



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

Deborah B. Goldberg
Treasurer and Receiver General

Kim J. Gainsboro, Esq.
Chairman

NOTICE OF SUSPENSION

September 7, 2016

**CENTRE LIQUOR CORP.
389-391 CENTRE ST.
BOSTON, MA 02130
LICENSE#: 011600923
VIOLATION DATE: 05/27/2016
HEARD: 09/06/2016**

After a hearing on September 6, 2016, the Commission finds Centre Liquor Corp. violated 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: M.G.L. c. 138, §34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. (5 counts).

The Commission **suspends the license for a period of twenty-six (26) days of which thirteen (13) days will be served, and thirteen (13) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

The suspension shall commence on Wednesday, November 2, 2016 and terminate on Monday, November 14, 2016. The license will be delivered to the Local Licensing Board or its designee on Wednesday, November 2, 2016 at 9:00 A.M. It will be returned to the licensee Tuesday, November 15, 2016.

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



Kim S. Gainsboro
Chairman

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Michael Teehan, Investigator
Jan Kujawski, Investigator
Dennis Benzan, Esq. via facsimile 617-491-3299
Administration, File



The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
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DECISION

CENTRE LIQUOR CORP.
389-391 CENTRE ST.
BOSTON, MA 02130
LICENSE#: 011600923
VIOLATION DATE: 05/27/2016
HEARD: 09/06/2016

Centre Liquor Corp. (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, September 6, 2016, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: M.G.L. c. 138, §34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. (5 counts). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Teehan's report.

The following documents are in evidence:

1. Investigator Teehan's Investigative Report dated June 1, 2016;
 2. Licensee's Stipulation of Facts;
 3. Photocopy of Fake Identifications;
 4. RMV Printout for Underage #2.; and
 5. RMV Printout for Underage #1.
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- A. Photographs of Inside of Licensed Premises; and
 - B. City of Boston License Board Docket of Licensee.

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

The Commission took Administrative Notice of the Licensee's record.

FACTS

1. On Friday, May 27, 2016, Investigators Kujawski and Teehan ("Investigators") investigated the business operation of Centre Liquor Corp. to determine the manner in which their business was being conducted.

2. At approximately 6:30 p.m. while outside the licensed premises, Investigators observed a youthful looking female individual exit the store with a 12-pack of Downeast Cider House beer and a bottle of Smirnoff vodka.
3. Investigators approached the female subject and asked to see identification. Underage #1, actual date of birth 11/30/1997 (age 18) stated that she had used a fake Rhode Island driver's license bearing her own name to purchase the alcoholic beverages.
4. At approximately 7:00 p.m. while outside the licensed premises, Investigators observed a youthful looking male individual exit the store with three 8-packs of Dr. McGillicuddy's Grape liqueur nips and one 8-pack of Dr. McGillicuddy's Mentholmint liqueur nips.
5. Investigators approached the male subject and asked to see identification. Underage #2, actual date of birth 07/29/1999 (age 16) stated that he had used a fake Rhode Island driver's license bearing his own name to purchase the alcoholic beverages.
6. At approximately 7:04 p.m. while outside the licensed premises, Investigators observed two youthful looking female individuals exit the store with a bottle of Rubinoff vodka and a bottle of Svedka vodka.
7. Investigators approached the female subjects and asked to see identification. Underage #3, actual date of birth 09/24/1997 (age 18) stated that she had not been asked for any identification.
8. Underage #4, actual date of birth 08/30/1997 (age 18) stated she used a fake Oregon driver's license bearing her own name to purchase the alcoholic beverages.
9. At approximately 7:10 p.m. while outside the licensed premises, Investigators observed a youthful looking male individual exit the store with a 30-pack of Budweiser Light beer and a bottle of Smirnoff vodka.
10. Investigators approached the male subject and asked to see identification. Underage #5, actual date of birth 11/01/1996 (age 19) stated that he had used a fake Connecticut driver's license bearing his own name to purchase the alcoholic beverages.
11. Investigators informed the clerk, Jocelyn Asuncion, of the above 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 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: M.G.L. c. 138, §34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. (5 counts). Therefore the Commission **suspends the license for a period of twenty-six (26) days of which thirteen (13) days will be served, and thirteen (13) 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



Elizabeth A. Lashway, Commissioner

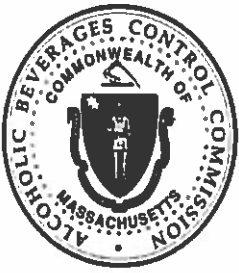


Dated: September 7, 2016

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
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Commonwealth of Massachusetts
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Alcoholic Beverages Control Commission
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Deborah B. Goldberg
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

Patricia Hathaway
Administrative Assistant II
Tel. # 617.727.3040 ext. 738

FAX COVER SHEET

To:

Dennis Benzan, Esq.

Fax:

617-491-3299

Fax:

From: Patricia Hathaway

Date

Re: Hearing Notice / Decision

Pages Including Cover

Boston / Centre Liquor Corp.

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TP Path

If you have any questions please contact me at phathaway@tre.state.ma.us
or 617-727-3040 x738. Thank You.