



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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

February 6, 2024

**PAIGE HOSPITALITY INC. D/B/A HAVA
246 TREMONT STREET
BOSTON, MA 02116
LICENSE#: 00032-RS-0116
VIOLATION DATE: 9/16/2022
HEARD: 4/04/2023**

After a hearing on April 4, 2023, the Commission finds Paige Hospitality Inc. d/b/a Hava violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under 21 years of age (11 Counts).

The Commission **suspends the license for a period of seven (7) days to be served.**

The suspension shall commence on Monday, March 25, 2024, and terminate on Sunday March 31, 2024. The license will be delivered to the Local Licensing Board or its designee on Monday, March 25, 2024, at 9:00 A.M. It will be returned to the licensee on April 1, 2024.

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

Jean M. Lorizio
Chairman

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Nicholas Velez, Investigator
David Bolcome, Investigator
Brian Gould, Investigator
Michael Teehan, Investigator
William A. Kelley, Esq.
Administration, File



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DECISION

PAIGE HOSPITALITY INC. D/B/A HAVA
246 TREMONT STREET
BOSTON, MA 02116
LICENSE#: 00032-RS-0116
VIOLATION DATE: 9/16/2022
HEARD: 4/04/2023

Paige Hospitality Inc. d/b/a Hava ("Licensee" or "Hava") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, April 4, 2023, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under 21 years of age (11 Counts).¹

The following documents are in evidence:

1. Investigator Velez's Report;
2. ABCC Form 43, Transfer of License Approval, 4/21/2010;
3. Photograph of Fraudulent Identifications Confiscated (7 pages);
4. Massachusetts Registry of Motor Vehicles Driver's License Printout.
5. Licensee's Stipulation of Facts.

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

¹ At the Commission's hearing, in consideration of the Licensee's Stipulation of Facts, the Investigation and Enforcement Division withdrew three (3) counts of the charge of a violation of 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: M.G.L. c. 138, § 34C.

FINDINGS OF FACT

1. On Friday September 16, 2022, at approximately 11:00 p.m., Investigators Bolcome, Gould, Teehan, and Velez, as well as Chief Investigator Mahoney ("Investigators") inspected the business operation of Paige Hospitality Inc. d/b/a Hava ("Licensee" or "Hava").
2. Outside the licensed premises Investigators observed a large crowd of youthful appearing individuals standing in line, waiting to enter.
3. Investigators entered the establishment and observed numerous youthful appearing individuals in possession of what appeared to be alcoholic beverages. Investigators approached some of the patrons, identified themselves and requested proof of legal age to possess alcoholic beverages.
4. Underage #1, actual date of birth 5/19/2004 (age 18), was in possession of a vodka cranberry mixed drink. He presented to Investigators a fraudulent New York driver's license bearing his name but a different birth date.
5. Underage #2, actual date of birth 6/24/2003 (age 19), was in possession of a vodka and Red Bull mixed drink. He presented to Investigators a fraudulent Connecticut driver's license bearing his name but a different birth date.
6. Underage #3, actual date of birth 7/14/2004 (age 18), was in possession of a rum mixed drink. He presented to Investigators a fraudulent New York driver's license bearing his name but a different birth date.
7. Underage #4, actual date of birth 7/19/2003 (age 19), was in possession of rum mixed drink. He presented to Investigators a fraudulent Connecticut driver's license bearing his name but a different birth date.
8. Underage #5, actual date of birth 6/19/2003 (age 19), was in possession of a rum and Coke® mixed drink. He presented to Investigators a fraudulent Delaware driver's license bearing his name but a different birth date.
9. Underage #6, actual date of birth 2/29/2004 (age 18), was in possession of a vodka and Red Bull mixed drink. She presented to Investigators a fraudulent Rhode Island driver's license bearing her name but a different birth date.
10. Underage #7, actual date of birth 1/11/2002 (age 20), was in possession of a vodka and Red Bull mixed drink. He presented to Investigators a fraudulent Maine driver's license bearing his name but a different birth date.
11. Underage #8, actual date of birth 4/18/2002 (age 19), was in possession of a vodka and soda mixed drink. He presented to Investigators a fraudulent Connecticut driver's license bearing his name but a different birth date.
12. Underage #9, actual date of birth 2/28/2004 (age 18), was in possession of a vodka cranberry mixed drink. He presented to Investigators a fraudulent Colombia driver's license bearing his name but a different birth date.

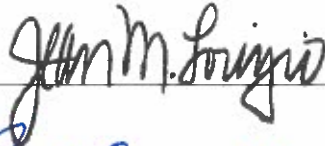
13. Underage #10, actual date of birth 10/19/2001 (age 20), was in possession of a vodka and Red Bull mixed drink. He presented to Investigators a fraudulent Connecticut driver's license bearing his name but a different birth date.
14. Underage #11, actual date of birth 2/16/2004 (age 18), was in possession of a rum and Coke® mixed drink. He presented to Investigators a fraudulent New York driver's license bearing his name but a different birth date.
15. Investigators identified several of the underage individuals to the manager, Miller Thomas, and other staff members. The underage individuals were escorted from the premises.
16. Investigators reviewed the confiscated fraudulent identifications with Mr. Thomas and informed him of the violations.
17. Mr. Thomas appeared at the Commission hearing.
18. The Licensee has held a license under M.G.L. c. 138, § 12 since 2010, with no prior violations.

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: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under 21 years of age (11 Counts). Therefore, the Commission **suspends the license for a period of 14 days of which seven (7) days will be served and seven (7) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission regulations are found by this Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah Baglio, Commissioner



Dated: February 6, 2024

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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2022-000177-ad-enf

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