



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, 2012

NOTICE OF INTENT TO REVOKE LICENSE

Nasseh Ghaffari-Nikou
Heartland Auto
877 Westminster Street
St. Paul, MN 55130

RE: Auto Body Repair/Painting Shop license held by Heartland Auto Sales, Inc. d/b/a Heartland Auto for the premises located at 877 Westminster Street in Saint Paul
License ID #20060002711

Dear Mr. Ghaffari:

The Department of Safety and Inspections (DSI) has recommended adverse action against the Auto Body Repair/Painting Shop license held by Heartland Auto Sales, Inc. d/b/a Heartland Auto for the premises located at 877 Westminster Street in Saint Paul. The basis for this determination is as follows:

On January 24, 2012, a DSI Inspector conducted an inspection of the licensed premises and found multiple violations to your license conditions:

- 1) Two cars were parked on the street registered to you in violation of license condition #4 which states: *"At no time shall vehicles be parked in the driveway or the public right-of-way. Vehicles awaiting repair may not be parked or stored in an alley."*
- 2) The inspector observed trash, auto parts and barrels of oil stored outside around the property in violation of license condition #3 which states: *"There shall be no exterior storage of vehicle parts, tires, oil or other similar materials associated with the business. Trash will be stored in a covered dumpster. Storage of vehicle fluids, batteries, etc. shall be in accordance with the Ramsey County Hazardous Waster regulations."*
- 3) The inspector noted at least one inoperable vehicle stored on the property with no windows and front end damage in violation of license condition #5 which states: *"Storage of vehicles for the purpose of salvaging parts is expressly forbidden. All vehicles parked outdoors must appear to be completely assembled with no major body parts missing. Vehicle salvage is not permitted."*

As this is the fourth (4th) violation to your license conditions within the past twenty-four (24) months; therefore, the licensing office will recommend revocation of your Auto Body Repair/Painting Shop license.

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

1. If you wish to admit the facts but you 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 to the facts and requesting a public hearing. I will need to receive your letter by **Monday, February 27, 2012**. The matter will then be scheduled before the City Council for a public hearing to determine whether to revoke your Auto Body Repair/Painting Shop license. 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 no later than **Monday, February 27, 2012**, disputing the facts and requesting an administrative hearing. 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.

If you have not contacted me by Monday, February 27, 2012, I will assume that you do not contest the revocation of your Auto Body Repair/Painting Shop license. 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,



Meghan Kisch
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI
Nasseh Ghaffari-Nikou, 13443 Flagstaff Avenue, Apple Valley, MN 55124-7989
Leslie McMurray, Exec. Director, Payne Phalen District 5 Planning Council, 506 Kenny Road, Ste. 130,
St. Paul, MN 55130

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

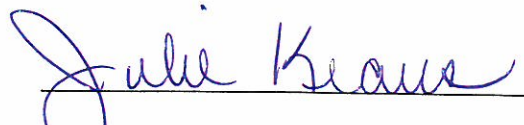
Julie Kraus, being first duly sworn, deposes and says that on the 16th day of February, she served the attached **NOTICE OF INTENT TO REVOKE LICENSE** by placing a true and correct copy thereof in an envelope addressed as follows:

Nasseh Ghaffari-Nikou
Heartland Auto
877 Westminster Street
St. Paul, MN 55130

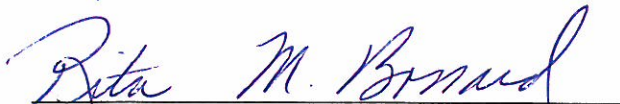
Nasseh Ghaffari-Nikou
13443 Flagstaff Avenue
Apple Valley, MN 55124-7989

Leslie McMurray, Exec. Director
Payne Phalen District 5 Planning Council
506 Kenny Road, Ste. 130,
St. 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

Subscribed and sworn to before me
this 16th day of February, 2012


Notary Public

