



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 16, 2018

NOTICE OF INTENT TO REVOKE LICENSES

Mee Lee Moua
1874 East Shore Drive
Maplewood, MN 55109

RE: Entertainment (B), Liquor On Sale-2AM Closing, Liquor On Sale-100 seats or less, Liquor On Sale-Sunday licenses and Shared Parking Agreement held by Mee Lee Moua d/b/a Malina's Sports Bar and Grill for the premises located at 691 Dale Street North in Saint Paul
License ID #: 20010002326

Dear Licensee:

The Department of Safety and Inspections will recommend revocation of the Entertainment (B), Liquor On Sale-2AM Closing, Liquor On Sale-100 seats or less, Liquor On Sale-Sunday licenses and Shared Parking Agreement held by Mee Lee Moua d/b/a Malina's Sports Bar and Grill for the premises located at 691 Dale Street North in Saint Paul. The recommendation is based on the following information:

On November 1, 2017, the Department of Safety and Inspections (DSI) was informed by Ramsey County that the licensed premises had been secured internally with a monitor pending a tax forfeiture repurchase. DSI was also informed that you had been locked out of the property since August 3, 2017 due to non-payment of back taxes.

On December 21, 2017 DSI received notice that the liquor liability insurance for the property was cancelled effective 11/25/2017.

On January 29, 2018, a Revocation of Fire Certificate of Occupancy and Order to Vacate was sent to the Property Representative listed as the State of Minnesota Trust Exempt. The letter stated that 691 Dale Street North had been determined to be unoccupied as of January 29, 2018. Your building does not have a Certificate of Occupancy and as of February 13, 2018, is classified as a category 2 vacant building.

Saint Paul Legislative Code § 40.01 (a) states: "All existing buildings in the city are required to have and maintain a fire certificate of occupancy issued by the Department of Safety and Inspections...."

Saint Paul Legislative Code § 40.06 (a) (5) provides grounds for revocation of the certificate of occupancy: "If the nonresidential building becomes unoccupied or is a vacant building as define in section 43.02 of the Saint Paul Legislative Code."

As a result of this action, the licensing department will recommend revocation of the Entertainment (B), Liquor On Sale-2AM Closing, Liquor On Sale-100 seats or less, Liquor On Sale-Sunday licenses and Shared Parking Agreement.

At this time, you have four (4) 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 **Monday, February 26, 2018**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the next available City Council Agenda for approval of the proposed remedy.
2. 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 no later than **Monday, February 26, 2018**. The matter will then be scheduled before the City Council to determine whether to revoke your Entertainment (B), Liquor On Sale-2AM Closing, Liquor On Sale-100 seats or less, Liquor On Sale-Sunday licenses and Shared Parking Agreement. You will have an opportunity to appear before the Council and make a statement on your own behalf.
3. 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, February 26, 2018**. 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.

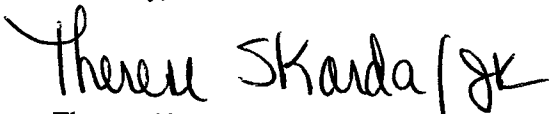
Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code § 310.05 (k).

4. If you no longer wish to do business in the City of Saint Paul, you will need to complete and return the enclosed REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, February 26, 2018**.

If you have not contacted me by Monday, February 26, 2018, I will assume that you do not contest the revocation of your Entertainment (B), Liquor On Sale-2AM Closing, Liquor On Sale-100 seats or less, Liquor On Sale-Sunday licenses and Shared Parking Agreement. In that case, the matter will be placed on the next available City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these four (4) options, please contact Julie Kraus, my Legal Assistant at (651) 266-8776.

Sincerely,



Therese Skarda
Assistant City Attorney

Cc: Tia Williams, Community Organizer, Frogtown Neighborhood Association (District 7)
501 Dale Street North, Suite 300, St. Paul, MN 55103

Attachment: REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL

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 16th day of February, she served the attached **NOTICE OF INTENT TO REVOKE LICENSES** and a correct copy thereof in an envelope addressed as follows:

Mee Lee Moua
1874 East Shore Drive
Maplewood, MN 55109

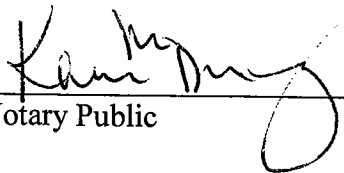
Tia Williams, Community Organizer
Frogtown Neighborhood Association (District 7)
501 Dale Street North, Suite 300
St. Paul, MN 55103

(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 16th day of February, 2018



Notary Public

