

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 2nd day of June, he served the attached **NOTICE OF VIOLATION AND REQUEST FOR UPWARD DEPARTURE TO REVOCATION OF YOUR CIGARETTE/TOBACCO LICENSE** and a correct copy thereof in an envelope addressed as follows:

Hana Co.
d/b/a Premium Stop
1529 White Bear Avenue North
Saint Paul, MN 55106
Attn: Bilal Alsadi

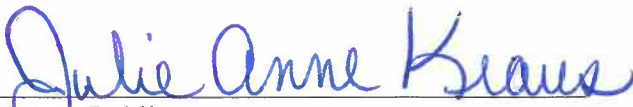
1188 Rice St LLC
1200 Rice Street
Saint Paul, MN 55117

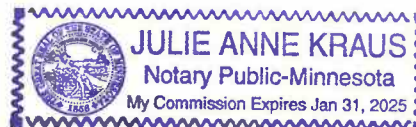
Lisa Theis, Executive Director
Greater East Side Community Council
1365 Prosperity Avenue
Saint Paul, MN 55106

(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 2nd day of June 2022


Notary Public





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

June 2, 2022

NOTICE OF VIOLATION AND
REQUEST FOR UPWARD DEPARTURE TO
REVOCATION OF YOUR
CIGARETTE/TOBACCO LICENSE

Hana Co.
d/b/a Premium Stop
1529 White Bear Avenue North
Saint Paul, MN 55106
Attn: Bilal Alsadi

RE: Cigarette/Tobacco license held by Hana Co., d/b/a Premium Stop, for the premises located at 1529 White Bear Avenue in Saint Paul.
License ID #: 20030003402

Dear Licensee:

The Department of Safety and Inspections (the "Department") is recommending adverse action against the Cigarette/Tobacco license held by Hana Co., d/b/a Premium Stop (the "Licensee"), for the premises located at 1529 White Bear Avenue in Saint Paul (the "Licensed Premises"), including an upward departure to Revocation, based on the following violations:

- Evidence of flavored tobacco products being hidden in file cabinets; and
- Evidence of a large volume of flavored tobacco products observed by Inspector Voyda during the complaint inspection on May 6, 2022.

Saint Paul Legislative Code section 324.07(j) prohibits a licensee from selling, offering for sale, or otherwise distributing any flavored tobacco products. Under Saint Paul Legislative Code section 310.17, the conduct of any clerk, employee, manager, or agent working for or on behalf of a licensee is treated as the conduct of the licensee for the purpose of adverse action.

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

CITY OF SAINT PAUL
MELVIN CARTER, MAYOR

STPAUL.GOV

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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.*



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 presumptive penalty for a second violation within a 24-month period is revocation of the license.

Although matrix penalties are presumed to be appropriate, Saint Paul Legislative Code section 324.10(a) allows the City Council to upwardly depart where the Council finds that there are substantial and compelling reasons to do so. Even though this is a first-time violation, the Department believes that the following factors constitute substantial and compelling reasons to upwardly depart to Revocation of your Cigarette/Tobacco license:

- The amount of flavored tobacco products found on the Licensed Premises; and
- The blatant, intentional nature of the violations and total disregard for ordinances.

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

Synopsis of Alleged Facts:

On May 6, 2022, Department Inspector Voyda went to the Licensed Premises for a complaint inspection. Upon arrival, Voyda spoke with the store clerk, Karim Allal, and informed him that the Department received a complaint that the Licensee was selling flavored tobacco products and hiding those products in an office located within the Licensed Premises. Voyda asked the clerk to inform the owner that he was present for a complaint inspection. The clerk called the owner, Bilal Alsadi, and Voyda requested permission to search the Licensed Premises, including the office specified in the complaint. Alsadi initially denied the inspection; however, after Voyda confirmed with Alsadi that he was denying the inspection, Alsadi granted him permission to search the office.

During the inspection of the office, Voyda located and documented with photographs a large volume of flavored tobacco products hidden inside of two file cabinets. Voyda then educated the clerk on these violations and advised the clerk to remove all flavored tobacco products into a back storage and 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 16, 2022**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on a City Council Consent Agenda for revocation of the license.
2. If you wish to admit the facts but you contest the upward departure to revocation, 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 16, 2022**. The matter will then be scheduled before the City Council to determine whether to revoke 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 ("ALJ"). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **June 16, 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 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 reserves the right to request that City Council impose the costs of the administrative hearing, per Saint Paul Legislative Code section 310.05(k).

If you have not contacted me by June 16, 2022, I will assume that you do not contest the Revocation of your license. In that case, the matter will be placed on a City Council Consent Agenda for approval of the recommended penalty.

Sincerely,

Stephen Earnest
Assistant City Attorney
License No.: 0402652



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

cc: 1188 Rice St LLC, 1200 Rice Street, Saint Paul, MN 55117
Lisa Theis, Executive Director, Greater East Side Community Council, 1365 Prosperity
Avenue, Saint Paul, MN 55106

Attachments: Inspector's Report
List of Tobacco Products Found on License Premises
Licensee information on Eclips System
License Group Comments Text
STAMP – Ownership/Zoning Information
Photos of Tobacco Products



Inspector's Report

Inspectors Name: Joseph Voyda

Date & Time: 5/6/2022 - 12pm

Staff Member's Name: Karim Allal

Business/DBA Name: Premium Stop

Property Address: 1529 White Bear Avenue North

Reason for Visit: Complaint Inspection

Observations: Hidden contraband with the intent to sell Flavored Tobacco Products

Photos Taken: ☒ Yes ☐ No – Area(s) of where the Photo(s) where 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 6, 2022 at 10am I spoke with the clerk Karim Allal, 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. I asked Karim to contact the owner to inform him that a DSI inspector was present for a complaint inspection.

Karim called the owner Bilal Alsadi (owner of other tobacco license locations within Saint Paul) Bilal explained to me over the phone that I could not inspect the premises to include the office under any circumstances, I stated to him, "let me get this straight, you are denying a DSI Inspector of conducting an inspection of your license business?" Bilal stated, "No, No go right ahead and inspect its just that I have a lot of money in my office." I stated, "Not to worry Karim (clerk) will be here watching me."

Hidden in two file cabinets, multiple flavor tobacco product violations (See Attached Photos – 16 Total). I asked Karim if there were any other flavor products that were present or hidden, Karim responded, "I don't know, are you done now, Bilal wants me to close the store and come immediately to his product shop in Maplewood". I showed and explained to Karim what the flavor violations were discovered and advised him to have Bilal call his distributor for a pickup.

Types of flavored tobacco products found: 17 boxes of 'Dutch' - Sweet Fusion

1 box of 'Dutch'- Blue Dream Fusion

3 boxes of 'Dutch'- Honey Fusion

1 box of 'Dutch'- Berry Fusion

2 boxes of 'White Owl'-White Grape

1 box of 'Backwoods'-Dark Stout

2 boxes of 'Backwoods'-Black Russian

1 box of 'Backwoods'-Russian Cream

1 Box of 'Black & Mild'-Wine + 4 Packs

2 logs of 'Grizzly'-Wintergreen

1 log of 'Copenhagen'-Wintergreen

4 vape pens of 'LOON MAXX'- Blue Lightning

5 Vape Pens of 'LOON MAXX'-Iced Guava

and

43 Packs of 'Newport' Cigarettes

Properties For License 1529 WHITE BEAR AVE N

Licensee: HANA CO
 DBA: PREMIUM STOP

License Licensee Lic. Types Insurance Bond Requirements

Licensee Name: HANA CO
 DBA: PREMIUM STOP
 Sales Tax Id: ***** Non-Profit: ☐ Worker's Comp: 01/01/2022
 AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000
 AA Fee Collected: 00/00/0000 Discount Rec'd: ☐

Other Agency Licenses Financial Hold Reasons

Other Licensing Agency Name / License Type	License #	Expiration	Reason	Active	Date

Contacts for this Licensee

Last Name	First Name	Title	Bus. Phone	Home Phone	Contact Address
ALSADI	BILAL	OWNER	(651) 793-5267	(952) 431-7111	1529 WHITE BEAR AV

Mail License To:
☒ Mail To Contact
☐ License Address

Mail Invoice To:
☒ Mail To Contact
☐ License Address

Background Check Required ☐

License # 030003402 Save Changes to History ☒

Properties For License 1529 WHITE BEAR AVE N

Licensee: HANA CO
 DBA: PREMIUM STOP

License Licensee Lic. Types Insurance Bond Requirements

Licensee Name: HANA CO
 DBA: PREMIUM STOP
 Sales Tax Id: ***** Non-Profit: ☐ Worker's Comp: 01/01/2022
 AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000
 AA Fee Collected: 00/00/0000 Discount Rec'd: ☐

Other Agency Licenses Financial Hold Reasons

Other Licensing Agency Name / License Type	License #	Expiration	Reason	Active	Date

Contacts for this Licensee

Contact Address	City	Zip	DOB	Last Check	Dr
1529 WHITE BEAR AVE	ST PAUL	55106	03/18/1967	12/12/2003	A42300

Mail License To:
☒ Mail To Contact
☐ License Address

Mail Invoice To:
☒ Mail To Contact
☐ License Address

Background Check Required ☐

License # 030003402 Save Changes to History ☒

License Group Comments Text

05/09/2022

Licensee: HANA CO

DBA: PREMIUM STOP

License #: 20030003402

07/27/2021 Youth compliance check pass KY
 6/1/19 Youth tobacco compliance check, pass.
 4/22/19 Tobacco compliance check, passed. ARM
 8/15/18 Tobacco Youth compliance check -Pass JNV
 4/23/2018 Menthol education / inspection Pass JNV
 06/30/2017 Passed Tobacco Compliance Check BLB
 07/29/2016 passed tobacco compliance check BLB
 08/13/2015 Passed Tobacco compliance check TPF
 07/30/2014 Sent delinquent letter. Response deadline date is August 20, 2014. ML
 07/01/2014 Tobacco comp check passed. JWF/akn
 08/16/2013 Passed tobacco comp. re-check. JWF
 07/17/2013 Submitted refund of \$487.00 for Grocery-C and Restricted Food Svc licenses. LAB
 05/31/2013 Rcvd \$50.00 from Nazir Alsadi, clerk, for cig sales violation. AMW
 05/29/2013 Rcvd \$200.00 for cig sales violation. AMW
 05/15/2013 Sent fine letters for Business and Clerk (Nazir M. Alsadi). \$200 & \$50 fines due 5/31/13. LAB
 05/01/2013 Council file #13-603 imposes \$200 matrix penalty for 03/20/2013 tobacco sales to minor, payment due within 30 days. JWF
 03/20/2013 Notice of Violation from CAO for tobacco compliance failure. Given to 04/01/2013 to respond. CAR
 03/17/2013 To CAO for adverse action. CAR
 03/14/2013 failed tobacco compliance check.First violation. \$200 matrix penalty. CAR/ TPF
 03/12/2012 Passed tobacco compliance check. PF
 03/25/2011 Passed tobacco compliance check. PF
 10/21/2010 Passed tobacco compliance check. TF
 07/28/2010 Passed cig. comp.ck.KS
 06/22/2009 Passed tobacco compliance check. JWF
 10/23/2008 passed cig.comp.ck.KS
 08/29/2007 Passed cigarette compliance check. JWF
 06/15/2006 passed Comp. ck.KS
 07/19/2005 Passed tobacco compliance check. RDH
 11/03/2004 Passed tobacco compliance check. RDH
 10/22/2003 record check ok. ks/caa
 10/13/2003 Have received no objections against the gas station license by notification date per Marcia Moermond / license approved. caa
 09/16/2003 Record check to CAO for review. CAR
 09/10/2003 Notification response date 10/10/2003, notices mailed 10/10/2003; 58M & 37EM.JL
 08/21/2003 letter sent for req not yet met. Response due 08/27/2003. caa

STAMP - Ownership / Zoning Information

[New Search](#)

[Help using this report](#)

Run Date: 05/09/22 09:52 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

1529 White Bear Ave N - Premium Stop - 55106-1605 - [Other Applications](#)

PIN: 222922140021

Census Track: 30703 **Census Block:** 2007

Council Ward: 6 **District Council:** 2

Year Built:

Foundation Sq Feet: **Loan Company:**

Land Value: 157600 **Building Value:** 135200

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

ISP: **Units:** 0

Zoning: B2 / General: HV Hillcrest Village / Sign (Split): SSD-WBA White Bear Ave/outside of sign zoning

Legal Desc: J A HUMPHREYS' SUBDIVISION A J A HUMPHREYS' SUBDIVISION A N 1/2 OF VAC ALLEY ADJ AND FOL LOTS 1 2 AND E 18 FT OF LOT 3 BLK 2

Owner:

1188 Rice St Llc
1200 Rice St
St Paul MN 55117-4903

Tax Owner:

1188 Rice St Llc
1200 Rice St
St Paul MN

Certificate of Occupancy Responsible Party:

Bilal Alsadi
Premium Stop
1529 White Bear Ave N
St Paul MN 55106
651-793-5267

AROMA
REWARDS
PACK CODE INSIDE

AROMA
REWARDS

PACK CODE INSIDE • SEE BACK FOR DETAILS

Black
& Mild[®]



WINE

PIPE-TOBACCO
CIGARS

WARNING:
Cigars are not a
safe alternative
to cigarettes.



SWEETER
LEAF
ORIGINAL

AROMA
REWARD
PACK CODE INSIDE SEE BACK

Black
& Mild

WINE
PIPE-TOBACCO
CIGARS

WARNING:

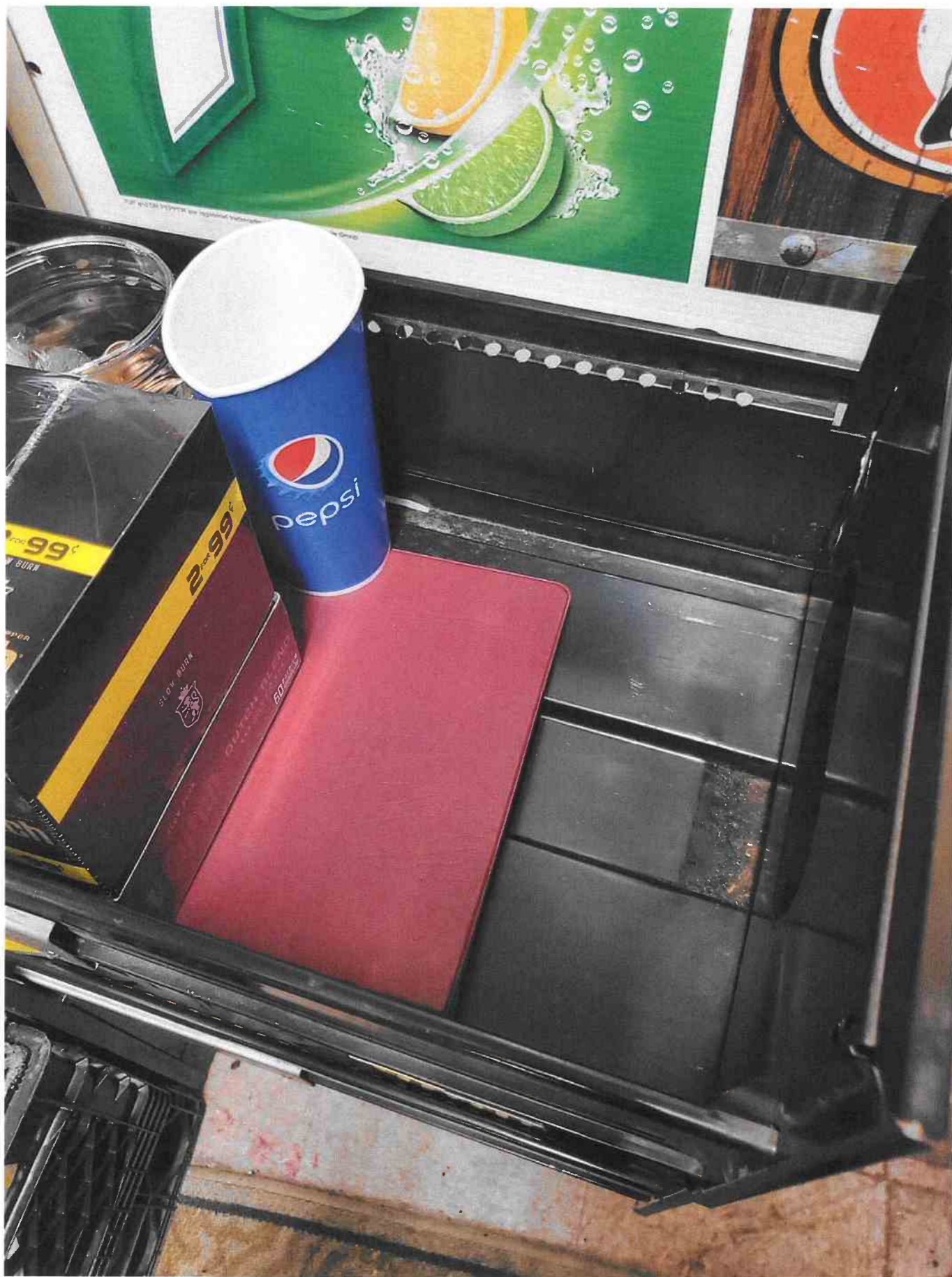
WA Cigars are not a
Cigar safe alternative
safe a to cigarettes.

are not a
safe alternative
to cigarettes.













is not a safe alternative

WINTERGREEN

Copenhagen®

POUCHES

100% AMERICAN TOBACCO FreshCope.com SMOKELESS TOBACCO

SATISFACTION SINCE 1822

WARNING: This product
can cause gum disease







Middleton's
BLACK & MILD
SWEETS
\$1.19 EACH PROMO
25 PILL-TOMATO CIGARS

Middleton's
BLACK & MILD
SWEETS
\$1.19 EACH PROMO
25 PILL-TOMATO CIGARS



SLOW BURN
NATURAL LEAF WRAPPER
Dutch
BY DUTCH MASTERS
SWEET FUSION
PREMIUM
60 CIGARETTES

SLOW BURN
NATURAL LEAF WRAPPER
Dutch
2 FOR 99¢

SLOW BURN
NATURAL LEAF WRAPPER
Dutch
SWEET FUSION
2 FOR 99¢

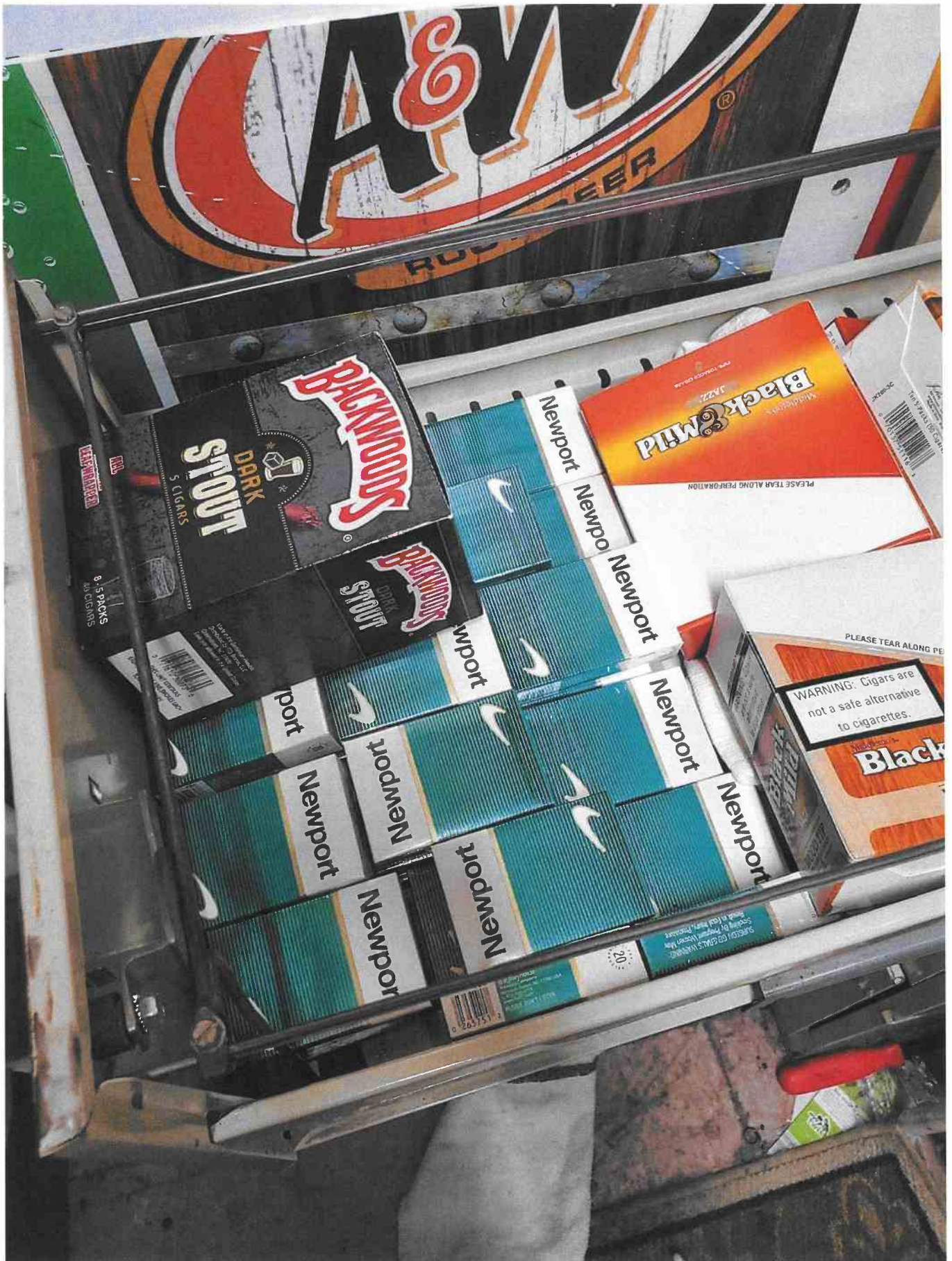
SLOW BURN
NATURAL LEAF WRAPPER
Dutch
DUTCH BLEND
2 FOR 99¢

Middletown's
BLACK & MILD
SWEET FUSION
60 CIGARETTES

Middletown's
BLACK & MILD
SWEET FUSION
60 CIGARETTES

PLEASE TEAR ALONG PERFORATION











WARNING: This product contains tobacco-free nicotine. Nicotine is an addictive chemical.

WARNING: This product contains tobacco-free nicotine. Nicotine is an addictive chemical.

