

*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

July 25, 2017

**QUALITY MART INC.
21 MASSACHUSETTS AVE
BOSTON, MA 02201
LICENSE#: 0116-01957
VIOLATION DATE: 03/16/2017
HEARD: 07/18/2017**

After a hearing on July 18, 2017, the Commission finds Quality Mart Inc. 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 (9 counts).

The Commission **suspends the license for a period of thirty-two (32) days of which thirteen (13) days will be served, and nineteen (19) 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, September 20, 2017 and terminate on Monday, October 2, 2017.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, September 20, 2017 at 9:00 A.M. It will be returned to the licensee on Tuesday, October 3, 2017.

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.

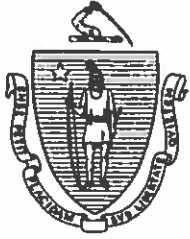
ALCOHOLIC BEVERAGES CONTROL COMMISSION

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

Jean M. Lorizio
Chairman

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这份文件是重要的，应立即进行翻译.

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Joseph Di Cicco, Investigator
Christopher Temple, Investigator
Demetrios Kafkas, Esq.
Administration, File



Jean M. Lorizio, Esq.
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DECISION

**QUALITY MART INC.
21 MASSACHUSETTS AVE
BOSTON, MA 02201
LICENSE#: 0116-01957
VIOLATION DATE: 03/16/2017
HEARD: 07/18/2017**

Quality Mart Inc. (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, July 18, 2017, 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 (9 counts). Prior to the start of the hearing, the Licensee stipulated to the violation in Investigator Temple's report.

The following documents are in evidence:

1. Investigator Temple's Investigative Report;
2. Licensee's Stipulation of Facts;
3. Fraudulent Rhode Island Driver's License of J.C.;
4. Fraudulent Rhode Island Driver's License of J.B.;
5. Fraudulent Rhode Island Driver's License of R.L.;
6. Fraudulent New Jersey Driver's License of Z.B.;
7. Fraudulent Maine Driver's License of A.S.;
8. Fraudulent Wisconsin Driver's License of P.M.;
9. Fraudulent Rhode Island Driver's License of A.G.;
10. Fraudulent New Hampshire Driver's License of W.K.;
11. Fraudulent Illinois Driver's License of K.R.; and
12. Photocopy of nine fraudulent out-of-state Driver's Licenses;

A. Licensee's Advanced ID Scanner packet

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

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

FINDINGS OF FACT

1. On Thursday, March 16, 2017, Investigators DiCicco and Temple ("Investigators") investigated the business operation of Quality Mart, Inc., d/b/a/ Quality Mart, at 21 Massachusetts Avenue, Boston.
2. Over the course of twenty minutes, from 5:10 p.m. to 5:30 p.m., the Investigators observed several groups of youthful looking males exiting the licensed premises with alcoholic beverages.
3. Investigators approached each of youthful looking males and discovered the following:
 - a. Z.B., with an actual date of birth of 10/8/1997 (age 19), was in possession of a twelve pack of Angry Orchard, a 1.75 liter bottle of Rubinfoff vodka, and a .75 liter of Svedka Raspberry. He stated to Investigators that he provided a fraudulent New Jersey identification to purchase alcoholic beverages;
 - b. K.R., with an actual date of birth of 5/12/1997 (age 19), was in possession of a six-pack of Corona Extra and a six-pack of Blue Moon. He stated to Investigators that he provided a fraudulent Illinois identification to purchase alcoholic beverages;
 - c. W.K., actual date of birth of 2/5/1997 (age 20), was in possession of a 1.75 liter bottle of Citrus Rubinfoff and a .75 bottle of Kraken rum. He stated that he provided a fraudulent New Hampshire identification to purchase alcoholic beverages;
 - d. P.M., actual date of birth 10/14/1996 (age 20), was in possession of a six-pack of Angry Orchard. He stated he provided a fraudulent Wisconsin identification to purchase alcoholic beverages;
 - e. A.G., actual date of birth 4/19/1997 (age 19), was in possession of a thirty-pack of Miller Lite and a .75 bottle of Evan Williams. He informed investigators that he provided a fraudulent Rhode Island identification to purchase alcoholic beverages;
 - f. A.S., actual date of birth 10/31/1996 (age 20), was in possession of a four-pack of Harpoon Hoppy Adventure beer and a six-pack of Hell or High Watermelon wheat beer. He informed Investigators that he provided a fraudulent Maine identification to purchase alcoholic beverages
 - g. R.L., actual date of birth 3/3/1997 (age 20), J.B., actual date of birth 6/1/1997 (age 19), and J.C., actual date of birth 8/25/1997 (age 19), were observed placing two cases of Rolling Rock in their backpacks and they also had in their possession two 1-liter bottles of Jamison and a 1.75 liter bottle of Smirnoff vodka. They informed investigators they each provided fraudulent Rhode Island identification to the clerk to purchase alcoholic beverages.
4. Investigators entered the premises and informed the clerk, Gurdeusingh Sikh, of the violations. He stated to Investigators that he had "carded" all of them.
5. Investigators also spoke with the manager of duty, Shafik, and informed him of the violations. Shafik informed Investigators that since their last violation they had purchased a scanner that had not arrived yet.
6. Shafik accepted the Investigators' offer of conducting a Cops in Shops Operation with the intent to deter underage individuals from purchasing or attempting to purchase alcoholic beverages. When the Operation ended, the Investigators departed the premises.

CONCLUSION

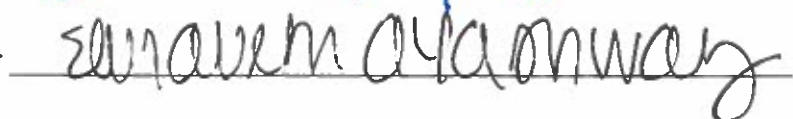
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (9 counts). Therefore, the Commission **suspends the license for a period thirty-two (32) days of which thirteen (13) days will be served, and nineteen (19) 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 Lashway, Commissioner



Dated: July 25, 2017

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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