



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

March 21, 2016

NOTICE OF INTENT TO SUSPEND LICENSE

Matthew G. Sample, Owner
Discount Tobacco
1704 Suburban Avenue
St. Paul, MN 55106

RE: Cigarette/Tobacco license held by Matthew G. Sample d/b/a Discount Tobacco for the premises located at 1704 Suburban Avenue in Saint Paul
License ID #20090000326

Dear Licensee:

The Department of Safety and Inspections (DSI) will recommend adverse action against the Cigarette/Tobacco license held by Matthew G. Sample d/b/a Discount Tobacco for the premises located at 1704 Suburban Avenue in Saint Paul. The basis for the recommendation is as follows:

On February 18, 2016, you were sent a letter and RENEWAL INVOICE from the Department of Safety and Inspections (DSI) stating your Cigarette/Tobacco license expired February 5, 2016 and you owed delinquent license and late fees. In addition, your Alarm Permit (Renew) fee payment is also delinquent.

You were asked to complete the questionnaire on the RENEWAL INVOICE and submit a completed Certificate of Compliance Minnesota Workers' Compensation Law form (attached) with your license fee payment.

You were given until March 10, 2016 to pay the delinquent license and late fees and submit the required information. As of today's date, neither has been received.

In addition to the suspension of your Cigarette/Tobacco 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 the required information in order to maintain your license.

At this time, you have four (4) options to proceed:

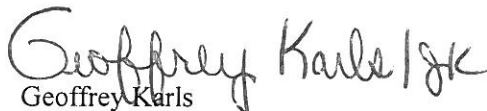
1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **Thursday, March 31, 2016**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the City Council Agenda for approval of the proposed remedy.

2. You can pay the delinquent license and late fees and submit the required information. If this is your choice, you need to contact the Department of Safety and Inspections (651) 266-8989 to determine the current total amount due. You may then send the payment and information directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Thursday, March 31, 2016**. A self-addressed envelope is enclosed for your convenience. Payment of the delinquent license and late fees and submission of the required information will be considered to be a waiver of the hearing to which you are entitled.
3. 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 **Thursday, March 31, 2016**. The matter will then be scheduled before the City Council for a public hearing to determine whether to suspend your Cigarette/Tobacco 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.
4. 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 **Thursday, March 31, 2016**. Information should be directed to the attention of Eric Hudak.

If you have not contacted me or DSI by Thursday, March 31, 2016, I will assume that you do not contest the suspension of your Cigarette/Tobacco 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,



Geoffrey Karls

Assistant City Attorney

cc: Eric Hudak, DSI Licensing Manager
Matthew Sample, 467 Hickory Lane, Oakdale, MN 55128

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

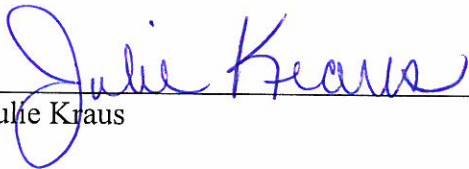
COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 21st day of March she served the attached **NOTICE OF INTENT TO SUSPEND LICENSE** and a correct copy thereof in an envelope addressed as follows:

Matthew G. Sample, Owner
Discount Tobacco
1704 Suburban Avenue
St. Paul, MN 55106

Matthew Sample
467 Hickory Lane
Oakdale, MN 55128

(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 21st day of March, 2016


Notary Public

