

*The Commonwealth of Massachusetts*  
*Department of the State Treasurer*  
*Alcoholic Beverages Control Commission*  
*Boston, Massachusetts 02114*

*Steven Grossman*  
*Treasurer and Receiver General*

*Kim J. Gainsboro, Esq.*  
*Chairman*

**DECISION**

**OM PATEL, INC. DBA RICHDALÉ SUPERETTE**  
**10 RAILROAD ST**  
**ANDOVER, MA 01810**  
**LICENSE#: 002600040**  
**HEARD: 06/05/2012**

Om Patel, Inc. dba Richdale Superette (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, June 5, 2012, regarding an alleged violation of 204 CMR 2.05 (2), to wit: M.G.L. c. 138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Kenny's Compliance Check Field Report.

The following exhibits are in evidence:

1. Investigator Kenny's Compliance Check Field Report dated April 2, 2012; and
2. Licensee's Stipulation of Facts.
  - A. TIPS Training Certificates for Licensee and Employees;
  - B. Licensee's Letter of Engagement to Employees, Re: Carding for Alcohol and Tobacco Sales; and
  - C. Photos of Posted Signs, Re: ID Needed for Alcohol Sales at Licensed Premises.

There is one (1) audio recording of this hearing.

**FACTS**

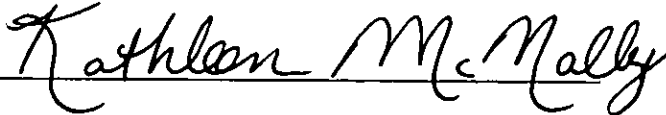
1. On Monday, April 2, 2012, at approximately 6:28 p.m., Investigators Tim Hooton and Mark Kenny conducted an investigation of the business operation of Om Patel, Inc. dba Richdale Superette.
2. An underage operative working with investigators purchased an alcoholic beverage, a can of Budweiser beer, for two dollars and twenty-nine cents (\$2.29). The underage operative was not asked for identification.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2), to wit: M.G.L. c. 138, §34. Therefore, the Commission suspends the license for three (3) days of which three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.

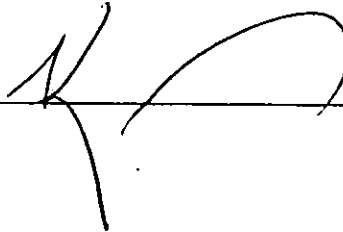
**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kathleen McNally, Commissioner



I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Kim S. Gainsboro, Chairman



Dated: June 5, 2012

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Mark Kenny, Investigator  
Tim Hooton, Investigator  
Howard M. Berger, Esq.  
Administration  
File