

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 10th day of June, he served the attached **NOTICE OF VIOLATION AND REQUEST FOR REVOCATION OF YOUR CIGARETTE/TOBACCO LICENSE** and a correct copy thereof in an envelope addressed as follows:

MJ Market Inc.
922 Thomas Avenue
Saint Paul, MN 55104
Attn: Majid Nitaishoon

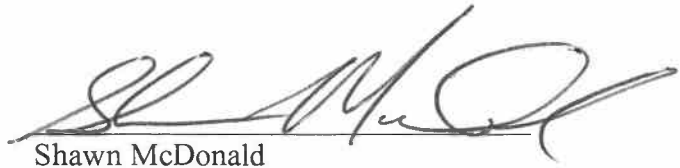
Majid Nitaishoon
466 82nd Avenue NE
Spring Lake Park, MN 55432

Anas Tel
4456 Van Buren Street NE
Columbia Heights, MN 55421

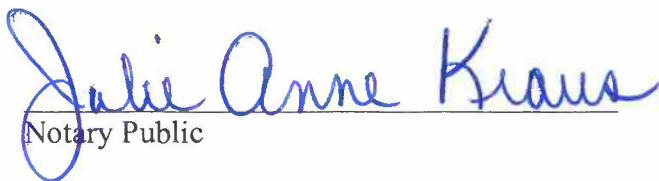
Caty Royce, Co-Executive Director
Frogtown Neighborhood Association
501 Dale Street,
Saint Paul, MN 55117

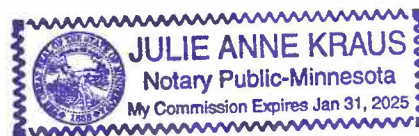
Tia Williams, Co-Executive Director
Frogtown Neighborhood Association
501 Dale Street
Saint Paul, MN 55117

(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 10th day of June 2022


Notary Public





SAINT PAUL
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY
LYNDESEY 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 10, 2022

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

MJ Market Inc.
922 Thomas Avenue
Saint Paul, MN 55104
Attn: Majid Nitaishoon

RE: Cigarette/Tobacco license held by MJ Market Inc. for the premises located at 922 Thomas Avenue in Saint Paul.
License ID #: 20210001131

Dear Licensee:

The Department of Safety and Inspections (the "Department") is recommending adverse action against the Cigarette/Tobacco license held by MJ Market Inc. for the premises located at 922 Thomas Avenue in Saint Paul (the "Licensed Premises") for a second appearance due to a flavored tobacco product violation.

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 menthol or flavored tobacco products. Under section 324.10(b)(2), the presumptive penalty for a second violation within a 24-month period is revocation of the license.

Records from the Department show that on August 3, 2021, during a youth compliance check conducted at the Licensed Premises, a store clerk sold tobacco products to an individual who was less than twenty-one (21) years old, in violation of local ordinance.

CITY OF SAINT PAUL
MELVIN CARTER, MAYOR

STPAUL.GOV

The Saint Paul City Attorney's Office does not discriminate
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.



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 August 3, 2021, during a Department-conducted youth compliance check, an individual who was less than twenty-one (21) years old successfully purchased tobacco products from the Licensed Premises. Based on these findings, the Department recommended adverse action against your Cigarette/Tobacco license and the imposition of a \$300 fine. By paying the \$300 fine, you admitted to the violation.

On May 6, 2022, a Department inspector went to the Licensed Premises for a complaint inspection. The inspector spoke with the store clerk, Ahmed Aizadgir, and informed him that the Department received a complaint of the business selling flavored tobacco products. During the inspection, the inspector observed and documented with photographs multiple flavored tobacco products located behind the counter/cash register. After the inspection, the inspector educated the clerk on these violations and advised him 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 24, 2022**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the City Council Consent Agenda for revocation of your license.

2. If you wish to admit the facts but you contest the penalty of 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 24, 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.



SAINT PAUL
CITY ATTORNEY

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3. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (the "ALJ"). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **June 24, 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 the public hearing, 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 24, 2022, I will assume that you do not contest the revocation of your license. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.

Sincerely,

Stephen Earnest
Assistant City Attorney
License No.: 0402652

cc: Majid Nitaishoon, 466 82nd Avenue NE, Spring Lake Park, MN 55432
Anas Tel, 4456 Van Buren Street NE, Columbia Heights, MN 55421
Caty Royce, Co-Executive Director, Frogtown Neighborhood Association, 501 Dale Street, Saint Paul, MN 55117
Tia Williams, Co-Executive Director, Frogtown Neighborhood Association, 501 Dale Street, Saint Paul, MN 55117

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

CITY OF SAINT PAUL
MELVIN CARTER, MAYOR

STPAUL.GOV

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in the delivery of services or employment practices.



Inspector's Report

Inspectors Name: Joseph Voyda

Date & Time: 5/6/2022 - 11:30pm

Staff Member's Name: Ahmad Aizadgir

Business/DBA Name: MJ Market INC

Property Address: 922 Thomas Avenue

Reason for Visit: Complaint Inspection

Observations: Selling Flavored Tobacco Products

Photos Taken: ☒ Yes ☐ No – Area(s) of where the Photo(s) were 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 11:30pm I spoke with the clerk Ahmad Aizadgir 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.

In plain sight located behind the counter/cash register were multiple flavor tobacco product violations (See Attached Photos – 9 Total). I asked Ahmad if there were any other flavor products that were present or hidden, Ahmad response was “no not that I am aware of”. Continuing the inspection, I advised Ahmad to move all products that where flavor violation into the back storge room/locked bathroom and advised him to have Majid Nitaishoon (owner) call the distributor for a pickup. I educated Ahmad on the flavor violations that were discovered.

Types of flavored tobacco products found: 2 boxes of 'Dutch' - Sweet Fusion, 2 cartons 'American Spirits' - Black, 1 box of individual singles for sale of 'Black & Mild'-Wine, 1 box of individual singles for sale of 'Black & Mild'- Casino black tip, 1 box of individual singles for sale of 'Black & Mild'- Casino wood tip and 31 different variations of Vape Pens.

Properties For License 922 THOMAS AVE

Pay Print Warn Hist Summ

Licensee MJ MARKET INC
DBA MJ MARKET INC

License

Licensee

Lic. Types

Insurance

Bond

Requirements

Licensee Name: MJ MARKET INC Browse...

DBA: MJ MARKET INC Properties...

Sales Tax Id: ***** Non-Profit: ☐ Worker's Comp: 00/00/0000

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

Other Licensing Agency Name / License Type	License #	Expiration

Financial Hold Reasons

Reason	Active	Date

Contacts for this Licensee

Last Name	First Name	Title	Bus. Phone	Home Phone	Contact Address
NITAISHOON	MAJID	OWNER	(612) 669-8387		922 THOMAS AVE
			(612) 669-8387		466 82ND AVE NE

Background Check Required ☐

Contact Properties...

Mail License To:

☒ Mail To Contact

☐ License Address

Mail Invoice To:

☒ Mail To Contact

☐ License Address

License # 210001131

Save Changes to History ☒

OK Cancel Help

Properties For License 922 THOMAS AVE

Pay Print Warn Hist Summ

Licensee MJ MARKET INC
DBA MJ MARKET INC

License

Licensee

Lic. Types

Insurance

Bond

Requirements

Licensee Name: MJ MARKET INC Browse...

DBA: MJ MARKET INC Properties...

Sales Tax Id: ***** Non-Profit: ☐ Worker's Comp: 00/00/0000

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

Other Licensing Agency Name / License Type	License #	Expiration

Financial Hold Reasons

Reason	Active	Date

Contacts for this Licensee

Contact Address	City	Zip	DOB	Last Check	Dr
922 THOMAS AVE	ST PAUL	55104	00/00/0000	00/00/0000	
466 82ND AVE NE	SPRING LAKE PARK	55432	05/01/1978	00/00/0000	

Background Check Required ☐

Contact Properties...

Mail License To:

☒ Mail To Contact

☐ License Address

Mail Invoice To:

☒ Mail To Contact

☐ License Address

License # 210001131

Save Changes to History ☒

OK Cancel Help

License Group Comments Text

05/09/2022

Licensee: MJ MARKET INC

DBA: MJ MARKET INC

License #: 20210001131

10/06/2021 \$300 fine paid. SLH

8/24/2021 Sent to the CAO for a TYCC for a \$300 & \$50 fine to the clerk from an inspection held on 8/3/2021 JNV

08/13/2021 Sent to JNV for AA review KY

8/03/2021 Youth Tobacco compliance fail KY

6/28/2021 Received tobacco acknowledgment form for hand out JNV

6/28/2021 Sent the Acknowledgment form for the c/t handout JNV

6/28/2021 Sent license conditions to applicant for signature JNV

License Group Conditions Text

05/09/2022

Licensee: MJ MARKET INC

DBA: MJ MARKET INC

License #: 20210001131

1, Temporary window signs placed between the height of four (4) to seven (7) feet above grade shall not cover more than thirty (30) percent of this window space area and cannot block views into the clerk or cashier station.

STAMP - Ownership / Zoning Information

[New Search](#)

[Help using this report](#)

Run Date: 05/09/22 11:46 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

922 Thomas Ave - Super Convenient Store - 55104-2634 - [Other Applications](#)

PIN: 352923240108

Census Track: 32500

Census Block: 4004

Council Ward: 1 **District Council:** 7

Year Built:

Foundation Sq Feet:

Loan Company: 90
Western Ba

Land

Value: 25400

Building

Value: 168200

Existing Primary Use: C-
Grocery/Convenience Store

Legality of Use: Legal Non-Conforming

**Occupancy
Group
Type:** M

Units:

Zoning: RT1

Legal Desc: FRANKLIN ADDITION TO,ST. PAUL, FRANKLIN ADDITION TO,ST. PAUL, LOT 1 BLK 1

Owner:

Anas Tel
4456 Van Buren St Ne
Columbia Heights MN 55421-2951
763-670-1993

Tax Owner:

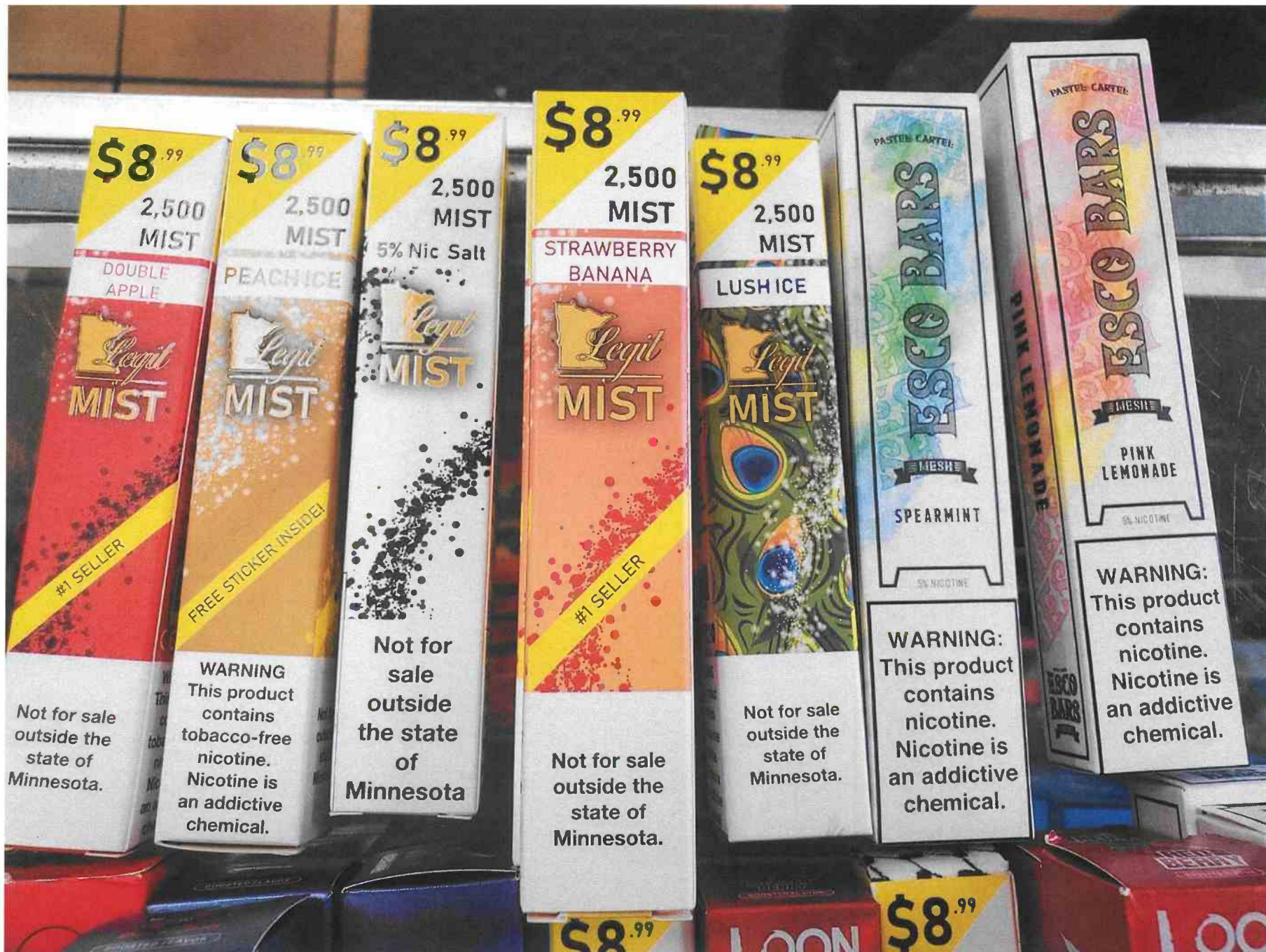
Anas Tel
4456 Van Buren St Ne
Columbia Heights MN

Certificate of Occupancy Responsible Party:

Abul Tel
4456 Van Buren St NE
Columbia Heights MN 55421







\$8.99

2,500
MIST

DOUBLE
APPLE

Legit
MIST

#1 SELLER

Not for sale
outside the
state of
Minnesota.

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

\$8.99

2,500
MIST

PEACH ICE

Legit
MIST

FREE STICKER INSIDE!

Not for
sale
outside
the state
of
Minnesota

\$8.99

2,500
MIST

5% Nic Salt

Legit
MIST

\$8.99

2,500
MIST

STRAWBERRY
BANANA

Legit
MIST

#1 SELLER

Not for sale
outside the
state of
Minnesota.

\$8.99

2,500
MIST

LUSH ICE

Legit
MIST

Not for sale
outside the
state of
Minnesota.

PASTEL CARTON

ESCO BARS

MESH

SPEARMINT

5% NICOTINE

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

PASTEL CARTON

ESCO BARS

MESH

PINK
LEMONADE

5% NICOTINE

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

\$8.99

\$8.99



2 FOR 99¢

SLOW BURN



NATURAL LEAF WRAPPER

Dutch

BY DUTCH MASTERS

2 FOR 99¢

SWEET FUSION
*** RED ***

SURGEON GENERAL WARNING:
Tobacco Use Increases The Risk
Of Infertility, Stillbirth, And
Low Birth Weight.

2 FOR 99¢

SLOW BURN

NATURAL LEAF WRAPPER

Dutch

BY DUTCH MASTERS

SWEET FUSION

*** RED ***

Time
Re-Or

2 FOR 99¢

SWEET FUSION
*** RED ***

SURGEON GENERAL WARNING:
Tobacco Use Increases The Risk
Of Infertility, Stillbirth, And
Low Birth Weight.

NET WT 12 LB 15 OZ (3.6 OZ) (952g)

