

REPORT

To the Honorable Mayor and City Council
From the City Manager

March 22, 2010

SUBJECT

Public Hearing Appealing the Denial of a Massage Establishment and Technician Permit, under 18A.23 RCC

RECOMMENDATION

Deny the appeal, thereby denying Jian xin Trujillo-Liu's massage establishment and massage technician permits based on violations of Redwood City Municipal Code sections 18A.7 and 18A.15 which require denial of a permit when an applicant makes false, misleading or fraudulent statements of fact in the permit application.

BACKGROUND

On January 13, 2010, Jian xin Trujillo-Liu filed an application for a massage establishment and massage technician permit with the Redwood City Police Department with the intention of opening a massage parlor at 515 Woodside Road Unit A, Redwood City. Her application was incomplete and omitted relevant information regarding prior employment relating to massage operation.

Police Sergeant Steve Blanc conducted a background investigation regarding the application. Upon completion of the investigation, due to the failure to provide full, complete and relevant information in the permit application, a denial letter was sent to the applicant pursuant to Section 18A.7.C of the Redwood City Code. On March 2, 2010, Ms. Trujillo-Liu filed an appeal letter with the City Clerk appealing the denial of a massage establishment and massage technician.

Pursuant to Redwood City Municipal Code Sections 18A.3, 18A.7, and 18A.15, a background investigation was conducted which revealed that:

1. On the City of Redwood City massage permit application, Jian xin Liu failed to include previous employment history relating to massage operations. Liu was employed at an establishment in Redwood City from February 2007 – August 2008, when she was terminated under suspicious circumstances.
2. Jian xin Liu failed to complete the application with respect to other names previously used – Ivy Liu, Lisa and Jessica.
3. Jian xin Liu signed a sworn statement indicating the information she had provided was true, complete, and she agreed that false statements, omissions, or incomplete entries would disqualify her for the permit.
4. In the appeal of the denial letter, Jian xin Liu admits the information she provided in her application was incomplete and amended the application to include that she was previously issued a Massage Technician permit by Redwood City Police Department in 2007 and 2008.
5. Further investigation of the amended application revealed it was still not complete. Jian xin Liu's application did not disclose that she was issued a Massage Permit by the Belmont Police Department on January 8, 2009, and was employed at Belmont Health Center through October 2009.

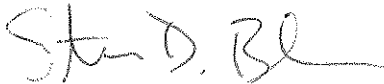
6. In contacting Fremont Police Department to obtain information on prior employment, it was learned that Jian xin Liu was issued a massage permit on November 3, 2009 to work at Serenity Day Spa. This information was also not disclosed on her application.
7. It was also learned that Jian xin Liu completed a Massage Practitioner Application on January 11, 2010 with San Mateo Police Department. Their background investigation revealed she intended to use the name "Jessica" in San Mateo.
8. On March 16, 2010, Sergeant Blanc met with Jian xin Liu. She was asked to provide full information regarding all massage permit applications she has applied for. She continued to provide incomplete information regarding recent applications she had completed in Fremont and San Mateo.

ALTERNATIVES

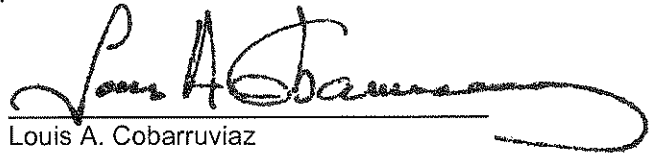
1. Council could approve the appeal; thereby granting the massage establishment permit and massage technician permit for Ms. Trujillo-Liu against the recommendation of Staff.

FISCAL IMPACT

There are no fiscal impacts of City staff being assigned to conduct this appeal. Significant staff costs and legal expenses could be generated in the event an illegal massage operation is allowed to establish itself and resists closure.



Steve Blanc
Administrative Sergeant



Louis A. Cobarruviaz
Chief of Police



Peter Ingram
City Manager

ATTACHMENTS

1. Denial Letter
2. Letter of Appeal

RELATED DOCUMENTS IN CITY CLERK'S OFFICE

None

Police Department

Louis A. Cobarruviaz
Chief of Police



1301 Maple Street
Redwood City, CA 94063
Telephone (650) 780-7122
FAX Line (650) 780-7149

February 17, 2010

Ms. Jian Xin Trujillo-Liu
1215 Roosevelt Ave
Redwood City, Ca. 94061

Dear Ms. Trujillo-Liu,

I have reviewed your application for a Massage Technician Permit. The City Attorney has opined that under Section 18A.7. Redwood City Code, the police department could consider your background, the completeness of your application, and pertinent previous employment in making a decision about the issuance of the permit.

You failed to accurately complete your application. You failed to provide complete and / or omitted relevant information on your application regarding prior employment relating to massage operation.

An investigation into the information you have provided on your application does not convince me that your intended operation would comply with all state laws and city codes. Therefore, I am denying the issuance of a permit as you have failed to meet the requirements of Sections 18A7.C. of the Redwood City Code.

If you have any questions, please feel free to call me at (650) 780-7143.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Blanc".

Steve Blanc
Administrative Sergeant

cc: Planning Associate Sailesh Mehra

March 2, 2010

To: Redwood City Clerk

From: Mrs. Jian xin Trujillo-Liu

Subject: Redwood City Council Appeal; RCPD Denial Letter; Massage Technician Permit

To whom it may concern:

I would like to be considered for an appeal to the Denial Letter I received from the Redwood City Police Department dated 2/17/10 for a Massage Technician Permit. It is important to me that all understand is no intent of deception or fraud due to my incomplete application dated 1/13/10 to the RCPD for a Massage Technician Permit. I would like it recognized that the RCPD had granted me a Massage Technician Permit in 2007 and again in January 2008. Since the above prior dates my only significant change is marriage. Also that should be recognized; relative to Redwood City Code; Sec.18A.7.C, a denial letter was to be delivered registered, certified mailed or delivered in person which none of the above had occurred. I believe that relative to all the above findings all parties involved attempted to meet the Redwood City requirements.

Sincerely,

A handwritten signature in cursive script that reads "Jian xin Trujillo-Liu".

Mrs. Jian xin Trujillo-Liu