



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

July 19, 2012

NOTICE OF INTENT TO SUSPEND LICENSE

David Nins
Debbie's Hot Tamales
1040 Selby Avenue
St. Paul, MN 55104

RE: Restaurant (2) 1-12 Seats license held by Ethnic Foods, LLC d/b/a Debbie's Hot Tamales for the premises located at 1040 Selby Avenue in Saint Paul
License ID #20070003287

Dear Mr. Nins:

The Department of Safety and Inspections (DSI) has recommended suspension of the Restaurant (2) 1-12 Seats license held by Ethnic Foods, LLC d/b/a Debbie's Hot Tamales for the premises located at 1040 Selby Avenue in Saint Paul. The basis for the recommendation is as follows:

On January 31, 2012, you were sent a letter and RENEWAL INVOICE from the Department of Safety and Inspections (DSI) stating that your Restaurant (2) 1-12 Seats license expired as of November 1, 2011. You currently owe \$714.00 in delinquent license and late fees. You were also asked to submit a completed Certificate of Compliance Minnesota Workers' Compensation Law form.

You were given until February 21, 2012, to pay the license and late fees and submit the requested information. As of today's date, neither has been received.

In addition to the suspension of your Restaurant (2) 1-12 Seats license, per Saint Paul Legislative Code §310.05 (m) (2), the licensing office will also recommend a \$500.00 matrix penalty for failure to submit required information in order to maintain your license.

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

1. You can pay the delinquent license and late fees and submit the requested information. If this is your choice, you should send the payment and information directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, July 30, 2012**. Information should be directed to the attention of Christine Rozek. A self-addressed envelope is enclosed for your convenience. Payment of the delinquent license and late fees and submission of the requested information will be considered to be a waiver of the hearing to which you are entitled.

Debbie's Hot Tamales

July 19, 2012

Page 2

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. I will need to receive your letter by **Monday, July 30, 2012**. The matter will then be scheduled before the City Council for a public hearing to determine whether to suspend your license and impose the \$500.00 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.
3. If you no longer wish to do business in the City of Saint Paul, you will need to send a written statement to that effect to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, July 30, 2012**. Information should be directed to the attention of Christine Rozek.

If you have not contacted me by Monday, July 30, 2012, I will assume that you do not contest the suspension of your license and imposition of the \$500.00 matrix penalty. 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,

A handwritten signature in blue ink that reads "Daphne Lundstrom" followed by a stylized initial "JK".

Daphne Lundstrom
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI
David Nins, 1021 Fuller Avenue, St. Paul, MN 55104

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 19th day of July she served the attached **NOTICE OF INTENT TO SUSPEND LICENSE** and correct copy thereof in an envelope addressed as follows:

David Nins
Debbie's Hot Tamales
1040 Selby Avenue
St. Paul, MN 55104

David Nins
1021 Fuller Avenue
St. Paul, MN 55104

(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 July, 2012

Rita M. Bossard
Notary Public

