLC ("Licensee") for the premises known as Holiday Stationstore #5 located at 629 Rice Street in Saint Paul. ("Licensed Premises").

Minnesota Statute § 461.12, Subd. 5 states: "A licensing authority shall conduct unannounced compliance checks at least once each calendar year at each location where tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products are sold to test compliance with sections 609.685 and 609.6855."

Minnesota Statute §461.12, Subd 2 states; "If a licensee or employee of a licensee sells, give, or otherwise furnishes tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products to a person under the age of 21 years, or violates any other provision of this chapter, the licensee shall be charged an administrative penalty of \$300 for the first violation."

Saint Paul Legislative Code Section 310.06 sets forth a variety of reasons under which adverse actions can be based. Section 310.06(b)(c) says that adverse action can be pursued for failure to comply with laws related to the licensed activity or from which an inference of lack of fitness or good character may be drawn.

Saint Paul Legislative Code §324.07(g) prohibits the sale of tobacco products to person under the age of twenty-one (21) years.

The Department asserts the following facts along with attachments herein constitute proof of a violation of Minnesota Statute § 461.12, Subd. 2 and Saint Paul Legislative Code §324.07(g) by a preponderance of the evidence.



### Synopsis of alleged facts:

On June 23, 2021 at 1:15pm, a tobacco compliance check was conducted at Tobacco located at 629 Rice Street. A twenty-year-old female entered your store and attempted to purchase cigarettes. She was asked to show her identification which indicated she was underage. Nevertheless, the clerk sold her a package of American Spirit cigarettes. Inspector Yang came into the establishment afterward and spoke to the clerk, Maerine Givens. She was informed that she failed the youth compliance check by selling American Spirits cigarettes to an underage person.

Sale of tobacco to an underage person is a violation of Minn. Stat. § 609.685 and Saint Paul Legislative Code § 324.07(g).

As the Licensee 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 **August 9, 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 to the violation and pay the \$300.00 administrative 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 **August 9, 2021**. A self-addressed envelope is enclosed for your convenience. Payment of the \$300.00 administrative 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 \$300.00 administrative 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 **August 9, 2021**. The matter will then be scheduled before the City Council to determine whether to impose the \$300.00 administrative 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 **August 9, 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 August 9, 2021, I will assume that you do not contest the imposition of the \$300.00 administrative penalty. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.**



**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

**Please be advised the clerk who made the sale on this date and will be charged a \$50.00 administrative penalty pursuant to Minn. Stat. §461.12, subd. 3. This is a separate action from this license matter.**

If you have questions about these options, please contact Shawn McDonald, my Legal Assistant at (651) 266-8729.

Sincerely,

/s/

Therese Skarda  
Assistant City Attorney  
License No.: 0240989

cc: Holiday License Dept., 4567 American Blvd West, Bloomington, MN 55437-1123  
Holiday Station Stores, Inc. Attn: Tax Dept. 5, P.O. Box 1224, Minneapolis, MN 55440-1224  
Ronald Erickson, 5123 Lake Ridge Road, Edina, MN 55436  
Caty Royce, Co-Executive Director, Frogtown Neighborhood Association, 501 Dale Street, Saint Paul, MN 55117  
Tia Williams, Co-Executive Director, Frogtown Neighborhood Association, 501 Dale Street, Saint Paul, MN 55117

Attachments:            Inspector's Report  
                              Screenshot from ECLIPS System  
                              License Group Conditions Text  
                              License Group Comments Text  
                              STAMP – Ownership/Zoning Information  
                              Tobacco Youth Compliance Check Purchase Form  
                              Clerk Identification Form  
                              Photo of Purchased Cigarettes

CITY OF SAINT PAUL  
MELVIN CARTER, MAYOR

STPAUL.GOV

*The Saint Paul City Attorney's Office does not discriminate  
based on race, color, national origin, religion, sex/gender, disability, sexual orientation, gender identity, age, or veteran status  
in the delivery of services or employment practices.*

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 26th day of July she served the attached **NOTICE OF VIOLATION RECOMMENDATION FOR IMPOSITION OF \$300 ADMINISTRATIVE PENALTY FOR TOBACCO YOUTH COMPLAINEE CHECK FAILURE** and a correct copy thereof in an envelope addressed as follows:

Holiday Stationstores LLC  
d/b/a Holiday Stationstores #5  
629 Rice Street  
Saint Paul, MN 55103  
Attn: Ronald Erickson

Holiday License Dept.  
4567 American Blvd West  
Bloomington, MN 55437-1123

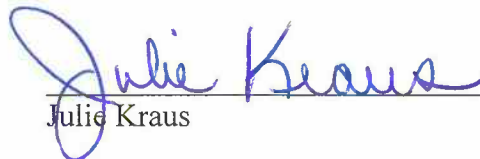
Holiday Station Stores, Inc.  
Attn: Tax Dept. 5  
P.O. Box 1224  
Minneapolis, MN 55440-1224

Ronald Erickson  
5123 Lake Ridge Road  
Edina, MN 55436

Caty Royce, Co-Executive Director  
Frogtown Neighborhood Association  
501 Dale Street  
Saint Paul, MN 55117

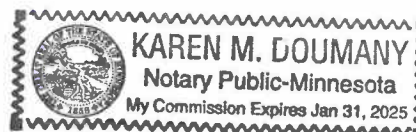
Tia Williams, Co-Executive Director  
Frogtown Neighborhood Association  
501 Dale Street  
Saint Paul, MN 55117

(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 26<sup>th</sup> day of July 2021

  
Notary Public





CITY OF SAINT PAUL

*Business Licensing*  
375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: www.stpaul.gov/dsi

## Inspector's Report

Inspectors Name: Kaozouapang Yang

Time & Date: 6/23/2021 at 1:15PM

Business/Property Name: Holiday Stationstore #5

Property Address: 629 Rice Street

Reason for Visit: Annual Cigarette/Tobacco Youth Compliance Check

Observations: Youth purchased a Pack of American Spirit Cigarettes

Photos Taken:  Yes  No – Area(s) of where the Photo(s) where taken:

-

Action Taken:  Education / warning

Request for Adverse Action

Other: -

-

### Details of Conversations (Statements to and by Person Responsible for Property):

Upon arrival I spoke to the clerk Maerine Givens, I introduced myself as a DSI Licensing Inspector for the City of Saint Paul. I informed her that she failed a youth compliance check, an attempted purchase of a pack of American Spirts cigarettes was successfully made from an underage buyer at 1:15 p.m.

Properties For License 629 RICE ST STE 1

Licensee: HOLIDAY STATIONSTORES LLC  
 DBA: HOLIDAY STATIONSTORE #5

License    Licensee    Lic. Types    Insurance    Bond    Requirements

Licensee Name: HOLIDAY STATIONSTORES LLC   
 DBA: HOLIDAY STATIONSTORE #5  
 Sales Tax Id: \*\*\*\*\* Non-Profit:  Worker's Comp: 12/01/2021   
 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
LICENSE DEPT			(952) 830-8046		4567 AMERICAN BI
ERICKSON	RONALD	CEO/CFO/SEC	( ) -		5123 LAKE RIDGE
ERICKSON	GERALD	PRESIDENT/TR	( ) -		2630 MARSHLAND
HOLIDAY STATION			(651) 291-2458		629 RICE ST STE 1

Background Check Required     

License # 14861      Save Changes to History                  

Properties For License 629 RICE ST STE 1

Licensee: HOLIDAY STATIONSTORES LLC  
 DBA: HOLIDAY STATIONSTORE #5

License    Licensee    Lic. Types    Insurance    Bond    Requirements

Licensee Name: HOLIDAY STATIONSTORES LLC   
 DBA: HOLIDAY STATIONSTORE #5  
 Sales Tax Id: \*\*\*\*\* Non-Profit:  Worker's Comp: 12/01/2021   
 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
4567 AMERICAN BLVD W	BLOOMINGTON	55437-1123	00/00/0000	00/00/0000
5123 LAKE RIDGE ROAD	EDINA	55436	09/23/1936	00/00/0000
2630 MARSHLAND ROAD	WAYZATA	55391	04/24/1937	00/00/0000
629 RICE ST STE 1	ST PAUL	55103-1828	00/00/0000	00/00/0000

Background Check Required     

License # 14861      Save Changes to History



License Group Conditions Text

07/08/2021

Licensee: HOLIDAY STATIONSTORES LLC

DBA: HOLIDAY STATIONSTORE #5

License #: 0014861

1. 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.

Licensee: HOLIDAY STATIONSTORES LLC

DBA: HOLIDAY STATIONSTORE #5

License #: 0014861

8/7/2018 - Sent Notice of Violation with an 8/17/2018 deadline to respond. JAK  
6/30/14 Passed tobacco comp. check. JWF/aa  
02/13/2008 Cancel Off Sale Malt per renewal. LAB  
01/18/2008 CF #07-967 - Change in license type from Restaurant-A to Restaurant-1. LAB  
06/23/2004 already has valid alarm permit expiring with other licenses mgs  
01/28/2003 LC331A - change in license type from Grocery (C) to Retail Food (D) - Grocery.  
06/11/2001 Duplicate entry MGS

## License Group Comments Text

07/19/2021

Licensee: HOLIDAY STATIONSTORES LLC

DBA: HOLIDAY STATIONSTORE #5

License #: 0014861

7/13/2021 Sent to JNV for AA review KY  
 8/23/2021 Tobacco Youth compliance check fail JNV  
 4/22/19 Tobacco compliance check, passed. ARM  
 7/31/18 Tobacco youth compliance check pass ARM  
 08/20/2018 Received \$500.00 matrix penalty for violation of flavored tobacco products. MN  
 7/10/2018 Sent to CAO for adverse action JNV.  
 4/25/18 Flavor / price inspection - Fail - Flavor violations JNV  
 03/13/2018 Changing from a corp (Inc.) to a limited liability co. (LLC) per letter to Kris. LAB  
 06/20/2017 passed tobacco compliance check BLB  
 06/18/2015 Passed tobacco comp. check. JWF  
 07/22/2013 Passed tobacco compliance check. PF  
 12/29/2011 Passed tobacco compliance check. TF  
 03/25/2011 Passed tobacco compliance check. PF  
 06/05/2010 Passed tobacco comp. check. JWF  
 05/26/2010 EH remodel fee paid. JWF  
 04/02/2010 Passed tobacco compliance check. RJ  
 07/15/2009 Passed tobacco compliance check. RJ  
 10/16/2009 Passed tobacco compliance check. JWF  
 03/18/2008 Sent congratulation letter for passing SPPD liquor compliance check. ML  
 10/09/2007 Hand delivered new smoking ordinance paperwork and sign. PF  
 06/04/2007 Sent congratulations letter for passing liquor compliance check. SLH  
 06/22/2007 Passed liquor compliance check conducted by SPPD. SLH  
 04/04/2007 Passed tobacco compliance. JWF  
 11/21/2006 Sent congratulations letter for passing liquor compliance check. MED  
 08/17/2006 Passed DPS alcohol compliance check conducted by SPPD. RS  
 06/20/2006 Passed tobacco compliance check. RS  
 06/03/2005 Passed tobacco compliance check. RDH  
 09/24/2004 Sent congratulations letter for passing alcohol compliance check. RDH  
 09/16/2004 Passed liquor compliance check.  
 RDH 03/23/2004 Passed tobacco compliance check. CMK.  
 05/06/2003 Sent congratulations letter for passing alcohol compliance check. CMK.  
 04/29/2003 Passed DPS alcohol compliance check conducted by SPPD. CMK.  
 03/14/2003 Passed tobacco compliance check. CMK.  
 07/09/2002 Passed tobacco compliance check. SCS  
 04/08/2002 Sent congratulations letter for passing alcohol compliance check on 03/09/2002. SS  
 03/09/2002 Passed DPS alcohol compliance check conducted by SPPD. SS  
 03/14/2002 \$50.00 rcvd from clerk Vong Her for cig sales violation.ES  
 03/14/2002 \$200.00 rcvd for cig sales violation.ES  
 03/06/2002 Notice of Administration Fine from CAO for sale of tobacco products to a minor - \$50 fine. Given to 03/18/2002 to respond. SS  
 03/05/2002 Notice of Violation from CAO for adverse action for the 02/13/2002 sale of tobacco products to a minor. Recommendation is for a \$200 fine.  
 Must respond by 03/15/2002. SS  
 02/15/2002 To CAO for adverse action. CAR  
 02/13/2002 Failed tobacco compliance check. Clerk was Vong Her. \$200 fine. CAR  
 06/02/2001 Passed tobacco compliance check. scs  
 03/28/2001 Passed tobacco compliance check. SS  
 03/27/2001 Letter from Cap Board asking for relief from light glare from the station. CAR  
 03/19/2001 Congratulations letter sent for passing Alcohol Compliance check. SS  
 03/10/2001 Passed DPS Alcohol Compliance check by SPPD. SS  
 08/03/2000 Passed tobacco compliance check. SS  
 06/29/2000 Sent congratulations letter for passing alcohol compliance check. SS  
 05/18/2000 Passed U of M alcohol compliance check conducted by LIEP/Schweinler. SS  
 04/16/2000 Congratulations letter sent for passing alcohol compliance check. SS  
 03/25/2000 Passed DPS alcohol compliance check conducted by SPPD Burke, Reilly. SS  
 12/4/99 passed second alcohol awareness training-DL  
 06/02/99 passed cig compliance check - 06/10/99 letter sent SS  
 3/3/99 Completed required alcohol awareness training-DL  
 2/2/99 Failed check; "unofficial" warning-training due 3/8/99-DL  
 1/1/93 Per Bob-Add'L Gas Pump License Eliminated  
 1/1/93 Hardware License Repealed



## STAMP - Ownership / Zoning Information

[New Search](#)
[Help using this report](#)
**Run Date:** 07/12/21 09:28 AM

**House#:** 629

**Last updated from Ramsey County data on:**
**Street Name:** Rice

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

629 Rice St - Holiday Stationstore #5 - 55101-2353 - [Other Applications](#)

**PIN:** 362923110064

**Census Track:** 32700

**Census Block:** 1002

**Council Ward:** 1 **District Council:** 7

**Year Built:**
**Foundation Sq**
**Loan Company:**
**Land**
**Building**
**Feet:** 7358

**Value:** 575000

**Value:** 666100

**Existing Primary Use:** A-

**Legality of Use:**
**Occupancy**
**Units:** 0

Auto Service Station

**Group**
**Type:** M

**Zoning:** CAAPCJ

**Legal Desc:** MORIN'S ENLARGEMENT OF LAFOND<sup>1</sup> LOTS 1 THU 7 BLK 32 LYING ELY OF THE FOL DESC LINE; COM AT THE SW COR OF LOT 4 BLK 31 IN HEWITTS SUBD THEN ALONG THE SWLY L OF SD LOTS 1,2,3 AND 4 BLK 31 HEWITTS SUBD 194.85 FT TO THE PT OF BEG OF L TO BE DESC THEN N 37 DEG 59 MIN 27 SEC E 101.5 FT THEN N 119.3 FT TO THE N L OF LOTS 4,5 & 6 BLK 32 MORINS ENLARGEMENT OF LAFONDS ADD AND THERE TERM

**Owner:**

Holiday Station Stores Inc/Attn Tax Dept 5

Po Box 1224

Minneapolis MN 55440-1224

952-830-8888

**Certificate of Occupancy Responsible Party:**

Holiday Stationstore

629 Rice St

St Paul MN 55103



CITY OF SAINT PAUL

Business Licensing  
375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8969  
Facsimile: 651-266-9174  
Web: www.sppaul.gov/dsl

Tobacco Youth Compliance Check Purchase Form

2

Fail

Business Type:

629 Rice St.

- Convenience
- Convenience / Gas
- Gas
- Drug Store / Pharmacy
- Tobacco Product Shop
- Supermarket / Grocery
- General Merchant
- Liquor Store / Bar Restaurant
- Other (private club, bowling, etc.)

Inspector: Joseph Voyda  
Name

Date: 6 / 23 / 2021  
MM DD YY

Time: : a.m. / p.m

Was purchase attempted?

- Yes
- No

If NO, check reason:

- Does not sell tobacco
- Unsatisfactory/unsafe conditions
- After business hours
- Out of business
- Not applicable
- Other \_\_\_\_\_

Buyer: [REDACTED]  
Name

Age: 20  
Sex: Female

Did adult or officer view transaction?  
 Yes  No

Was sale made?  
 Yes  No

Was age asked?  
 Yes  No

Was ID requested?  
 Yes  No

Was ID shown?  
 Yes  No

Type of purchase:

- Self Service
- Clerk assisted
- Vending machine - Unlocked
- Location of machine \_\_\_\_\_
- Vending machine - Locked
- Location of machine \_\_\_\_\_

Type of product:

- Cigarettes
- Smokeless
- Cigars
- Shisha
- E-juice
- Other (cigarette papers, lighter, etc.) \_\_\_\_\_

Amount spent: \$ .

Clerk Information:  Female  Male Approximate Age:  18 or  Under 18 Actual age if known 30

Name of Clerk: Mertine Givens Address: 617 Linden St.

City & State St. Paul MN 55130 Zip Code \_\_\_\_\_

Driver's license # or State I.D.# \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Description / Notes: Black no glasses skinny



CITY OF SAINT PAUL

Business Licensing  
375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: www.stpaul.gov/dsi

## Clerk Identification Form

As it appears on Driver's License or State I.D. Card

Name: Givens, Maerine

Primary address: 617 Linden St,

Secondary address: N/A

City: Saint Paul

State: MN

Zip code: 55130

DOB: 10/15/1980

Identification Number: DD00000004879001

Place Snip of I.D. below







CITY OF SAINT PAUL

Business Licensing  
375 Jackson Street, Suite 220  
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: www.stpaul.gov/dsl

Tobacco Youth Compliance Check Purchase Form

629

Business Type:

679 Rice St.

- Convenience
- Convenience / Gas
- Gas
- Drug Store / Pharmacy
- Tobacco Product Shop
- Supermarket / Grocery
- General Merchandise
- Bar Restaurant
- Other (private club, bowling, etc.)

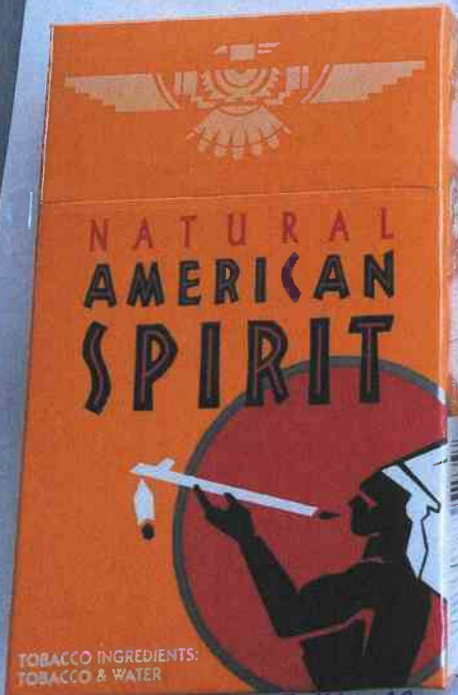
Inspector: Joseph Voyda  
Name

a.m. / p.m.

Was purchase attempted?

- Yes
- No

Buyer [REDACTED]  
Name



TOBACCO INGREDIENTS:  
TOBACCO & WATER

Description / Notes: no glasses