



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

August 12, 2014

NOTICE OF INTENT TO SUSPEND LICENSES

Saykham Sengmavong  
Family Lao – Thai Restaurant  
501 University Avenue West  
Saint Paul, MN 55103

RE: Wine On Sale and Malt On Sale (Strong) licenses held by Saykham Sengmavong d/b/a Family Lao-Thai Restaurant for the premises located at 501 University Avenue West in Saint Paul  
License ID #0022082

Dear Saykham Sengmavong:

The Department of Safety and Inspections (DSI) will recommend suspension of the Wine On Sale and Malt On Sale (Strong) licenses held by Saykham Sengmavong d/b/a Family Lao-Thai Restaurant for the premises located at 501 University Avenue West in Saint Paul. The basis for the recommendation is as follows:

**On July 3, 2014, the Department of Safety and Inspections (DSI) sent you an e-mail requesting the following information in order to renew your Wine On Sale and Malt On Sale (Strong) licenses: 1) a current Certificate of Liquor Liability insurance; 2) a copy of gross sales receipts for food and beverages; 3) a copy of your Tax ID or Social Security number and 4) a signed State Certification form.**

**According to DSI records, you submitted a copy of gross sales receipts for food and beverages, a Tax ID number and a liquor liability insurance certificate but not the signed State Certification form. Upon further review of the liquor liability insurance certificate you submitted showed there was a lapse in coverage from June 29, 2014 through July 17, 2014.**

**In a second e-mail sent to you on July 29, 2014, DSI requested proof of liquor liability coverage from June 29, 2014 through July 17, 2014. You responded to the email indicating that you would be unable to provide that information due to switching insurance companies and miscommunication with your previous insurance agent.**

**Failure to provide a current Certificate of Liquor Liability insurance without a lapse in coverage is a violation of Saint Paul Legislative Code § 409.26 (b)(12); therefore, the licensing office will recommend a ten (10) day suspension of your Wine On Sale and Malt On Sale (Strong) licenses.**

At this time, you have two (2) options to proceed:

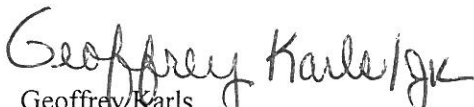
1. If you wish to admit the facts but you contest the penalty, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing. I will need to receive your letter by **Friday, August 22, 2014**. The matter will then be scheduled before the City Council for a public hearing to determine whether to impose a ten (10) day suspension of your Wine On Sale and Malt On Sale (Strong) licenses. 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, 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 **Friday, August 22, 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 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).

**If you have not contacted me or DSI by Friday, August 22, 2014, I will assume you are not contesting the ten (10) day suspension of your Wine On Sale and Malt On Sale (Strong) licenses. 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: Dan Niziolek, Deputy Director – DSI  
Saykham Sengmavong, 11240 Utica Avenue South, Bloomington, MN 55437-3336  
Sam Buffington, Community Organizer, Frogtown Neighborhood Association (District 7)  
685 Minnehaha Avenue West, Saint 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 12<sup>th</sup> day of August she served the attached **NOTICE OF INTENT TO SUSPEND LICENSES** and correct copy thereof in an envelope addressed as follows:

Saykham Sengmavong  
Family Lao – Thai Restaurant  
501 University Avenue West  
Saint Paul, MN 55103

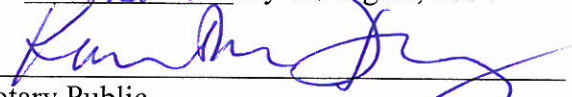
Saykham Sengmavong  
11240 Utica Avenue South  
Bloomington, MN 55437-3336

Sam Buffington, Community Organizer  
Frogtown Neighborhood Association (District 7)  
685 Minnehaha Avenue West  
Saint 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

Subscribed and sworn to before me  
this 12<sup>th</sup> day of August, 2014

  
\_\_\_\_\_  
Notary Public

