



Request for City Council Committee Action from the Department of Regulatory Services License Division

Date February 26, 2008
To Public Safety and Regulatory Services Chair Don Samuels
Subject Revocation of the food grocery, off-sale 3.2 beer and tobacco dealer's licenses of Elite List Corp, dba Elite Groceries, 324 W. 33rd St, Minneapolis, 55408.

Recommendation

The Business License Division recommends that the food grocery, off-sale 3.2 beer, and tobacco dealer's licenses of Elite List Corp, dba Elite Groceries, 324 W. 33rd St, Minneapolis, 55408, be revoked for failure to pay administrative fines for false alarms in the amount of \$900.

Prepared or Submitted by Leanne Selander, Inspector, Licenses and Consumer Services.
Ricardo Cervantes, Deputy Director, Licenses and Consumer Services.

Approved by

Ricardo Cervantes, Deputy Director of Licenses

Burt Osborne, Director of Licenses

Rocco Forte, Assistant City Coordinator

Policy Review Group (PRG) Not Applicable X

Presenters in Committee (Ricardo Cervantes, Deputy Director)

Financial Impact X No financial impact -or- Action is within current department budget

Background/Supporting Information Attached Evidence Packet

EVIDENCE PACKET FOR
REVOCAION HEARING AT PS&RS
MARCH 5, 2008
ELITE LIST CORP
DbA ELITE GROCERIES
324 W. 33RD ST MPLS 55408

ALLEGED ORDINANCE VIOLATION REPORT

Defendant's Name: Elayan S Abualfoul
Business Name: Elite List Corp
DBA: Elite Groceries
Business Address: 324 33rd St. W Mpls 55408
Violation Address: 324 33rd St. W Mpls 55408
Type of Licenses: Grocery, tobacco, 3.2 beer
Violation Notice 07-0604989
Alarm Fees due \$900
Chapter: 259.15
Violation: No license shall be granted, maintained, or renewed, for operation on any premises, on which taxes, assessments or other financial claims of the city or of the state are due, delinquent or unpaid.

Description of Violation:

3/13/07 Police respond to false alarm – no charge

3/22/07 Police respond to false alarm – no charge

6/15/07 Police respond to false alarm - \$200 charge

6/25/07 Police respond to false alarm - \$300 charge

7/05/07 Police respond to false alarm - \$400 charge

7/25/07 Police respond to false alarm - \$500 charge

Total: \$1400 charges

8/22/07 Police response to burglar alarms suspended. All proper notices sent to licensee for fees owed and the suspension of police response.

9/05/07 Nonpayment of Fees letter sent. Licensee advised failure to pay fees will result in negative license action which may include suspension or revocation of license. Due date: 9/14/07

9/11/07 Payment plan set up at request of licensee. Licensee paid \$300 down. \$200 excused. Balance: \$900.

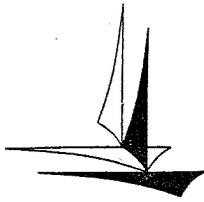
11/9/07 Licensee failed to abide by payment plan. Violation Notice sent. Due date to avoid negative license action: 12/7/07. Payment not received.

1/29/08 Notice of Pending Hearing for Unpaid Fines sent. Payment not received.

2/14/08 Notice of Hearing scheduled for 3/5/08 delivered.

2/20/08 Licensing agreed to excuse additional \$200 at licensee's request if payment made within one week.

Submitted by Leanne Selander, License Inspector



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 14, 2008

Elayan S. Abualfoul, owner
Elite List Corp
dba Elite Groceries
324 W. 33rd St
Minneapolis MN 55408

NOTICE OF HEARING

**In respect to your GROCERY, TOBACCO, and OFF-SALE BEER
LICENSES.**

PLEASE TAKE NOTE:

1. This is to notify you that a hearing will be held before the Public Safety and Regulatory Services Committee of the Minneapolis City Council on Wednesday, MARCH 5, 2008 at 1:00 p.m. or shortly thereafter, in Room 317, City Hall, 350 South Fifth Street, Minneapolis, MN to consider action with respect to your GROCERY, TOBACCO AND OFF-SALE BEER LICENSES for ELITE GROCERY, 324 33RD ST W.
2. This hearing may result in revocation of GROCERY, TOBACCO, AND OFF-SALE BEER licenses resulting in discontinuance of business activities.
3. An attorney may represent you if you so desire.
4. Pursuant to Minneapolis Charter Chapter 4, the Committee will determine whether or not the license holder is in violation of 259.15, FAILURE TO PAY VIOLATION FINES AND ALARM FEES. THE DATE OF NOTICE WAS JANUARY 29, 2008. Minneapolis Charter Chapter 4, Section 16 states, "Licenses May be Revoked. Any license issued by the authority of the City Council may be revoked by the City Council at any time upon proper notice and hearing for good cause..."

If you have further questions regarding the issues or conduct of the hearing, you may contact License Inspector LEANNE SELANDER, 612-673-3910.

Sincerely,

Ricardo X. Cervantes, Deputy Director
Licenses and Consumer Services

CITY OF MINNEAPOLIS
LICENSES AND CONSUMER SERVICES
350 SOUTH 5TH STREET, ROOM 1-C, CITY HALL
MINNEAPOLIS, MINNESOTA 55415

NON PAYMENT OF FEES

ELAYAN ABUALFOUL
324 33RD STREET WEST
ELITE GROCERY
MINNEAPOLIS, MN

05-SEP-07

Request Number: 07-0591427

RE:324 33RD ST W

Our records indicate that you have failed to pay required fees to the City of Minneapolis. Payment of all fees is required to maintain your business license in good standing.

Minneapolis ordinance 259.15 requires all financial claims be paid before a license be granted or renewed. Our records indicate that you have an unresolved financial claim. The type of financial obligation and the amount is listed below. Please pay the fees by the due date or an action will be initiated to add additional fines, suspend or revoke your business license resulting in discontinuance of business activity.

Inspector's Comments: Our records show that you failed to pay false alarm fees in the amount of \$1400.00. These fees are past due. You must pay these fees by the due date . Failure to comply with these orders will result in negative license action which may include suspension or revocation of your license.

Due Date: 14-SEP-07

If these fees are not paid by the due date listed above, negative license action could result. Negative license action includes, but is not limited to, administrative fines, suspension or revocation of your business license.

IF YOU HAVE ANY QUESTIONS ABOUT THESE FEES, OR IF YOU ARE NOT THE OWNER, AGENT OR OCCUPANT, PLEASE CALL THE INSPECTOR LISTED BELOW.

ALL MATERIAL AND SERVICES ARE AVAILABLE IN ACCESSIBLE FORMATS

TTY NUMBER: 612-673-3300

MOHAMED ISMAIL, LICENSING INSPECTOR, Phone: (612) 673-3904

Office Hours 8:00 a.m. – 4:30 p.m.

English- Attention. If you want help translating this information, call 612-673-2080.

Spanish- Atención. Si desea recibir asistencia gratuita para hablar con alguien en español llame 612-673-2700

Somali- Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500

Hmong-Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800

Sign Language Interpreter- 612-673-3220 TTY: 612-673-2626

CITY OF MINNEAPOLIS
LICENSES AND CONSUMER SERVICES
350 SOUTH 5th STREET, ROOM 1-C CITY HALL
MINNEAPOLIS, MINNESOTA 55415

VIOLATION NOTICE

ELITE LIST CORP
ELAYAN S ABUALFOUL
324 33RD ST W
MINNEAPOLIS, MN 55408

07-NOV-07
Request Number: 07-0604989

Re: 324 33RD ST W

An inspection on **02-NOV-07** of the premises at the above address disclosed conditions that are in violation of the Minneapolis Code of Ordinances.

The following corrections are required:

Minneapolis ordinance 259.15 requires all financial claims be paid before a license be granted or renewed. Our records indicate that you have an unresolved financial claim. The type of financial obligation and the amount is listed below. Please pay the fees by the due date or an action will be initiated to add additional fines, suspend or revoke your business license resulting in discontinuance of business activity.

Inspector's Comments: ELITE GROCERY FAILED TO ABIDE BY A PAYMENT PLAN SET-UP TO ADDRESS ALARM FINES. THE TOTAL AMOUNT OF \$900 IS NOW DUE. PLEASE REMIT BY THE DUE DATE TO AVOID NEGATIVE LICENSE ACTIONS.

Required Date: 07-DEC-07

Failure to comply with the above city ordinance(s) may result in the doubling of fines daily.

IF YOU HAVE ANY QUESTIONS ABOUT THESE ORDERS, OR IF YOU ARE NOT THE OWNER, AGENT OR OCCUPANT, PLEASE CALL THE INSPECTOR LISTED BELOW.

The Minneapolis code of ordinances is available on computer terminal (on line) at:

- ◆ Minneapolis Public Library, Government Documents Section
- ◆ City Clerk's Office, Room 304 City Hall, 350 So. 5th St.
- ◆ On line at www.ci.minneapolis.mn.us under Minneapolis ordinances.

ALL MATERIAL AND SERVICES ARE AVAILABLE IN ACCESSIBLE FORMATS

TTY NUMBER: 612-673-2157

LEANNE SELANDER, LICENSING INSPECTOR, Phone: (612) 673-3910

Office hours 8:00am – 4:30pm

CITY OF MINNEAPOLIS
LICENSES AND CONSUMER SERVICES
350 SOUTH 5TH STREET, ROOM 1-C, CITY HALL
MINNEAPOLIS, MN 55415

ELITE LIST CORP
ELAYAN S ABUALFOUL
324 33RD ST W
MINNEAPOLIS, MN 55408

29-JAN-08

Request Number: 07-0604989

NOTICE OF PENDING HEARING FOR UNPAID FEES

You have been previously notified that you owed fines or fees to the City of Minneapolis. The fine or fee remains unpaid. Minneapolis Code of Ordinances 259.15/360.140 prohibits the issuance or renewal of business licenses when fines or fees are owed.

A hearing is being scheduled to consider the denial or revocation of your business license application due to your failure to make payment on your unpaid fine or fee. It is the intention of the Business License Division to request that the City Council deny or revoke your license application resulting in discontinuance of business activities. This hearing can be avoided by tendering payment in the amount of \$900.00 to the Business License Department. Please send or deliver a check or money order to

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

If you have any questions concerning the payment of the fine or fee, please call the inspector listed below.

ALL MATERIAL AND SERVICE ARE AVAILABLE IN ACCESSIBLE FORMATS.

TTY NUMBER: 612-673-3300

LEANNE SELANDER, LICENSING INSPECTOR, Phone: (612) 673-3910

Officer Hours: 8:00 a.m. – 4:30 p.m.

English- Attention. If you want help translating this information, call 612-673-2080.

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Sign Language Interpreter- 612-673-3220 TTY: 612-673-2626

Alarm Registration History

Reg #: 42325
 Location: ELITE GROCERY
 324 33RD ST W
 MINNEAPOLIS, MN 55407
 Current Status: Suspended
 Location Type: Business
 Issue Date: 03/13/2007
 Expiration Date:
 Length of History: All

Alarm Summary	Total Actions	Total Alarms	Total Charged	Total Appealed	Total Refund	Total Paid	Total Outstndng
	9	6	\$1,400.00	\$0.00	\$0.00	\$300.00	\$1,100.00

Invoice	CCN	Inc Date	Action/Sent	Action Taken	Charge	Pd/Rfnd	Appeal
80672			08/22/07 08/23/07	Suspended	\$0.00	\$0.00 \$0.00	\$0.00

Invoice	CCN	Inc Date	Action/Sent	Action Taken	Charge	Pd/Rfnd	Appeal
80561			08/22/07 08/22/07		\$0.00	\$0.00 \$0.00	\$0.00
Assessed on Invoice(s): 77669							

Invoice	CCN	Inc Date	Action/Sent	Action Taken	Charge	Pd/Rfnd	Appeal
79473	07-245416	07/25/07	07/27/07 07/27/07	False Alarm 2	\$500.00	\$0.00 \$0.00	\$0.00

Ofcr	Inc Time	Dispatch	Cleared	Ignr	Valid	Alrm #	Remarks
000576	23:43:02	ALRMAB	SEC	N	N	6	
Officer:	ELITE GROCERY/612-827-2337..COVERS FRONT MOTION..TRIPPED 2337..KH PH NOT EXCEPTING INCOMING CALLS /(23:43:28) ALARM CO ADV ALSO THAT PH FOR BIZ THEY HAVE WENT TO FAX /(23:43:50) Backed up 531 with 503 /(23:44:31) CHECKED THE BUZ AND ALL SECURE.. /(00:02:59						

Invoice	CCN	Inc Date	Action/Sent	Action Taken	Charge	Pd/Rfnd	Appeal
78568	07-219208	07/05/07	07/06/07 07/06/07	False Alarm Susp	\$400.00	\$0.00 \$0.00	\$0.00

Ofcr	Inc Time	Dispatch	Cleared	Ignr	Valid	Alrm #	Remarks
000232	08:23:33	ALRMAB	FAL	N	N	5	
Officer:	ELITE GROCERY/827 2337/FRT DOOR & FRT MOTION/CONT KH /(08:24:05) Unit 520 in C4 Code 4 status. /(08:38:15) secure /(08:39:51)						

Invoice	CCN	Inc Date	Action/Sent	Action Taken	Charge	Pd/Rfnd	Appeal
78065	07-206233	06/25/07	06/26/07 06/26/07	False Alarm 2	\$300.00	\$100.00 \$0.00	\$0.00

Action	Amount	Check #	Date	Comments
Payment	\$100.00	3430	09/11/07	PARTIAL PAYMENT - MEMO

Ofcr	Inc Time	Dispatch	Cleared	Ignr	Valid	Alrm #	Remarks
003200	00:24:41	ALRMAB	FAL	N	N	4	
Officer:	ELITE GROCERY..FRT MOTION..CONT KH..612-827-2337 /(00:24:58) perimeter of biz secure /(00:32:16)						

Invoice	CCN	Inc Date	Action/Sent	Action Taken	Charge	Pd/Rfnd	Appeal
77669	07-194647	06/15/07	06/19/07 06/19/07	False Alarm 2	\$200.00	\$200.00 \$0.00	\$0.00

Action	Amount	Check #	Date	Comments
Payment	\$200.00	3430	09/11/07	

Ofcr	Inc Time	Dispatch	Cleared	Ignr	Valid	Alrm #	Remarks
Derek E	11:17:29	ALRMAB	N	N	N	3	

Alarm Registration History

Dispatch: ELITE GROCERIES BIZ - PH INS 612-827-2337 - COVERS FRT GLASS BREAK - 1ST TRIP 23:10 - KEYS ONLY IF NEEDED -NO ANS ON CALL INS /(23:17:56) Backed up 510 with 502 /(23:20:03) PERIMETER SECURE

Invoice	CCN	Inc Date	Action/Sent	Action Taken	Charge	Pd/Rfnd	Appeal
74573	70322222	03/22/07	03/23/07 03/23/07	False Alarm	\$0.00	\$0.00 \$0.00	\$0.00

Ofcr	Inc Time	Dispatch	Cleared	Ignr	Valid	Alrm #	Remarks
872	11:24:09	ALRMAB	FAL	N	N	2	
Officer:	ELITE GROCERIES..PH 612 827 2337..COVERS GEN.AND FRNT DOOR /(23:24:09) TRIP/22.18..CONT KH..NO REF /(23:24:09) GLASS INTERIOR DOOR LOCKED/EXTERIOR GATE IS UNLOCKED /(23:40:58) KH RESPONDED /(23:41:26) WE WILL BE CHECKING INSIDE /(23:41:37) KH DID NOT NOTICE ANYTHING MISSING OR OUT OF PLACE /(23:54:01)						

Invoice	CCN	Inc Date	Action/Sent	Action Taken	Charge	Pd/Rfnd	Appeal
74224	70307238	03/13/07	03/14/07 03/14/07	False Alarm	\$0.00	\$0.00 \$0.00	\$0.00

Ofcr	Inc Time	Dispatch	Cleared	Ignr	Valid	Alrm #	Remarks
7373	10:28:05	ALRMAB	FAL	N	N	1	
Officer:	ELITE GROCERIES 612-827-2337..COVERS GEN BURG AND FRT DOOR /(22:28:05) 2222 /(22:28:05) KH IS ELYAN ABAOUSOULD ETA 5 MIN IN A KHAKI JEEP /(22:28:32) CHEROKEE /(22:28:32) GOING INSIDE W/KH APPEARS SECURE FROM THE OTS /(22:31:27)						

Invoice	CCN	Inc Date	Action/Sent	Action Taken	Charge	Pd/Rfnd	Appeal
74223			03/14/07 03/14/07	Active	\$0.00	\$0.00 \$0.00	\$0.00