

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 26<sup>th</sup> day of December, he served the attached **NOTICE OF INTENT TO SUSPEND LICENSE** and a correct copy thereof in an envelope addressed as follows:

Adam Tafel  
416 Stryker Avenue  
Saint Paul, MN 55107

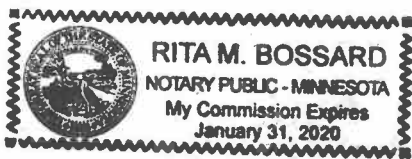
Monica Bravo, Executive Director  
West side Community Organization  
209 Page Street West  
Saint Paul, MN 55107

(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 26<sup>th</sup> day of December 2019

  
Notary Public





CITY OF SAINT PAUL  
Mayor Melvin Carter

Civil Division  
400 City Hall  
15 West Kellogg Blvd.  
Saint Paul, Minnesota 55102

Telephone: 651 266-8710  
Facsimile: 651 298-5619

December 26, 2019

## NOTICE OF INTENT TO SUSPEND LICENSES

Adam Tafel  
416 Stryker Avenue  
Saint Paul, MN 55107

RE: Short-Term Rental (Owner Occupied) license held by Adam Tafel for the premises located at 416 Stryker Avenue in Saint Paul  
License ID #: 201800013008

Dear Licensee:

The Department of Safety and Inspections ("Department") will recommend suspension of the Short-Term Rental (Owner Occupied) license held by Adam Tafel ("Licensee") for the premises located at 416 Stryker Avenue in the City of Saint Paul.

The Department asserts the following facts along with attachments herein constitute proof of a violation of Saint Paul Legislative Code §310.05 (m) (8) by a preponderance of the evidence.

**On August 16, 2019, you were sent a letter and RENEWAL INVOICE from the Department of Safety and Inspections indicating your Short-Term Rental license fees were now delinquent.**

**You were told to pay the delinquent license and late fees by September 6, 2019 or adverse action would be taken. As of today, we have not heard from you.**

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 **Friday, January 10, 2020**, 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 approval of the proposed remedy.
2. You can pay the delinquent Short-Term Rental license and late fees. **If this is your choice, you need to contact the Department of Safety and Inspections (651) 266-8989 to determine the 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 **Friday, January 10, 2020**. A self-addressed envelope is enclosed for your convenience. Payment of the delinquent Short-Term Rental license and late fees will be considered 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 by **Friday, January 10, 2020**. The matter will then be scheduled before the City Council to determine whether to suspend your Short-Term Rental license. 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 complete and return the attached REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, January 10, 2020**.

**If you have not contacted me by Friday, January 10, 2020, I will assume that you do not contest the suspension of your Short-Term Rental 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 Shawn McDonald, my Legal Assistant at (651) 266-8729.

Sincerely,



Therese Skarda  
Assistant City Attorney  
License No. 0240989

Cc: Monica Bravo, Executive Director, West side Community Organization, 209 Page Street West, Saint Paul, MN 55107  
Adam Tafel, Owner, 416 Stryker Avenue, Saint Paul, MN 55107

Attachments: August 16, 2019 letter with attached Renewal Invoice  
Screenshot from Eclips System  
REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL  
Saint Paul Legislative Code § 310.05 (m)



CITY OF SAINT PAUL

375 Jackson Street, Suite 220  
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989  
Facsimile: 651-266-9124  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

**COPY**

August 16, 2019

Adam Tafel  
416 Stryker Ave  
St Paul MN 55107

RE: License ID # 20180001308  
@ 416 Stryker Ave

Dear Licensee:

Our records indicate that the above referenced license(s) which were issued to you have expired and are now delinquent. Renewal of the license(s) is required if you intend to engage in the licensed activity within the City of St Paul.

**You must complete the renewal of your license(s) by Sep 6, 2019 or we may submit your delinquent/expired license(s) to the City Attorney's office for adverse action.** To complete the renewal process, submit to this department payment of the renewal fee (including any late fees) and all required supporting documentation as stated on the enclosed invoice.

For your convenience, a copy of the referenced invoice and a self-addressed return envelope is enclosed. If you are no longer working within the City of Saint Paul, please advise our office of that information in writing.

If you have questions regarding this notice, or wish to dispute that your license is delinquent/expired, please contact our office at 651-266-8989, Monday through Friday, between 8:00 AM and 4:30 PM.

Sincerely,

Eric Hudak  
Licensing Manager  
Department of Safety and Inspections

Enclosure(s)



# Renewal Invoice

**CITY OF SAINT PAUL**

Check this box if making any name, mailing address or phone # corrections. Please write the changes on this form. If your business license address is changing, please request a new business license application

Department of Safety and Inspections  
 375 Jackson Street, Suite 220  
 Saint Paul, MN 55101-1806  
 PHONE: (651) 266-8989  
 FAX: (651) 266-9124  
 An Equal Opportunity Employer

August 16, 2019

**COPY**

ADAM TAFEL  
 416 STRYKER AVE  
 ST PAUL MN 55107

**Invoice # : 1048614**

Invoice Due Date : Upon Receipt

Account Balance: \$40.00

**Pay this Amount: \$40.00**

**Transaction Description**

**Transaction Total**

180001308 Short-Term Rental (Owner Occupied) Expires: 04/16/2019  
 @ 416 STRYKER AVE

40.00

Requirements

**Invoice Amount Due: \$40.00**

The following must be signed and returned with your payment for your license to be renewed:

**AFFIDAVIT OF COMPLIANCE**

- \* I certify or declare under penalty of perjury under the laws of the State of Minnesota, that the following is true and correct. I understand all information provided is subject to verification. I understand that the City of Saint Paul is authorized to suspend or revoke a license renewed in error or on the basis of incorrect, inaccurate or any false statement or misrepresentation, or in violation of any City ordinance or State statute.
- \* I will maintain liability insurance of no less than \$300,000 dollars to cover the short-term rental use throughout the duration of the license or I will conduct each short-term rental transaction through a short-term rental platform that provides equal or greater coverage.
- \* I will maintain continued and full compliance with all Short-term rental host general provisions set forth in Saint Paul Legislative Code Sec. 379.07 throughout the duration of the license.
- \* I agree to provide the Department of Safety and Inspection with accurate information regarding the name and contact information for a Responsible Party. I understand that this Responsible Party must be available if I am outside of the 16 county metro area of Anoka, Carver, Chisago, Dakota, Goodhue, Hennepin, Isanti, Lesuer, Mcleod, Ramsey, Rice, Scott, Sherburne, Sibley, Washington or Wright.
- \* If I am a renter – I hereby certify that I have the consent of the property owner to utilize this property as a Short-term rental.
- \* If I rent a non-owner occupied dwelling unit – I will ensure the property has a valid Certificate of Occupancy.

\_\_\_\_\_  
 License Holder Name (printed)

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

Your Taxpayer Identification is on file. Thank you.

Please Give Us Your Email Address: \_\_\_\_\_

Please Return this invoice with your payment!

Licensee: ADAM TAFEL

DBA: ADAM TAFEL

License #: 20180001308

08/16/2019 Sent delinquent notice with 09/06/2019 deadline. DSE

05/01/2018 Approved. Using only Airbnb and VRBO.

04/23/2018 Sent email asking for insurance information. DE

Licensee: ADAM TAFEL  
 DBA: ADAM TAFEL

License | Licensee | Lic. Types | Insurance | Bond | Requirements

Property
  Licensee
  Unofficial

Street #: 416  
 Street Name: STRYKER  
 Street Type: AVE Direction:   
 Unit Ind:  Unit #:   
 City: ST PAUL  
 State: MN Zip: 55107  
 Ward: 2   
 Dist Council: 03

Project Facilitator: ROZEK, CHRISTINE  
 Adverse Action Comments

License Group Comments:  
 08/16/2019 Sent delinquent notice with 09/06/2019  
 deadline. DSE  
 05/01/2018 Approved. Using only Airbnb and VRBO.  
 04/23/2018 Sent email asking for insurance information.  
 DE

Licensee: ADAM TAFEL Licensee Comments:  
 DBA: ADAM TAFEL  
 Sales Tax Id: \*\*\*\*\* Bus Phone: ( ) -

License Type	Class	Effective	Expiration	Conditions	License Fee
Short-Term Rental (Owner Occupied)	R	04/16/2018	04/16/2019	N	\$40.00
Total:					\$40.00

REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL

I/We, \_\_\_\_\_, respectfully request to withdraw

the following license(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Application/Business address: \_\_\_\_\_

Reason(s) for request: \_\_\_\_\_

\_\_\_\_\_  
Applicant(s) Printed Name, Signature and Title Date

Please return this completed request by any of the following:

Mail Dept. of Safety and Inspections  
Attn: D. LaCasse  
375 Jackson St, Ste 220  
Saint Paul MN 55101

E-Mail [diane.lacasse@ci.stpaul.mn.us](mailto:diane.lacasse@ci.stpaul.mn.us)

FAX 651-266-9124

*Thank you*



Sec. 310.05. - Hearing procedures.

(m) *Presumptive penalties for certain violations.* The purpose of this section is to establish a standard by which the city council determines the amount of fines, the length of license suspensions and the propriety of revocations, and shall apply to all license types, except that in the case of a violation involving a liquor license § 409.26 shall apply where a specific violation is listed. In the case of an adverse action filed for a violation of chapter 331A, the licensee shall be given a fine for each individual violation of chapter 331A. The total fine amount for violations of chapter 331A may exceed the maximum fine outlined below due to multiple violations in one (1) appearance. All penalty recommendations for chapter 331A violations shall be based on the food penalty guideline referred to in chapter 331A. These penalties are presumed to be appropriate for every case; however the council may deviate therefrom in an individual case where the council finds and determines that there exist substantial and compelling reasons making it more appropriate to do so. When deviating from these standards, the council shall provide written reasons that specify why the penalty selected was more appropriate.

Type of Violation	Appearance			
	1st	2nd	3rd	4th
(1) Violations of conditions placed on the license	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation
(2) Violation of provisions of the legislative code relating to the licensed activity	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation
(3) Violation of provisions of the legislative code relating to the licensed activity, other than violations of the food code	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation
(4) Failure to permit entrance or inspection by DSI inspector or police	5-day suspension	10-day suspension	15-day suspension	Revocation
(5) Commission of a crime other than a felony on the premises by a licensee or employee	\$700.00	\$1,500.00	5-day suspension	Revocation
(6) Commission of a felony on the premises by a licensee or employee	\$2,000.00	Revocation	n/a	n/a

(7) Death or great bodily harm in establishment related to violation of law or license conditions	30-day suspension	60-day suspension	Revocation	n/a
(8) Failure to pay license fees	Suspension	Revocation		
(9) Critical violations under 331A	\$250.00	\$500.00	\$1,000.00, 5-day suspension	Revocation
(10) Non-critical violation under 331A	\$150.00	\$250.00	\$500.00	\$1,000.00
(11) Taxi fail to display driver's license as required by 376.16(f)	\$100.00	\$250.00	\$500.00	Revocation
(12) Taxi fail to display number of information and complaint office as required by 376.11(v)	\$100.00	\$250.00	\$500.00	Revocation
(13) Violation of restrictions upon sidewalk café license under 106.01(b)	\$200.00	\$400.00	\$800.00	Revocation

(i) *Fines payable without hearing.*

- A. Notwithstanding the provisions of section 310.05(c), a licensee who would be making a first or second appearance before the council may elect to pay the fine to the department of safety and inspections without a council hearing, unless the notice of violation has indicated that a hearing is required because of circumstances which may warrant deviation from the presumptive fine amount. Payment of the recommended fine will be considered to be a waiver of the hearing to which the licensee is entitled, and will be considered an "appearance" for the purpose of determining presumptive penalties for subsequent violations.
- B. For adverse action initiated under chapter 331A of this Code, a fine may be paid without a hearing regardless of how many prior appearances that licensee has made before the council. The above council hearing requirement applies to violations under chapter 331A unless the fine recommended by the department of safety and inspections is equal to or less than the fine amount outlined in the above matrix. Payment of the recommended fine will be considered to be a waiver of the hearing to which the licensee is entitled, and will be considered an "appearance" for the purpose of determining presumptive penalties for subsequent violations. A non-critical violation under chapter 331A shall not be considered an "appearance" for purposes of determining presumptive penalties for non-331A violations. A council hearing is required if the department of safety and inspections recommends a fine that is an upward departure for the amount outlined above.

- (ii) *Multiple violations.* At a licensee's first appearance before the city council, the council shall consider and act upon all the violations that have been alleged and/or incorporated in the notices sent to the licensee under the administrative procedures act up to and including the formal notice of hearing. The council in that case shall consider the presumptive penalty for each such violation under the "1st Appearance" column in paragraph (b) above. The occurrence of multiple violations shall be grounds for departure from such penalties in the council's discretion.
- (iii) *Violations occurring after the date of the notice of hearing.* Violations occurring after the date of the notice of hearing that are brought to the attention of the city attorney prior to the hearing date before an administrative law judge (or before the council in an uncontested facts hearing) may be added to the notice(s) by stipulation if the licensee admits to the facts, and shall in that case be treated as though part of the "1st Appearance." In all other cases, violations occurring after the date of the formal notice of hearing shall be the subject of a separate proceeding and dealt with as a "2nd Appearance" before the council. The same procedures shall apply to a second, third or fourth appearance before the council.
- (iv) *Subsequent appearances.* Upon a second, third or fourth appearance before the council by a particular licensee, the council shall impose the presumptive penalty for the violation or violations giving rise to the subsequent appearance without regard to the particular violation or violations that were the subject of the first or prior appearance. However, non-critical violations of chapter 331A shall not be counted as an "appearance" before the council in relation to any violation other than another violation of chapter 331A.
- (v) *Computation of time.*
  - (1) *Second appearance.* A second violation within twelve (12) months shall be treated as a second appearance for the purpose of determining the presumptive penalty.
  - (2) *Third appearance.* A third violation within eighteen (18) months shall be treated as a third appearance for the purpose of determining the presumptive penalty.
  - (3) *Fourth appearance.* A fourth violation within twenty-four (24) months shall be treated as a fourth appearance for the purpose of determining the presumptive penalty.
  - (4) Any appearance not covered by subsections (1), (2) or (3) above shall be treated as a first appearance. Measurement of the twelve-, eighteen-, or twenty-four-month period shall be as follows: The beginning date shall be the earliest violation's date of appearance before the council, and the ending date shall be the date of the new violation. In case of multiple new violations, the ending date to be used shall be the date of the violation last in time.
  - (5) Notwithstanding subsections (iv)(1), (2), (3) or (4) above, a second appearance before the council regarding a death or great bodily harm in a licensed establishment that is related to a violation of the law or license conditions shall be counted as a second appearance, regardless of how much time has passed since the first appearance if the first appearance was also regarding a death or great bodily harm in a licensed establishment. A third appearance for the same shall be counted as a third appearance regardless of how much time has passed since the first or second appearance.
  - (6) For the purpose of a second, third or fourth appearance under this section, "violation" shall mean either one of those violations listed in paragraph (m) or a violation of section 409.26(b).

(Code 1956, § 510.05; Ord. No. 17551, § 2, 4-19-88; Ord. No. 17559, §§ 1, 2, 5-17-88; Ord. No. 17659, § 1, 6-13-89; Ord. No. 17911, § 1, 3-10-92; C.F. No. 94-46, § 7, 2-2-94; C.F. No. 94-898, §§ 2, 3, 7-13-94; C.F. No. 94-1340, § 2, 10-19-94; C.F. No. 95-473, § 4, 5-31-95; C.F. No. 05-180, § 1, 4-6-05; C.F. No. 06-954, § 1, 11-8-06; C.F. No. 06-1072, § 1, 12-27-06; C.F. No. 07-149, § 73, 3-28-07; C.F. No. 07-1053, § 1, 11-28-07; C.F. No. 08-1208, § 1, 12-17-08; C.F. No. 10-665, § 1, 7-28-10; Ord. No. 11-93, § 1, 9-28-11; Ord. No. 11-94, § 1, 10-12-11; Ord 12-42, § 1, 8-22-12; Ord 12-85, § 1, 1-23-13)