

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

Deborah B. Goldberg
Treasurer and Receiver General

DECISION

Kim J. Gainsboro, Esq.
Chairman

LANDSLOWNE BOSTON RESTAURANT LLC D/B/A HOUSE OF BLUES
15-41 LANDSLOWNE ST.
BOSTON, MA 02215
LICENSE#: 011600494
VIOLATION DATE: 12/17/2015
HEARD: 03/15/2015

Lansdowne Boston Restaurant LLC d/b/a House of Blues (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, March 15, 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, §34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (1 count). 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. Investigator Keefe's Investigative Report dated December 17, 2015; and
 2. Licensee's Stipulation of Facts.
- A. Detail Information for Show on 12/17/2015;
 - B. Licensee's Recap Sheet for Show;
 - C. Security Information;
 - D. Licensee's Ejection Log for First Show on 12/17/2015; and
 - E. Licensee's Ejection Log for Second Show on 12/17/2015.

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

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

FACTS

1. On Thursday, December 17, 2015, at approximately 11:30 p.m., Investigators Teehan and Keefe, along with Chief Investigator Mahony ("Investigators"), conducted an investigation of the business operation of Lansdowne Boston Restaurant LLC d/b/a House of Blues.

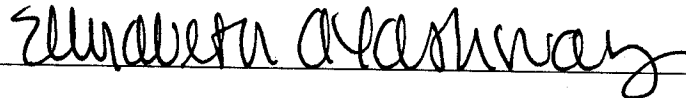
2. Investigators entered the licensed premises and observed an unidentified male who purchased two cans of Miller High Life beer at the bar.
3. Investigators observed the unidentified male walk onto the dance floor and deliver the two cans of Miller High Life beer to a youthful appearing male.
4. Investigators identified themselves to the youthful appearing male and asked to see proof of legal age.
5. Underage #1, actual date of birth 12/23/1994 (age 20) was in possession of two cans of Miller High Life beer.
6. Investigators informed the manager, Ross Roncelli, of the violation and that a report would be filed for review.

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, §34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (1 count). Therefore the Commission **suspends the license for a period of 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.**

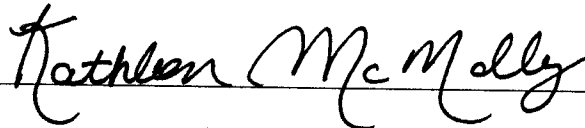
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Elizabeth A. Lashway, Commissioner



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

Kathleen McNally, Commissioner



Dated: March 29, 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
 Frederick G. Mahony, Chief Investigator
 Dennis Keefe, Michael Teehan, Investigators
 Dennis A. Quilty, Esq. via facsimile 617-946-4624
 Administration, File