

*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
Telephone: 617-727-3040
Facsimile: 617-727-1510*

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

October 4, 2018

**PQT CORP. D/B/A GREEN GARDENS LIQUOR & DELI
35 W. MILTON STREET – HYDE PARK
BOSTON, MA 02136
LICENSE#: 89076-PK-0116
VIOLATION DATE: 5/25/2018
HEARD: 10/02/2018**

After a hearing on October 2, 2018, the Commission finds PQT Corp. d/b/a Green Gardens Liquor & Deli violated M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (2 counts).

The Commission **suspends the license for a period of ten (10) days of which four (4) days will be served and six (6) 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 14, 2018 and terminate on Saturday, November 17, 2018. The license will be delivered to the Local Licensing Board or its designee on Wednesday, November 14, 2018 at 9:00 A.M. It will be returned to the Licensee on Sunday, November 15, 2018.

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.

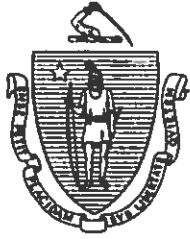
ALCOHOLIC BEVERAGES CONTROL COMMISSION

A handwritten signature in cursive script, reading "Jean M. Lorizio".

Jean M. Lorizio
Chairman

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Michael Teehan, Investigator
Dennis Keefe, Investigator
William Burke, Esq.
Administration, File



Jean M. Lorizio, Esq.
Chairman

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DECISION

**PQT CORP. D/B/A GREEN GARDENS LIQUOR & DELI
35 W. MILTON STREET – HYDE PARK
BOSTON, MA 02136
LICENSE#: 89076-PK-0116
VIOLATION DATE: 5/25/2018
HEARD: 10/02/2018**

PQT Corp. d/b/a Green Gardens Liquor & Deli (the “Licensee” or “Super Liquors”) 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, October 2, 2018, regarding an alleged violation of M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (2 counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Teehan’s Report.

The following documents are in evidence:

1. Investigator Teehan’s Investigative Report;
2. Licensee Stipulation of Facts; and
3. Photocopies of Fraudulent Driver’s Licenses.

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

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

FINDINGS OF FACT

1. On Friday, May 25, 2018, Investigators Keefe and Teehan (“Investigators”) conducted an investigation of the business operation of PQT Corp. d/b/a Green Gardens Liquor & Deli to determine the manner in which its business was being conducted.
2. At approximately 4:40 p.m., while outside of the licensed premises, Investigators observed two (2) youthful looking female subjects exit the store in possession of alcoholic beverages, three (3) bottles of Bistro Wine and a bottle of Svedka Vodka. Investigators identified themselves and asked to see proof of legal age.
3. Underage #1, actual date of birth 10/21/1999 (age 18), stated to Investigators that she used a fraudulent Indiana driver’s license to purchase the alcoholic beverages.


4. Underage #2, actual date of birth 10/23/1999 (age 18), stated to Investigators that she used a fraudulent Connecticut driver's license to purchase the alcoholic beverages.
5. Investigators informed the clerk on duty of the 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 M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (2 counts). Therefore, the Commission **suspends the license for a period of ten (10) days of which four (4) days will be served and six (6) 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

Jean M. Lorizio, Chairman



Kathleen McNally, Commissioner



Dated: October 4, 2018

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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