



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

*Deborah B. Goldberg*  
*Treasurer and Receiver General*

*Kim S. Gainsboro, Esq.*  
*Chairman*

**NOTICE OF SUSPENSION**

September 1, 2015

**ONIBELLA, INC. DBA FOREST HILL MART**  
**18-24 HYDE PARK AVENUE**  
**BOSTON, MA 02130**  
**LICENSE#: 011600992**  
**VIOLATION DATE: 06/19/2015**  
**HEARD: 08/25/2015**

After a hearing on August 25, 2015, the Commission finds Onibella, Inc. dba Forest Hill Mart violated 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: c. 138, §34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (4 Counts).

The Commission **suspends the Licensee's license for a total of sixteen (16) days to be served. The suspension shall commence on Wednesday, October 14, 2015, and terminate on Thursday, October 29, 2015.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, October 14, 2015 at 9:00 A.M. It will be returned to the Licensee Friday, October 30, 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, 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

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这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Michael Teehan, Investigator  
Joseph Di Cicco, Investigator  
Administration  
File



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**DECISION**

**ONIBELLA, INC. dba FOREST HILL MART**  
**18-24 HYDE PARK AVENUE**  
**BOSTON, MA 02130**  
**LICENSE#: 011600992**  
**VIOLATION DATE: 06/19/2015**  
**HEARD: 08/25/2015**

Onibella, Inc. dba Forest Hill Mart (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, August 25, 2015, regarding alleged violations of 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: c. 138, §34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (4 Counts). Prior to the commencement of the hearing, the Licensee stipulated to the violations alleged in Investigator Teehan's Report.

The following documents are in evidence:

1. Investigator Teehan's Report dated June 26, 2015;
2. Licensee's Stipulation of Facts;
3. Photocopy of two (2) drivers licenses.

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

**FACTS**

1. On Friday, June 19, 2015, at approximately 8:00 p.m., Investigators DiCicco and Teehan ("Investigators") conducted an investigation of the business operation of Onibella, Inc. dba Forest Hill Mart.
2. At approximately 8:00pm while outside of the licensed premises, Investigators observed a youthful looking male individual ("Minor #1") exit the store with a 750 ml bottle of Malibu Island Spiced Rum and a 200 ml bottle of Fireball Whiskey.

3. Investigators asked Minor 1 his age and the following information was recorded: actual date of birth 10/10/1996 (age 19).
4. Minor #1 stated to Investigators that he was not asked for any identification from the clerk on duty to purchase the alcoholic beverages.
5. At approximately 8:21 p.m. while outside the licensed premises, Investigators observed a youthful looking male ("Minor #2") exit the store with a 30 pack of Miller Light beer.
6. Investigators asked Minor #2 his age and the following information was recorded: actual date of birth, 04/02/1996 (age 19).
7. Minor #2 stated to Investigators that he was not asked for any identification from the clerk on duty to purchase the alcoholic beverages.
8. At approximately 8:35 p.m. while outside of the licensed premises, Investigators observed a youthful looking male ("Minor #3") exit the store with five (5) twenty five ounce (25oz) cans of Budweiser Light Strawberry Margaritas malt beverages.
9. Investigators asked Minor #3 his age and the following information was recorded: actual date of birth 04/05/1999 (age 16).
10. Minor #3 stated to Investigators that he used a fake Rhode Island driver's license bearing his own name with a date of birth 04/05/1994 (age 21) to purchase the alcoholic beverages.
11. At approximately 9:00 p.m. while outside of the licensed premises, Investigators observed a youthful looking female ("Minor #4") exit the store with a 200 ml bottle of Parrot Bay Rum.
12. Investigators asked Minor #4 her age and the following information was recorded: actual date of birth 12/06/1997 (age 17).
13. Minor #4 stated to Investigators that she was not asked for any identification from the clerk on duty to purchase the alcoholic beverage.
14. Investigators informed the clerk on duty, Ayalew Aklog, 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: c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. (4 counts) Therefore, the Commission suspends the license for twenty-one (21) days of which sixteen (16) days will be served and five (5) 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 Elizabeth A. Lashway

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

Kathleen McNally, Commissioner Kathleen McNally

Dated: September 1, 2015

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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