Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150-2358

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

September 9, 2026

167 CORP. INC. D/B/A BOB'S LIQUORS
167 CORPORATION STREET
BARNSTABLE, MA 02601
LICENSE#: 89923-PK-0070
VIOLATION DATE: 5/30/2025
HEARD: 10/07/2025

After a hearing on October 7, 2025, the Commission finds 167 Corp. Inc. d/b/a Bob's Liquors violated M.G.L. Ch. 138 §34– Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (7 Counts).

The Commission **suspends the license for a period of 7 days, of which 4 days will be served and 3 days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations are found by this Commission.**

The suspension shall commence on Monday, October 26, 2026, and terminate on Thursday, October 29, 2026. The license will be delivered to the Local Licensing Board or its designee on Monday, October 26, 2026, at 9:00 A.M. It will be returned to the Licensee on October 30, 2026.

You are advised that pursuant to the provisions of M.G.L. c.138 § 23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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2025-000118-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Nicholas Velez, Investigator
Alicia Cutter, Investigator
Thomas P. Miller, Esq.
Administration, File

Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
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Jean M. Lorizio, Esq.
Chairman

DECISION

167 CORP. INC. D/B/A BOB'S LIQUORS
167 CORPORATION STREET
BARNSTABLE, MA 02601
LICENSE#: 89923-PK-0070
VIOLATION DATE: 5/30/2025
HEARD: 10/07/2025

167 Corp. Inc. d/b/a Bob's Liquors ("Licensee" or "Bob's Liquors") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a hearing on Tuesday, October 7, 2025, regarding an alleged violation of M.G.L. Ch. 138 §34– Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (7 Counts). Prior to the commencement of the hearing the Licensee stipulated to the facts in Investigator Velez's report.

The following documents are in evidence:

1. Investigative Report of N. Velez;
2. ABCC Licensing Authority Certification, Transfer of License Approved 12/31/2020;
3. Photographs of Fraudulent Identifications;
4. Licensee Stipulation of Facts.

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

FINDINGS OF FACT

1. On Friday, May 30, 2025, Investigators Cutter and Velez ("Investigators") made observations of 167 Corp. Inc. d/b/a Bob's Liquors ("Licensee") from outside the licensed premises.

2. At approximately 5:45 p.m., Investigators observed a youthful appearing male individual exit a gray Ford Escape and enter the licensed premises. Shortly thereafter, the male exited in possession of one 30-pack of Michelob Ultra beer and one 12-pack of Busch beer. Investigators identified themselves and requested proof of age to lawfully purchase and/or possess alcoholic beverages.

3. Underage #1, actual date of birth 7/18/2005, presented to Investigators a fraudulent Ontario driver's license bearing his name but a different birth date which he stated he used to purchase alcoholic beverages.

4. At approximately 7:00 p.m., Investigators observed a youthful appearing female individual exit a Toyota Highlander and enter the licensed premises. Minutes later, the female individual exited in possession of one 12-pack of Surfside Iced Tea. Investigators identified themselves and requested proof of age to lawfully purchase and/or possess alcoholic beverages.

5. Underage #2, actual date of birth 01/30/2006, presented to Investigators a fraudulent California driver's license bearing her name but a different birth date which she stated she used to purchase alcoholic beverages.

6. At approximately 7:10 p.m., Investigators observed two youthful appearing individuals exit a gray Toyota Tacoma and enter the licensed premises. Minutes later, the individuals exited in possession of alcoholic beverages.

7. Investigators approached the two individuals, identified themselves, and requested proof of age to lawfully to purchase and/or possess alcoholic beverages.

8. Underage #3, actual date of birth 9/09/2005, was in possession of one 30-pack of Bud Light, one 12-pack of Busch Light, and one bottle of Orange Blast Beatbox. He presented to Investigators a fraudulent New York driver's license bearing his name but a different birth date which he stated he used to purchase the alcoholic beverages.

9. Underage #4, actual date of birth 4/19/2005, was in possession of one 12-pack of Sun Cruiser Lemonade vodka and one bottle of Orange Blast Beatbox. He presented to Investigators a fraudulent Rhode Island driver's license bearing his name but a different birth date which he stated he used to purchase the alcoholic beverages.

10. At approximately 7:54 p.m., Investigators observed a youthful appearing female individual exit a black Jeep Grand Cherokee and enter the licensed premises. Soon thereafter, the female exited in possession of what appeared to be alcoholic beverages in a black plastic bag.

11. Underage #5, actual date of birth 11/05/2006, was in possession of one 12-pack of Sun Cruiser Lemonade vodka. She presented to Investigators a fraudulent Massachusetts driver's license bearing her name but a different birth date which she stated she used to purchase the alcoholic beverages

12. At approximately 7:58 p.m., Investigators observed a youthful appearing female individual, exit a blue Subaru Outback and enter the licensed premises. Minutes later, the female exited in possession of alcoholic beverages.

13. Underage #6, actual date of birth 3/26/2006, was in possession of one 4-pack of High Noon Pinnacle Hard Seltzer and one 8-pack of Sunny D Vodka Seltzer. She stated to Investigators that she was not asked for any identification when purchasing the alcoholic beverages.

14. At approximately 9:08 p.m., Investigators entered the licensed premises and spoke to the clerk.

15. The clerk informed the Investigators that the establishment did not have a scanner to verify identifications and showed Investigators video surveillance footage which confirmed Underage #6 had provided an identification when she purchased the alcoholic beverages. Investigators informed the clerk of the violation and that a report would be submitted to the Chief Investigator for further review.

16. At approximately 9:25 p.m., Investigators observed a youthful appearing male individual exit a black Porsche and enter the licensed premises. Soon thereafter, the male exited in possession of a 30 pack and 12 pack of Michelob Ultra. Investigators identified themselves and requested proof of age to lawfully purchase/possess alcoholic beverages.

17. Underage #7, actual date of birth 7/05/2006, presented to Investigators a fraudulent Connecticut driver's license bearing his own name with a different birth date which he stated he used to purchase the alcoholic beverages.

18. At approximately 9:30 p.m., Investigators entered the licensed premises again and advised the clerk of the additional violation and that a report would be submitted to the Chief Investigator for further review.

19. The Licensee has held a license under M.G.L. c. 138, § 15 since 2020.

20. Shailesh Patel, manager of record, appeared at the Commission hearing. The Commission was informed that the Licensee purchased a scanner, implemented new policies and re-trained employees.

DISCUSSION

Licenses to sell alcoholic beverages are a special privilege subject to public regulation and control, Connolly v. Alcoholic Beverages Control Comm'n, 334 Mass. 613, 619 (1956), for which States have especially wide latitude pursuant to the Twenty-First Amendment to the United States Constitution. Opinion of the Justices, 368 Mass. 857, 861 (1975). The procedure for the issuance of licenses and required conduct of licensees who sell alcoholic beverages is set out in Massachusetts General Laws, Chapter 138.

Chapter 138 gives the Commission the authority to grant, revoke and suspend licenses. Chapter 138 was "enacted ... to serve the public need and ... to protect the common good." M.G.L. c. 138, § 23. "[T]he purpose of discipline is not retribution, but the protection of the public." Arthurs v. Bd. of Registration in Medicine, 383 Mass. 299, 317 (1981). The Commission is given "comprehensive powers of supervision over licensees." Connolly, 334 Mass. at 617.

The law is well-settled that the responsibility of the licensee is to exercise sufficiently close supervision so that there is compliance with the law on the premises. A vendor who sells alcohol is "bound at his own peril to keep within the condition of his license." Commonwealth v. Gould, 158 Mass. 499, 507 (1893); Burlington Package Liquors, Inc. v. Alcoholic Beverages Control Comm'n, 7 Mass. App. Ct. 186, 190 (1979). It is, thus, quite possible for a licensee to offend the regulatory scheme without scienter. Rico's of the Berkshires, Inc. v. Alcoholic Beverages Control Comm'n, 19 Mass. App. Ct. 1026, 1027 (1985).

The Licensee is charged with a violation of M.G.L. c 138, § 34 - Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (7 counts). M.G.L. c. 138, § 34 states, in pertinent part, that: "[w]hoever makes a sale or delivery of any alcoholic beverage or alcohol to any person under twenty-one years of age … shall be punished by a fine of not more than $2,000 or by imprisonment for not more than one year or both." M.G.L. c. 138, § 34.

In this matter, direct evidence was presented through the investigator's testimony as to his observations and interactions at the licensed premises on May 30, 2025, wherein 7 individuals under the age of twenty-one years of age purchased alcoholic beverages. (Testimony)

The evidence shows 6 of the 7 underage individuals presented the Licensee with fraudulent Massachusetts or out-of-state driver's licenses or a fraudulent out-of-country driver's license. Massachusetts General Laws, Chapter 138, § 34B offers protection from license suspension or revocation or criminal penalties to license holders who reasonably rely on one of the types of identification specified in the statute, including a valid Massachusetts driver's license, Massachusetts liquor identification card, Massachusetts identification card, a United States passport, or a passport issued by the government recognized by the United States of a foreign country, a passport card for a U.S. passport, a valid U.S. military identification card, a valid driver's license issued by another state, or a Global Entry card issued by the United States Customs and Border Protection. See M.G.L. c. 138, § 34B. Consequently, the fraudulent identifications provide no such defense.

The Commission is persuaded by the evidence that Barnstable 167 Corp., d/b/a Bob's Liquors sold alcoholic beverages to persons under twenty-one years of age. The Commission finds that the Licensee committed a violation of M.G.L. c. 138, § 34 - Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (7 counts).

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (7 Counts). As a result, the Commission **suspends the license for a period of seven (7) days, of which four (4) days will be served and 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 are found by this Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Deborah Baglio, Commissioner Deborah A Baglio

Jean M. Lorizio, Chairman Jean M. Lorizio

Crystal Matthews, Commissioner Crystal Matthews

Dated: September 9, 2026

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.

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