

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

Jean M. Lorizio, Esq.
Chair

DECISION

**BOSWORTH PLACE INC. D/B/A BEANTOWN PUB
100 TREMONT ST.
BOSTON, MA 02108
LICENSE#: 01535-RS-0116
VIOLATION DATE: 10/25/2019
HEARD: 2/11/2020**

Bosworth Place Inc. d/b/a Beantown Pub (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, February 11, 2020, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Temple's Report.

The following documents are in evidence:

1. Investigator Temple's Investigative Report;
2. Licensee Stipulation of Facts;
3. Copy of License Transfer Approval, 10/28/1998;

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

FINDINGS OF FACT

1. On Friday, October 25, 2019, at approximately 7:15 p.m., Investigators Velez and Temple ("Investigators") conducted an investigation of the business operation of Bosworth Place Inc. d/b/a Beantown Pub to determine the manner in which its business was being conducted.
2. Investigators observed a youthful appearing individual, in possession of alcoholic beverages, seated near the back bar next to the pool tables. Investigators identified themselves and asked to see proof of legal age.
3. Underage #1, actual date of birth 10/17/2002 (age 18), was in possession of a vodka cranberry mixed drink. He stated to Investigators that he had not provided any identification when he entered the establishment.

4. Investigators identified the underage patron to the doorman. Investigators then informed the Manager, Roger Zeghibe of the violation and that a report would be filed with the Chief Investigator for further action.
5. Mr. Zeghibe is the Licensee and Manager. He appeared at the Commission hearing and testified that minors are allowed on the premise but only when accompanied by an adult and for the purpose of ordering food. Mr. Zeghibe testified that he reviewed the surveillance tape from the night of the incident, and observed the older male patron who was with the minor patron purchase the alcoholic beverage and then give it to the minor patron. Investigator Temple confirmed that was the case.
6. The Licensee has held a license under M.G.L. c. 138, § 12 since 1998 with no prior violations.

CONCLUSION

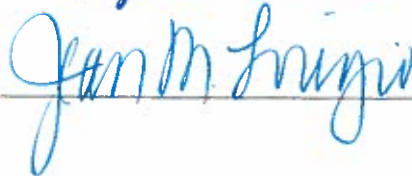
Based on the evidence, the Commission finds the Licensee violated of 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (1 count). The Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner



Jean M. Lorizio, Chairman



Dated: February 12, 2020

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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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Christopher Temple, Investigator
Nicholas Velez, Investigator
Administration, File