Minneapolis
City of Lakes

Regulatory Services

250 South 4th Street – Room 400
Minneapolis MN 55415

Office 612-673-2449
Fax 612-673-3262
TTY 612-673-2157

October 12, 2012

Mark Koursh
1022 Getty Street
Sauk Centre, MN 56378

RE: Notice of Administrative Citation Hearing
RFS 12-0917330 dated June 03, 2012

Mr. Koursh:

We have received the Hearing Officer's determination regarding the above referenced appeal hearing. A copy of the decision is enclosed.

If a fine is owed and you are paying by check, make the check payable to the Minneapolis Finance Department. Please mail your payment to:

City of Minneapolis
Licenses and Consumer Services
350 South 5th Street, Room 1C
Minneapolis, MN 55415

Fines that remain unpaid for 30 days or more will be increased by 10% as a late payment fee. The unpaid fine may be assessed upon the property.

This ruling may be appealed to the Minnesota State Court of Appeals. You may contact them at (651) 297-7650.

If you have any questions regarding this process, please call me at (612) 673-2449.

Sincerely,

Christina Dowling
Legal Process Coordinator
Regulatory Services

cc: Ronald Martin – Business Licensing
Grant Wilson, Manager – Business Licensing
Twila Villella, Sergeant – Minneapolis Police Department

CITY OF MINNEAPOLIS
BEFORE THE ADMINISTRATIVE HEARING OFFICER
FOR THE DEPARTMENT OF REGULATORY SERVICES

In the matter of the Administrative Citation:

RFS 12-0917330
June 03, 2012

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Issued to:

Mark Koursh

Respondent.

The above entitled matter came on for hearing before Administrative Hearing Officer Fabian Hoffner on Wednesday, September 26, 2012, at 1:00 p.m. at Minneapolis City Hall, Room 310, Minneapolis, Minnesota. The City was represented by Pat Hilden, Business Licensing Supervisor, and Ronald Martin, Licensing Inspector. Respondent Mark Koursh ☑ was ☐ was not present in the Courtroom.

Based upon the entire record and testimony received, the Administrative Hearing Officer makes the following:

FINDINGS OF FACT

Respondent has been issued the following charges for which s/he received proper notice:

An Administrative Citation 12-0917330 dated June 03, 2012 for violation of Minneapolis Code of Ordinance 341.250. **Prohibited acts**. No taxicab driver shall:

> (9) Provide false information to or refuse to obey or to comply with any lawful order or direction of any police officer, traffic-control officer, or duly appointed inspector of the department, nor shall any licensee use profane language or otherwise interfere with such officials while in the performance of their duties.

For which the proscribed and recommended penalty is eight hundred dollars ($800.00)

☑ The Administrative Hearing Officer hereby adopts the facts as submitted by the City.

☐ The Administrative Hearing Officer hereby adopts the facts as submitted by the City with the following changes:

_____

_____

☐ The Administrative Hearing Officer rejects the facts as submitted by the City;

☐ The Administrative Hearing Officer hereby finds that the actual costs of enforcement have been shown to be greater than the amount of the scheduled fine.

☐ The Respondent is in default.

Based upon the foregoing Findings of Fact, the Administrative Hearing Officer makes the following:

CONCLUSIONS OF LAW

1. The City of Minneapolis Department of Regulatory Services and the Administrative Hearing Officer have subject matter jurisdiction pursuant to City Ordinance.
2. The Respondent was given timely and proper notice of the hearing in this matter.
3. The City has complied with all relevant substantive and procedural requirements of statute and rule.
4. The Administrative Hearing Officer has considered the duration, frequency of reoccurrence, seriousness, and history of the violation; the appellant's conduct after issuance of notice of hearing and good faith effort to comply; the impact of the penalty on the appellant and the impact of the violation on the community; the appellant's record of prior City code violations and other factors appropriate to a just result, and;
5. An order is in the public interest.

Based upon the foregoing Conclusions, the Administrative Hearing Officer makes the following:

ORDER

☐ Respondent shall pay to the City a civil penalty in the amount of $_____.00.

☐ $_____ is stayed pending the work is abated to the satisfaction of the City on or before _____.

☑ $800.00 imposed, $600.00 is stayed on the following conditions:

1. $200.00 is paid to the City within 60 days or by November 26, 2012;
2. The underlying $220.00 administrative citation is paid by September 26, 2012; and,
3. The Respondent attends and finishes an anger management course, and provides proof of that completion to the city within 60 days, or by November 26, 2012.

☐ _____ is stayed for a period of one year on condition there be no same or similar violations.

☐ This citation(s) is dismissed.

SO ORDERED.

By: _____
FABIAN HOFFNER
ADMINISTRATIVE HEARING OFFICER

Dated: Oct 12, 2012
Koursh 120917330

Minneapolis
City of Lakes

Regulatory Services Department

Licenses & Consumer Services Division

350 South 5th Street – Room 1C
Minneapolis MN 55415-1391

Office 612 673-2080
Fax 612 673-3399
TTY 612 673-2157

February 22, 2012

Please be advised that I, Mark Bradley Koursh, agree to pay $220 for the outstanding administrative citation #10-0776963, issued to me on July 9, 2010 for violation of Minneapolis Code of Ordinance 341.250(i). The City of Minneapolis agrees to stay the remaining balance of this citation ($220) for a period of 1 year, provided that I have no same or similar violations within that time period.

I understand that if I am found to be in violation of this or similar ordinances regarding the conduct of a Minneapolis licensed taxi driver with this time period, I will be responsible for paying the remaining balance of this citation, in addition to any other citation issued.

DATED the 23 day of FEB, 2012.

Mark Bradley Koursh
1022 Getty Street
Sauk Centre, MN 56378

SWORN to and subscribed before me, the 23 day of 23 February 2012.

NOTARY PUBLIC

My Commission Expires:

AMY MICHELLE DUNCAN
NOTARY PUBLIC-MINNESOTA
My Commission Expires
January 31, 2016

PAID
FEB 23 2012
BY: RJM

$220.00 - CASH