

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 7<sup>th</sup> day of June, he served the attached **NOTICE OF VIOLATION AND REQUEST FOR IMPOSITION OF A 10-DAY SUSPENSION OF YOUR LICENSE** and a correct copy thereof in an envelope addressed as follows:

High 5 Inc.  
d/b/a Snap Market  
957 Rice Street  
Saint Paul, MN 55117

Husham Elhadi Ali  
2516 Jackson Street  
Minneapolis, MN 55418

Aymen M. Soliman  
957 Rice Street  
Saint Paul, MN 55117

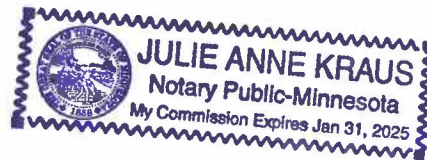
Kerry Antrim, Executive Director  
North End Neighborhood Organization  
171 Front Street  
Saint Paul, MN 55117

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

  
Shawn McDonald

Subscribed and sworn to before me  
This 7<sup>th</sup> day of June 2022

  
Notary Public





June 7, 2022

**NOTICE OF VIOLATION AND**  
**REQUEST FOR IMPOSITION OF A 10-DAY SUSPENSION OF YOUR LICENSE**

High 5 Inc.  
d/b/a Snap Market  
957 Rice Street  
Saint Paul, MN 55117

RE: Cigarette/Tobacco license held by High 5 Inc., d/b/a Snap Market, for the premises located at 957 Rice Street in Saint Paul.  
License ID #: 20190001517

Dear High 5 Inc.:

The Department of Safety and Inspections (the "Department") is recommending adverse action against the Cigarette/Tobacco license held by High 5 Inc., d/b/a Snap Market, for the premises located at 957 Rice Street in Saint Paul (the "Licensed Premises") for a first-time flavored tobacco product violation.

Saint Paul Legislative Code section 324.07(j) prohibits a licensee from selling, offering for sale, or otherwise distributing any flavored tobacco products.

Saint Paul Legislative Code section 324.10(b)(2) sets the presumptive penalties for violations of provisions of the Legislative Code relating to the display, possession, or multiple incidents of sales of menthol or flavored tobacco products. Under section 324.10(b)(2), the presumptive penalty for a first-time violation is a 10-day license suspension.

The Department asserts that the following facts, along with photos of the violations attached herein, constitute proof of a violation of section 324.07(j) of the Saint Paul Legislative Code by a preponderance of the evidence.



## Synopsis of Alleged Facts:

On May 12, 2022, Department Inspector Voyda went to the Licensed Premises for a complaint inspection. Inspector Voyda spoke with the clerk, Imad Elamin, and informed him that the Department received a complaint of the business selling flavored tobacco products. During the inspection, Inspector Voyda observed and photographed multiple flavored tobacco products that were located behind the counter/cash register. After the inspection, Voyda educated the clerk on the violations and advised him to remove all flavored products into a back storage and have the license holder call a distributor to pick them up.

You have three (3) 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 **June 21, 2022**, 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 a 10-day suspension of your license.
2. If you wish to admit the facts but you contest the 10-day suspension 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 **June 21, 2022**. The matter will then be scheduled before the City Council to determine whether to suspend the license. You will have an opportunity to appear before the Council and make a statement.
3. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (the "ALJ"). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **June 21, 2022**. At that hearing, both you and the City will appear and present witnesses and 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 hearing, 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 reserves the right to request that City Council impose the costs of the administrative hearing, per Saint Paul Legislative Code section 310.05(k).



**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

**If you have not contacted me by June 21, 2022, I will assume that you do not contest the imposition of a 10-day suspension of your license. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.**

Sincerely,

Stephen Earnest  
Assistant City Attorney  
License No.: 0402652

cc: Husham Elhadi Ali, 2516 Jackson Street, Minneapolis, MN 55418  
Aymen M. Soliman, 957 Rice Street, Saint Paul, MN 55117  
Kerry Antrim, Executive Director, North End Neighborhood Organization, 171 Front Street,  
Saint Paul, MN 55117

Attachments: Inspector's Report  
List of Tobacco Products Found on Licensed Premises  
Licensee Information on Eclips System  
License Group Comments Text  
License Group Conditions Text  
Adverse Action Comments Text  
STAMP – Ownership/Zoning Information  
Photos of tobacco products

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.*



## Inspector's Report

Inspectors Name: Joseph Voyda

Date & Time: 5/12/2022 - 1:05pm

Staff Member's Name: Imad Elamin (clerk)

Business/DBA Name: Snap Market

Property Address: 957 Rice Street

Reason for Visit: Complaint Inspection

Observations: Selling Flavored Tobacco Products

Photos Taken:  Yes  No – Area(s) of where the Photo(s) were taken: Behind the counter and shelving

Action Taken:  Education / warning

Request for Adverse Action

Other: -

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

Upon arrival on May 12, 2022 at 1:05pm I spoke with the clerk Imad Elamin I introduced myself as a licensing Inspector for the City of Saint Paul with Department of Safety and Inspections. I explained I was there for an inspection from a complaint that was received by DSI for flavor tobacco product being sold. In plain sight located behind the counter/cash register were multiple flavor tobacco product violations equivalent to a tobacco products shops (see attached photos – 11 pages total). I asked Imad if there were any other flavor products that were present or hidden, Imad response was “no not that I am aware of, I don't know anything I just work here”. Continuing the inspection, I advised Imad to move all products (one black heavy duty trash bag and a poly bag with handles) that where flavor violations into the back storge room/hall and advised him to have the license holder to call the distributor for a pickup. I educated Imad on the flavor violations that were discovered.

Types of flavored tobacco products found of Multiple Boxes of:

'Backwoods' - Honey Berry, Wild Rum, Dark Stout, Honey Bourban, Black Russian, Russian Cream & Honey

'LOON MAXX' (vape pens) - Frost Bite, Iced Lush, Pink, Frozen Fizzy Rop Peach, Gum Mint, Iced Guava, Mint, Blue Lightning, Strawberry Lemonade, Bower Berry, Pineapple, Chery Lime Soda, Strawberry Banana & Frozen Mango

'Dutch' - Sweet Fusion, Java Fusion, Blue Dream Fusion, Honey Fusion, Irish Fusion & Berry Fusion

'White Owl' - Pineapple & White Grape

'Black & Mild' - Blues & Wine

Properties For License 957 RICE ST



Licensee HIGH 5 INC  
DBA SNAP MARKET

License	Licensee	Lic. Types	Insurance	Bond	Requirements
Licensee Name:	HIGH 5 INC				
DBA:	SNAP MARKET				
Sales Tax Id:	*****	Non-Profit:	<input type="checkbox"/>	Worker's Comp:	00/00/0000
AA Contract Rec'd:	00/00/0000	AA Training Rec'd:	00/00/0000		
AA Fee Collected:	00/00/0000	Discount Rec'd:	<input type="checkbox"/>		

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

Contacts for this Licensee						Mail License To:	
Last Name	First Name	Title	Bus. Phone	Home Phone	Contact Address	<input checked="" type="radio"/>	Mail To Contact
			(651) 488-2693		957 RICE ST	<input type="radio"/> <th>License Address</th>	License Address
ALI	HUSHAM ELH	OWNER	( ) -	(651) 208-6524	2516 JACKSON ST NE	<input checked="" type="radio"/> <th>Mail To Contact</th>	Mail To Contact
AHMED	SULIMAN	MANAGER	( ) -	(651) 235-5441	847 WOODLAND COU	<input type="radio"/> <th>License Address</th>	License Address

License # 190001517 Save Changes to History  OK Cancel Help

Properties For License 957 RICE ST



Licensee HIGH 5 INC  
DBA SNAP MARKET

License	Licensee	Lic. Types	Insurance	Bond	Requirements
Licensee Name:	HIGH 5 INC				
DBA:	SNAP MARKET				
Sales Tax Id:	*****	Non-Profit:	<input type="checkbox"/>	Worker's Comp:	00/00/0000
AA Contract Rec'd:	00/00/0000	AA Training Rec'd:	00/00/0000		
AA Fee Collected:	00/00/0000	Discount Rec'd:	<input type="checkbox"/>		

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

Contacts for this Licensee							Mail License To:	
Contact Address	City	Zip	DOB	Last Check	Dr	<input checked="" type="radio"/>	Mail To Contact	
957 RICE ST	ST PAUL	55117	00/00/0000	00/00/0000		<input type="radio"/> <th>License Address</th>	License Address	
2516 JACKSON ST NE APT 2	MINNEAPOLIS	55418	01/01/1978	00/00/0000	C81308	<input checked="" type="radio"/> <th>Mail To Contact</th>	Mail To Contact	
847 WOODLAND COURT	MAHTOMEDI	55115	01/01/1976	00/00/0000	M38176	<input type="radio"/> <th>License Address</th>	License Address	

License # 190001517 Save Changes to History  OK Cancel Help



# STAMP - Ownership / Zoning Information

[New Search](#)

[Help using this report](#)

**Run Date:** 05/16/22 10:04 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

957 Rice St - Snap Market Inc - 55117-4955 - [Other Applications](#)

**PIN: 252923410001**

**Census Tract:** 31300 **Census Block:** 1007

**Council Ward:** 1 **District Council:** 6

**Year Built:**

**Foundation Sq Feet:** **Loan Company:**

**Land**

**Building**

**Value:** 118800

**Value:** 124200

**Unverified Usage:** 10- GENERAL RETAIL & SVC- B- Commercial

**ISP:**

**Units:** 0

**Zoning:** T2

**Legal Desc:** WEIDE'S ADDITION AND,REARRANGE WEIDE'S ADDITION AND,REARRANGE LOTS 9 AND LOT 10 BLK 2

**Owner:**

Aymen M Soliman  
957 Rice St  
St Paul MN 55117-4955

**Tax Owner:**

Aymen M Soliman  
957 Rice St  
St Paul MN

**Certificate of Occupancy Responsible Party:**

Husham Ali  
957 Rice St  
St Paul MN 55117

License Group Comments Text

05/16/2022

Licensee: HIGH 5 INC

DBA: SNAP MARKET

License #: 20190001517

8/03/2021 Youth Tobacco compliance pass KY

6/09/2020 Sent delinquent letter. Response deadline is June 30, 2020. SLH

10/10/2019 Received \$700 fine payment for failed youth compliance check and failed flavor compliance check. MN

10/04/2019 Customer paid \$50.00 fine for employee, Al Easar Khalid Riyadh.. LV

7/3/19 To CAO adverse action. KS6/19/19

Youth tobacco compliance check, fail. ARM

6/16/19 Tobacco youth compliance check fail. During the tobacco age fail noticed flavors on the premise. ARM

5/29/2019 received all necessary documents issued license JNV



**Adverse Action Comments Text**

**05/16/2022**

**Licensee: HIGH 5 INC**

**DBA: SNAP MARKET**

**License #: 20190001517**

8/19/2019-Sent Notice of Violation with a 8/30/2019 deadline to respond. SM Council Consent Agenda 10/16/2019.

10/1/2019- Sent Notice of Council hearing. On

**License Group Conditions Text**

**05/16/2022**

**Licensee: HIGH 5 INC**

**DBA: SNAP MARKET**

**License #: 20190001517**

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.







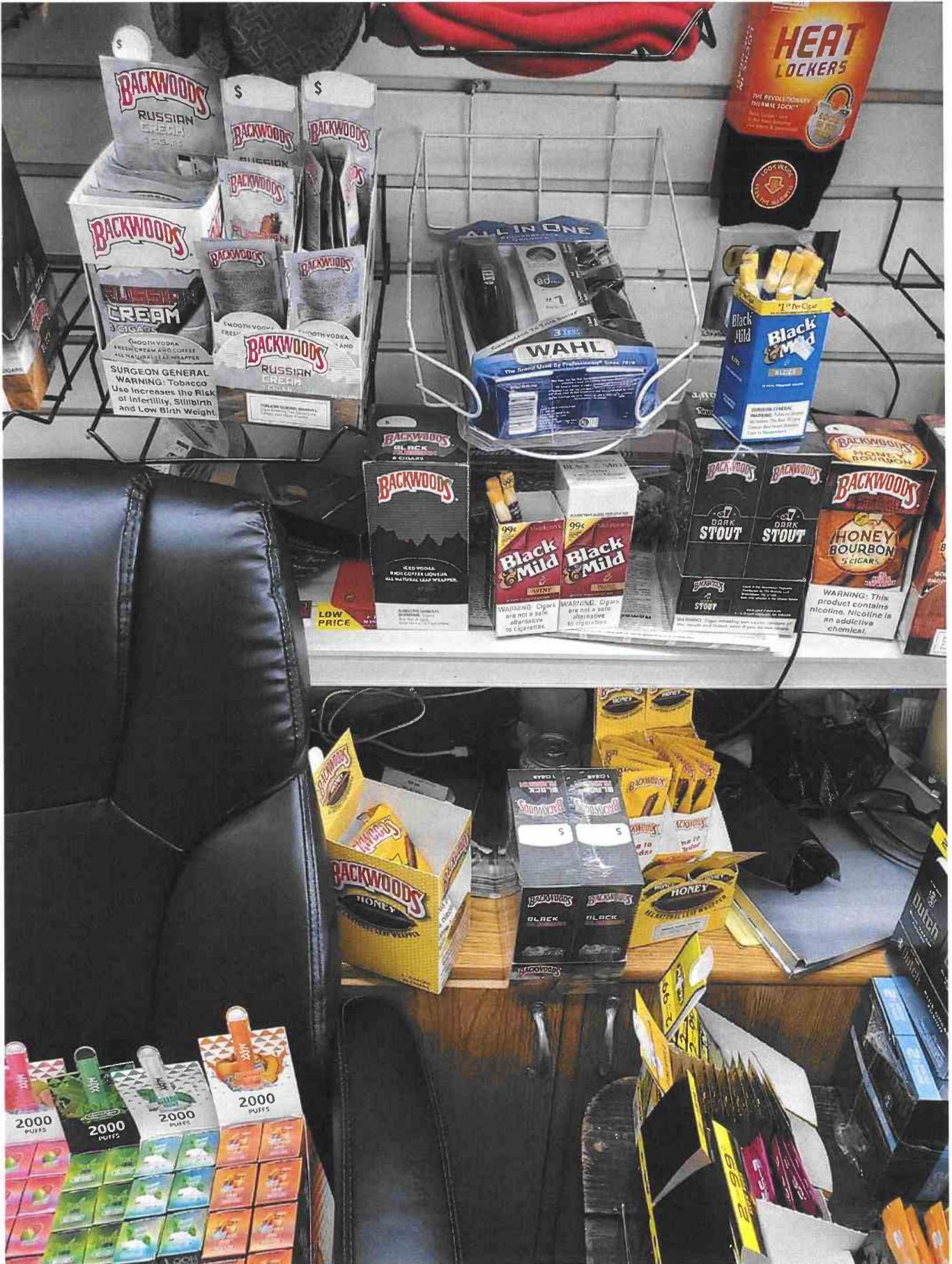




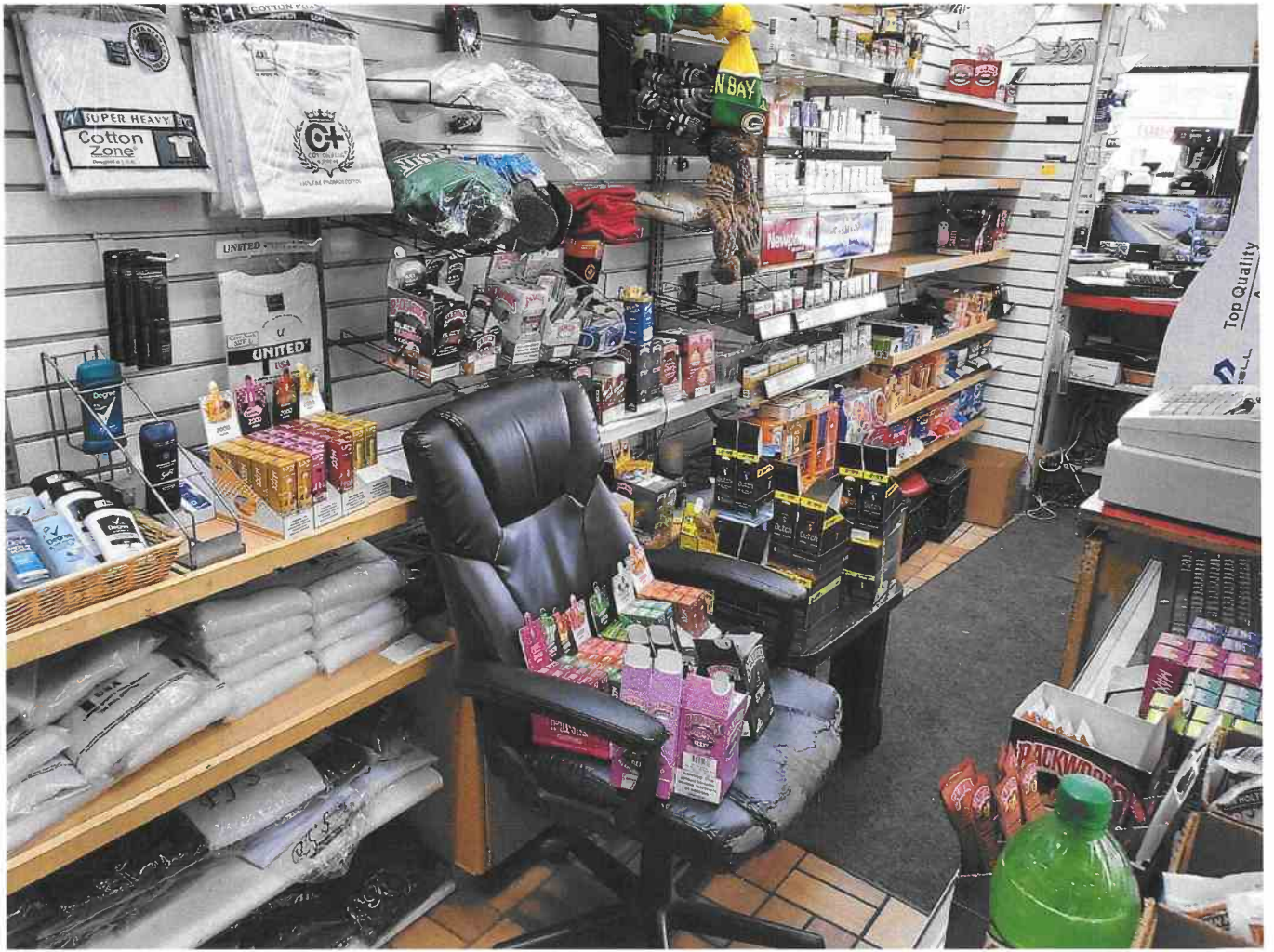




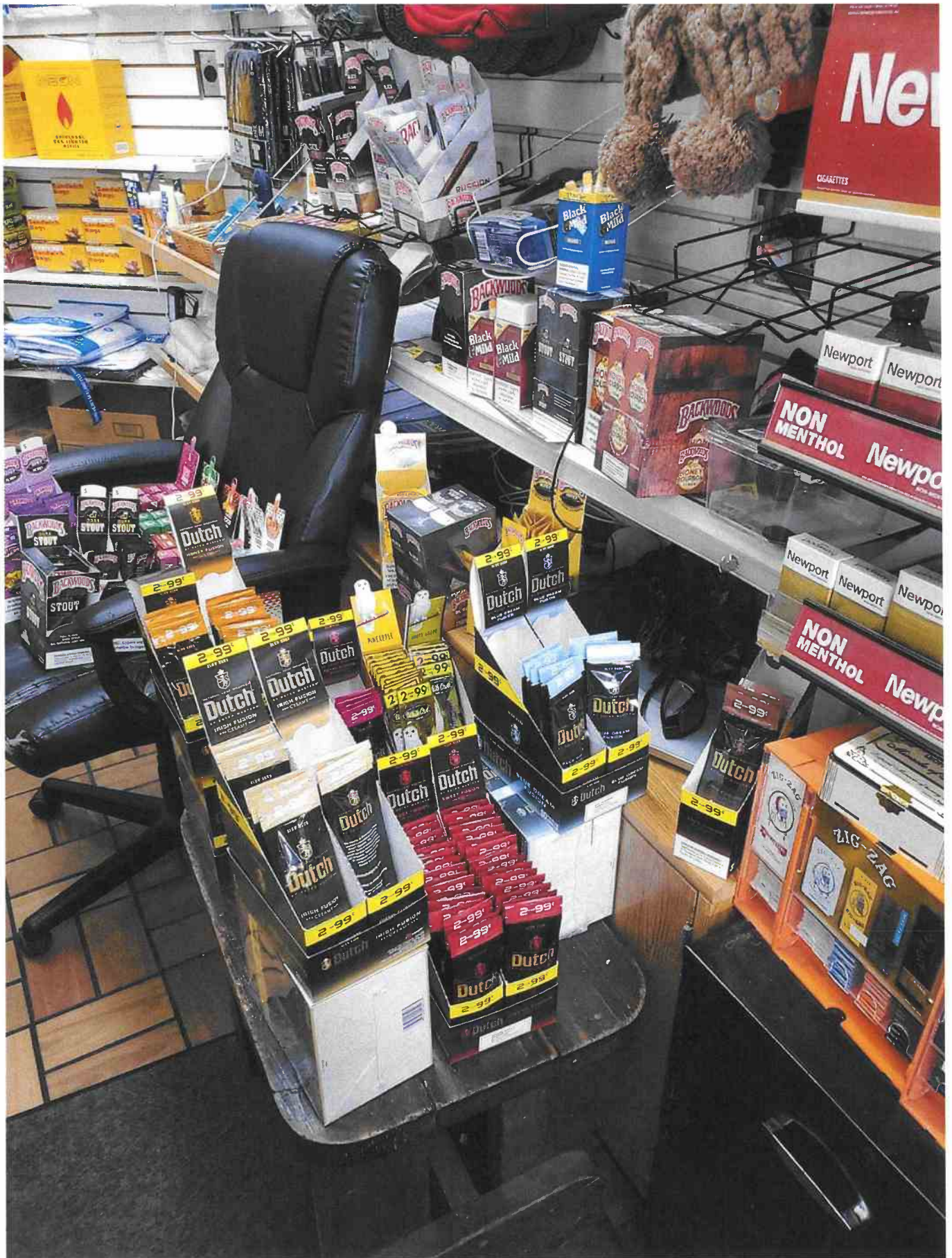












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