

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

Jean M. Lorizio, Esq.
Chairman

DECISION

WINE AND LIQUORS, Inc. D/B/A ROSLINDALE LIQUORS
23 CORINTH STREET
BOSTON, MA 02131
LICENSE#: 00944-PK-0116
VIOLATION DATE: 6/10/2021
HEARD: 11/16/2021

Wine and Liquors, Inc. d/b/a Roslindale Liquors (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, November 16, 2021, 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 (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Kenny's Report.

The following documents are in evidence:

1. Investigator Kenny's Investigative Report;
 2. ABCC Licensing Authority Certification, Transfer Approved, 9/19/2019;
 3. Photo of Fraudulent Connecticut Driver's License;
 4. Licensee's Stipulation of Facts.
- A. Monthly subscription receipts for Intellicheck application (July 2021-October 2021);
B. Photos of Fraudulent Driver's Licenses confiscated.

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

FINDINGS OF FACT

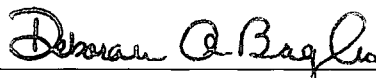
1. On Thursday, June 10, 2021, Investigators Guarino, Teehan, and Kenny ("Investigators") conducted an investigation of the business operation of Wine and Liquors, Inc. d/b/a Roslindale Liquors to determine the manner in which its business was being conducted.
2. Investigators conducted surveillance outside of the licensed premises and observed a youthful appearing male individual enter and then exit the store in possession of one 18-pack of Budweiser beer. Investigators approached the individual, identified themselves and asked to see proof of legal age.

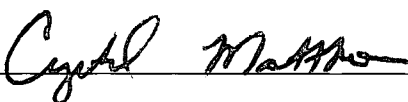
3. Underage #1, actual date of birth 1/22/2003 (age 18), presented to Investigators a fraudulent Connecticut driver's license in his own name but with a different birth date, which he used to purchase the alcoholic beverages.
4. Investigators entered the licensed premises and spoke to the clerk on duty, Pavan Patel. Investigators informed Mr. Patel of the violation and that a report would be filed with the Chief Investigator for further action.
5. Mr. Pavan Patel, Secretary of the Licensee entity, appeared at the Commission's hearing. The Commission was informed of the Licensee's efforts to prevent future violations, which include utilizing the Intellicheck scanning application and scanning all out of state identifications. Mr. Patel indicated all efforts are being taken to ensure violations do not occur in the future.
6. The Licensee has held a license under M.G.L. c. 138, § 15 since 2019 with no prior violations.

CONCLUSION

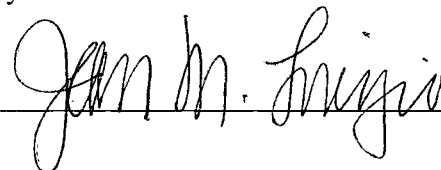
Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age (1 count). Therefore, the Commission **suspends the license for a period of one (1) day which will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Deborah A. Baglio, Commissioner 

Crystal Matthews, Commissioner 

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

Jean M. Lorizio, Chairman 

Dated: February 14, 2022

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
Kyle E. Gill, Esq., Associate General Counsel
Mark Kenny, Investigator
Caroline Guarino, Investigator
Michael Teehan, Investigator
Administration, File