



City of Millbrae
 621 Magnolia Avenue, Millbrae, CA 94030

May 26, 2022

No. 9 Foot Spa
 9 State Highway 82 Hwy #A
 Millbrae, CA 94030

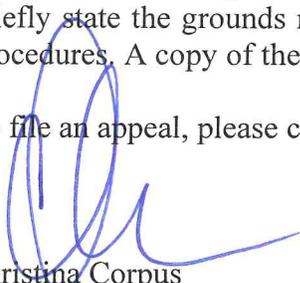
**NOTICE OF REVOCATION OF CITY REGISTRATION CERTIFICATE
 NO. 9 FOOT SPA, 9 STATE HIGHWAY 82 HWY #A, MILLBRAE, CA 94030**

TO ALL BUSINESS OWNERS AND PROPERTY OWNERS of the above-referenced property: This letter is an official notice of the City of Millbrae’s enforcement action against your property and business located at 9 State Highway 82 Hwy #A, Millbrae, CA 94030. Please note that the City Registration Certificate for Massage Businesses held under the name of No. 9 Foot Spa, Owner Qiang Xia, is revoked effective June 5, 2022 pursuant to Millbrae Municipal Code (MMC) Section 5.60.110. Operating a massage business without a current and valid City Registration Certificate is prohibited.

An incident occurred on April 6, 2022 in which a massage practitioner operating at this business committed a violation of the California Business and Professions Code Section 4600 and pursuant to MMC section 5.60.110, the city registration certificate to No. 9 Foot Spa is hereby revoked effective June 5, 2022.

You, or any aggrieved person, may file an appeal of this revocation within ten (10) days of the date of this letter, by filing a written notice of appeal with the Community Development Director, along with the filing fee of one thousand dollars (\$1,000). The notice of appeal is required to briefly state the grounds relied upon for appeal pursuant to MMC Section 5.60.110 (E) Appeal Procedures. A copy of the relevant section of the Municipal Code is enclosed for your reference.

To file an appeal, please contact Darcy Smith at (650) 259-2307 or dsmith@ci.millbrae.ca.us.


 Christina Corpus
 Millbrae Bureau Police Chief

Enclosure

CC: Darcy Smith
 Mike Sung

City Council/City Manager/City Clerk
 (650) 259-2334
 Fire
 (650) 558-7600

Building Division/Permits
 (650) 259-2330
 Police
 (650) 259-2300

Community Development
 (650) 259-2341
 Public Works/Engineering
 (650) 259-2339

Finance
 (650) 259-2350
 Recreation
 (650) 259-2360

5.60.110 Suspension and revocation of city registration certificates.

A. Reasons. Certificates of registration may be suspended or revoked by the police chief upon finding any of the following grounds:

1. A massage practitioner is no longer in possession of current and valid CAMTC certification. This subsection shall apply to a sole proprietor or a person employed or used by a massage business to provide massage.
2. An owner or sole proprietor: is required to register under the provisions of California Penal Code Section 290 (sex offender registration); is convicted of California Penal Code Sections 266i (pandering), 315 (keeping or residing in a house of ill-fame), 316 (keeping disorderly house), 318 (prevailing upon person to visit a place for prostitution), 647(b) (engaging in or soliciting prostitution), 653.22 (loitering with intent to commit prostitution), 653.23 (supervision of prostitute); has a business permit or license denied, revoked, restricted, or suspended by any agency, board, city, county, territory, or state; is subject to an injunction for nuisance pursuant to California Penal Code Sections 11225 through 11235 (red light abatement); is convicted of a felony offense involving the sale of a controlled substance; is convicted of any crime involving dishonesty, fraud, deceit, violence, or moral turpitude; or is convicted in any other state of an offense which, if committed in this state, would have been punishable as one or more referenced offenses in this subsection.
3. The city determines that a material misrepresentation was included on the application for a certificate of registration or renewal.
4. Violations of any of the following occurred on the premises of a massage business or were committed by a massage practitioner: California Business and Professions Code Section 4600 et seq.; any local, state, or federal law; or the provisions of this chapter.

B. Procedures. Written notice of the suspension or revocation shall be served on the sole proprietor or owners by certified mail with the legal violation and supporting facts. The notice shall contain an advisement of the right to request an appeal hearing before the San Mateo County license board.

C. Time Period of Suspension of Permit. The police chief may suspend a registration for a period between five days and the end of the license term, at his or her discretion.

D. Effective Date of Suspension or Revocation. Suspension or revocation issued pursuant to subsection B of this section will be effective ten days from the date appearing on the order, unless a timely appeal is filed in accordance with subsection E of this section.

E. Appeal.

1. The decision of the police chief is appealable to the license board.

2. An appeal must be in writing, and be hand-delivered or mailed to the license board and accompanied by a filing fee of one thousand dollars.
3. An appeal must be received by the license board on or before the effective date of suspension or revocation provided by subsection D of this section.
4. The filing of a timely appeal will stay a suspension or revocation pending a decision on the appeal by the license board.
5. A hearing shall be scheduled before the license board within thirty days. Either the appellant or the police chief may request, in writing directed to the chair of the license board, a continuance of the hearing. Such requests must be supported by good cause. The decision whether to grant a continuance is at the discretion of the chair of the license board, who shall consider whether granting the continuance poses a threat to public health or safety in light of the severity of the violations alleged.
6. The decision of the license board shall be a final administrative order, with no further administrative right of appeal or reconsideration. The license board may sustain a suspension or revocation, overrule a suspension or revocation, reduce a revocation to a suspension and/or reduce the length of a suspension. However, no revocation or suspension shall be reduced to a length of less than a five-day suspension. Further, the license board may stay the effective date of any suspension for a reasonable time following a hearing.

F. Reapplication. No reapplication will be accepted within one year after a certificate is revoked.

G. Evidence. The following rules shall apply to any hearing required by this section. All parties involved shall have the right to offer testimonial, documentary, and tangible evidence bearing on the issues, to be represented by counsel, and to confront and cross-examine witnesses. Any relevant evidence may be admitted if it is the sort of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs. Formal rules of evidence and discovery do not apply to proceedings governed by this chapter. Unless otherwise specifically prohibited by law, the burden of proof is on the registrant in any hearing or other matter under this chapter. (Ord. 745, § 1; Amended by Ord. 756, § 2. Formerly 5.60.120)