



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

NOTICE OF SUSPENSION

December 16, 2014

818 HUNTINGTON INC. DBA HUNTINGTON MARKET
818 HUNTINGTON AVE
BOSTON, MA 02119
LICENSE#: 011600984
VIOLATION DATE: 09/12/2014
HEARD: 12/10/2014

After a hearing on December 10, 2014, the Commission finds 818 Huntington Inc. dba Huntington Market in violation of Chapter 138, §34 - Sale and delivery of an alcoholic beverage to a person under twenty-one (21) years of age (2 counts).

The Commission suspends the licensee's license for a total of nine (9) days to be served. The suspension shall commence on Wednesday, February 4, 2015, and terminate on Thursday, February 12, 2015. The license will be delivered to the Local Licensing Board or its designee on Wednesday, February 4, 2015 at 9:00 A.M. It will be returned to the licensee Friday, February 13, 2015.

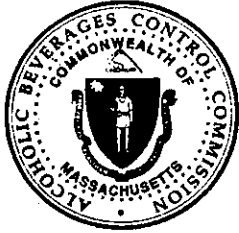
You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form. All checks must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

Kim S. Gainsboro
Chairman

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Jan Kujawski, Investigator
Dennis Keefe, Investigator
Administration
File



The Commonwealth of Massachusetts
Department of the State Treasurer
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DECISION

818 HUNTINGTON INC. DBA HUNTINGTON MARKET
818 HUNTINGTON AVE
BOSTON, MA 02119
LICENSE#: 011600984
VIOLATION DATE: 09/12/2014
HEARD: 12/10/2014

818 Huntington Inc. dba Huntington Market (the "Licensee") holds an alcohol beverage license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Wednesday, December 10, 2014, regarding the alleged violation of Chapter 138, §34 - Sale and delivery of an alcoholic beverage to a person under twenty-one (21) years of age (2 counts). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Keefe's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Keefe's Investigative Report dated September 12, 2014.

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

FACTS

1. On Friday, September 12, 2014, at approximately 7:15 p.m., Investigators Kujawski and Keefe investigated the business operation of Huntington Market to determine the manner in which its business was being conducted.
2. While outside of the licensed premises, the Investigators observed a youthful looking male individual exit the store with what appeared to be alcoholic beverages.
3. When the Investigators asked this individual for his identification, he produced a Massachusetts license. The following information was recorded: Andrew Young, actual date of birth [REDACTED] (age 20).
4. Mr. Young was in possession of a 30 pack of Natural Ice beer, a 30 pack of Rolling Rock beer, and a 12 pack of Dos Equis beer.
5. When Investigators asked Mr. Young how he was able to purchase the alcohol, he stated that he was not asked for identification and that he had purchased alcohol at Huntington's in the past.
6. Mr. Young was cooperative with the Investigators and stated that he had used a fake Connecticut identification in the past and produced the fake identification for the investigators.
7. Investigators proceeded inside the Huntington Market with Mr. Young, to inform the clerk of the violation. While inside the licensed premises, investigators observed a youthful looking female

individual in possession of a bottle of Fish Eye Pinot Grigio. She was standing at the counter to check out.

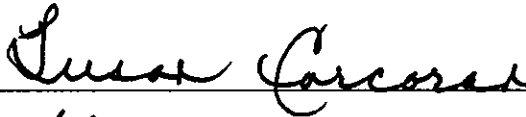
8. Investigators observed the female hand to the clerk a New York State identification. The clerk looked at her identification and continued to make the sale.
9. Investigator Kujawski followed the female individual out of the store and asked her for the identification. She stated that she had used a fake New York State identification and produced her real identification. The following information was recorded: Megan McCrea, actual date of birth [REDACTED] (age 20).
10. Investigators Kujawski joined Investigator Keefe inside again. Investigators spoke with the clerk, who has identified himself as Robert Then, to make him aware of the violations.
11. Investigator Keefe also spoke with the store owner, identified as Genaro Dicianzo, via phone.
12. Investigators then informed both the owner and the clerk of the violations and that a report would be filed with the Chief Investigator for further action.

CONCLUSION

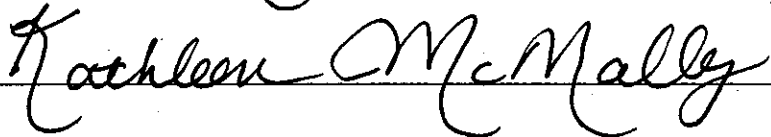
Based on the evidence, the Commission finds the licensee violated Chapter 138, §34 - Sale and delivery of an alcoholic beverage to a person under twenty-one (21) years of age (2 counts). Therefore, the Commission **suspends the license for twelve (12) days of which nine (9) days will be served and three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner



Kathleen McNally, Commissioner



Dated: December 16, 2014

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
Jan Kujawski, Investigator
Dennis Keefe, Investigator
Administration
File