



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

April 19, 2013

### NOTICE OF INTENT TO REVOKE LICENSES

Mohammed Alrakabi & Amina Ali  
Burr St Market  
962 Burr Street  
St. Paul, MN 55130

RE: All licenses held by M & W Market, Inc. d/b/a Burr St Market for the premises located at 962 Burr Street in St. Paul  
License ID #20090005122

Dear Mohammed Alrakabi & Amina Ali:

The Department of Safety and Inspections (DSI) has recommended revocation of all licenses held by M & W Market, Inc. d/b/a Burr St Market for the premises located at 962 Burr Street in Saint Paul. The basis for the recommendation is as follows:

**You were sent a NOTICE OF CONDEMNATION UNFIT FOR HUMAN HABITATION ORDER TO VACATE based on an inspection of your licensed premises on April 5, 2013. The building was found to be “unsafe, unfit for human habitation, a public nuisance, a hazard to the public welfare or otherwise dangerous to human life.” The Notice listed twenty-two (22) deficiencies that would need to be corrected and be re-inspected before the building would be approved for habitation.**

**The building was then condemned and your Certificate of Occupancy revoked. A Condemnation Placard was posted on the building which has now been designated as a Category II Vacant Building per Saint Paul Legislative Code § 43.02 (7) (f).**

**Saint Paul Legislative Code § 40.01 (a) requires that “All existing buildings in the city are required to have and maintain a fire certificate of occupancy, issued by the fire marshal. The certificate shall be an indication that the building meets, at the time of inspection, all relevant codes to maintain the health, safety and welfare of the building’s occupants and the general public. It shall be a misdemeanor to rent or lease, or permit the occupancy of, a building or structure or portion thereof which does not have a fire certificate of occupancy.”**

At this time, you have two (2) options on how to proceed:

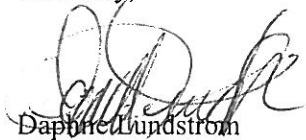
1. If you wish to admit the facts but contest the penalty, you may have a public hearing before the Saint Paul City Council, you will need to send me a letter with a statement admitting the facts and requesting a public hearing. We will need to receive your letter by **Monday, April 29, 2103**. The matter will then be scheduled before the City Council for a public hearing to determine whether to revoke your licenses. 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). I will need to receive your letter no later than **Monday, April 29, 2013**. 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 Monday, April 29, 2103, I will assume that you do not contest the revocation of your licenses. 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,



Daphne Lundstrom  
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI  
Amina Ali, 14551 Kentucky Avenue, Savage, MN 55378  
Leslie McMurray, Executive Director, Payne Phalen District 5 Planning Council  
506 Kenny Road, Ste. 130, Saint Paul, MN 55130

COUNTY OF RAMSEY )

Julie Kraus, being first duly sworn, deposes and says that on the 19th day of April she served the attached **NOTICE OF INTENT TO REVOKE LICENSES** and correct copy thereof in an envelope addressed as follows:

Amina Ali, Co-owner  
Burr St Market  
962 Burr Street  
St. Paul, MN 55130

Amina Ali  
14551 Kentucky Avenue  
Savage, MN 55378

Leslie McMurray, Executive Director  
Payne Phalen District 5 Planning Council  
506 Kenny Road, Ste. 130  
Saint Paul, MN 55130

(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  
Julie Kraus

Subscribed and sworn to before me  
this 19th day of April, 2013

Rita M. Bossard  
Notary Public

