



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

January 10, 2014

NOTICE OF INTENT TO DENY LICENSE

Ray Thompson, CEO
Brag Auto Sales
1205 University Avenue West
Saint Paul, MN 55104

RE: Second Hand Dealer – Motor Vehicle license application submitted by Buy Right Auto Group, LLC d/b/a Brag Auto Sales for the premises located at 1205 University Avenue in Saint Paul
License ID #: 20130005287

Dear Mr. Thompson:

The Department of Safety and Inspections will recommend denial of the Second Hand Dealer – Motor Vehicle license application submitted by Buy Right Auto Group, LLC d/b/a Brag Auto Sales for the premises located at 1205 University Avenue in Saint Paul. The basis for the recommendation is based on the following information:

On November 22, 2013, you submitted an application for a Second Hand Dealer – Motor Vehicle license with the Department of Safety and Inspections (DSI). A criminal history check was done as a routine part of the application process. At that time, DSI discovered that you were convicted on October 3, 2005 for Felony Transportation of Person to Engage in Prostitution (18 U.S.C. Section 2421). You were sentenced to sixty-five (65) months in prison and three (3) years of supervised release. As of this time, it does not appear that you have completed your supervised release. Further, it appears that you have violated the terms of your supervised release by failing to report contact with law enforcement, and failing to report vehicles driven or owned by you.

These circumstances relate directly to the license for which you have applied. Saint Paul Legislative Code § 310.06 (b) (10) provides the following basis for license denial: *“The licensee or applicant has shown by past misconduct or unfair acts or dealings: physical abuse, assaults or violent actions done to others, including, but not limited to, actions meeting the definition of criminal sexual conduct pursuant to Minnesota Statutes sections 609.342 through 609.3451; sexual abuse, physical abuse or maltreatment of a child as defined in Minnesota Statutes section 626.556, subdivisions 2 and 10e, including, but not limited to, acts which constitute a violation of Minnesota Statutes sections 609.02, subdivision 10; 609.321 through 609.3451; or 617.246; neglect or endangerment of a child as defined in Minnesota Statutes section 626.557, subdivision 2; the manufacture, distribution, sale, gift, delivery, transportation, exchange or barter of a controlled substance as defined in Minnesota Statutes chapter 152; the possession of a controlled substance as defined in Minnesota Statutes chapter 152 in such quantities or under circumstances giving rise to a reasonable inference that the possession was for the purpose of sale or distribution to others; or by the abuse of alcohol or other drugs, that such licensee or applicant is not a person of the good moral character or fitness required to engage in a licensed activity, business or profession.”*

At this time, you have three options to proceed:

1. If you wish to admit the facts but you contest the denial of your license, 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 no later than **Monday, January 20, 2014**. The matter will then be scheduled before the City Council for a public hearing to determine whether to deny your Second Hand Dealer – Motor Vehicle license. You will have an opportunity to appear before the Council and make a statement on your own behalf.
2. If you dispute the facts outlined above, or wish to present evidence that you have been rehabilitated pursuant to Minn. Stat. §364.01 et seq, you may request a hearing before an Administrative Law Judge (ALJ). I will need to receive your letter no later than **Monday, January 20, 2014**. 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.

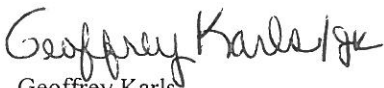
Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code § 310.05 (k).

3. You may withdraw your license application. Send a written statement to that effect to the Department of Safety and Inspections (DSI), 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, January 20, 2014**. Information should be directed to the attention of Kristina Schweinler. Any request for a refund of the license application fee must also be made in writing to the Department of Safety and Inspections.

If you have not contacted me or DSI by Monday, January 20, 2014, I will assume that you do not contest the denial of your Second Hand Dealer – Motor Vehicle 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,



Geoffrey Karls
Assistant City Attorney

cc: Kristina Schweinler, Senior License Inspector
Ray Thompson, 6412 – 83rd Court North, Brooklyn Park, MN 55445
Michael Jon Olson, Executive Director, Hamline Midway Coalition, 1558 Minnehaha Avenue West
Saint Paul, MN 55104-1264

STATE OF MINNESOTA)
) ss.)

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

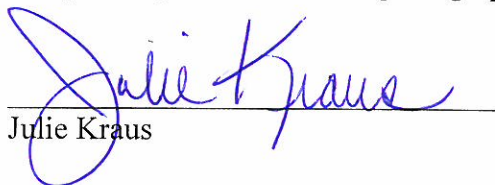
Julie Kraus, being first duly sworn, deposes and says that on the 10th day of January she served the attached **NOTICE OF INTENT TO DENY LICENSE** and correct copy thereof in an envelope addressed as follows:

Ray Thompson, CEO
Brag Auto Sales
1205 University Avenue West
Saint Paul, MN 55104

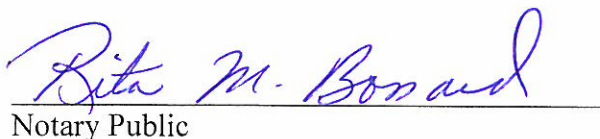
Ray Thompson
6412 – 83rd Court North
Brooklyn Park, MN 55445

Michael Jon Olson, Executive Director
Hamline Midway Coalition
1558 Minnehaha Avenue West
Saint Paul, MN 55104-1264

(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 10th day of January, 2014


Notary Public

