



Legislation Text

File #: RES PH 11-923, **Version:** 1

Approving adverse action against Nader Nooryshokry d/b/a 3N Enterprise, 545 University Avenue West.

WHEREAS, adverse action was taken against all licenses held by Nader Nooryshokry d/b/a 3N Enterprise (License ID #20020006155) for the premises located at 545 University Avenue West in Saint Paul by Notice of Violation dated April 18, 2011, alleging during an inspection of the licensed premises on November 23, 2010, an inspector from the Department of Safety and Inspections (DSI) found three (3) license condition violations; and

WHEREAS, the licensee was given until December 30, 2010, to bring the licensed establishment into compliance with their license conditions; and

WHEREAS, the licensee contacted DSI to request an extension and was given until January 14, 2011 to correct the three (3) violations; and

WHEREAS, during a re-inspection of the premises on February 24, 2011, the DSI inspector found four (4) license condition violations, two (2) of which were cited during the November 23, 2010 inspection; and

WHEREAS, the two new violations make for a total of five (5) violations documented within a three month period; and

WHEREAS, the licensing office recommends deviation from the penalty matrix and requests a \$1,000 matrix penalty; and

WHEREAS, the number of violations, as well as the licensee's failure or refusal to correct two of them and come into compliance with their license conditions, are substantial and compelling reasons for deviation from the penalty matrix, and the imposition of a \$1,000 matrix penalty is more appropriate for those reasons; and

WHEREAS, licensee did respond to the Notice of Violation on April 25, 2011, to request a public hearing which was held on June 1, 2011; now, therefore, be it

RESOLVED, that Nader Nooryshokry d/b/a 3N Enterprise is hereby ordered to pay a \$1,000.00 matrix penalty for license condition violations cited during inspections on November 23, 2010 and February 24, 2011. Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.