



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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

August 22, 2022

**GSTH INVESTMENT GROUP LLC D/B/A BIJOU AND ROCK & RYE
51 STUART ST.
BOSTON, MA 02116
LICENSE#: 00720-RS-0116
VIOLATION DATE: 11/11/2021
HEARD: 6/28/2022**

After a hearing on June 28, 2022, the Commission finds GSTH Investment Group LLC d/b/a Bijou and Rock & Rye violated 204 CMR 2.05 (2)- Permitting an Illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (2 counts). The Commission **suspends the license for a period of three (3) days to be served.**

The suspension shall commence on Monday, October 17, 2022, and terminate on Wednesday, October 19, 2022. The license will be delivered to the Local Licensing Board or its designee on Monday, October 17, 2022, at 9:00 A.M. It will be returned to the Licensee on October 20, 2022.

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.

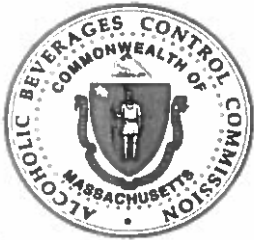
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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这份文件是重要的，应立即进行翻译

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Michael Teehan, Investigator
Caroline Guarino, Investigator
Mark Kenny, Investigator
Stephen V. Miller, Esq.
Administration, File



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DECISION

**GSTH INVESTMENT GROUP LLC D/B/A BIJOU AND ROCK & RYE
51 STUART ST.
BOSTON, MA 02116
LICENSE#: 00720-RS-0116
VIOLATION DATE: 11/11/2021
HEARD: 6/28/2022**

GSTH Investment Group LLC d/b/a Bijou and Rock & Rye ("Licensee" or "Bijou") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a remote hearing via Microsoft Teams on Tuesday, June 28, 2022, regarding an alleged violation of 204 CMR 2.05 (2)- Permitting an Illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by 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 Report;
2. ABCC Form 43, Transfer Application approved 1/19/2010;
3. Photograph of Fraudulent Identifications Confiscated;
4. ABCC Decision, 11/6/2019;
5. ABCC Decision, 4/26/2018;
6. City of Boston Decision, 12/15/2016;
7. Licensee Stipulation of Facts.

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

FINDINGS OF FACT

1. On Thursday, November 11, 2021, at approximately 11:15 p.m., Investigators Guarino, Kenny, and Teehan ("Investigators") inspected GSTH Investment Group LLC d/b/a Bijou and Rock & Rye to determine the manner in which its business was being conducted.
2. While inside the licensed premises, Investigators observed two individuals in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of legal age.

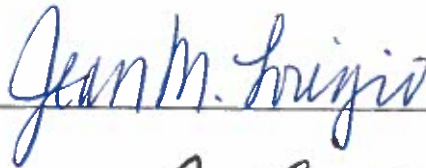
3. Underage #1, actual date of birth 1/18/2002 (age 19), was in possession of a mixed drink. He presented to Investigators a fraudulent New Jersey driver's license in his own name with a different birthdate and stated he used the fraudulent identification to enter the establishment.
4. Underage #2, actual date of birth 12/6/2002 (age 18), was in possession of a mixed drink. He presented to Investigators a fraudulent Kentucky driver's license in his own name with a different birthday and stated that he used the fraudulent identification to enter the establishment.
5. Investigators informed the manager, Joseph Ghanen, and staff member Will, of the violations and that a report would be submitted to the Chief Investigator for further action.
6. Mete Aslan, Director of Operations for the Licensee, appeared at the Commission hearing, along with Mr. Ghanen.
7. Mr. Ghanen testified the Licensee has since purchased a scanner and software recommended by the Boston Police. Employees working the door are trained to examine identification to ensure the photos match, and they have an ID book to assist with assessing identification issued by other states. They assess the identification and then use the scanner as well.
8. The Licensee has held a license under M.G.L. c. 138, § 12 since 2010 with several prior violations.

CONCLUSION

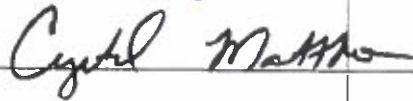
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2)- Permitting an Illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (2 counts). Therefore, the Commission **suspends the license for three (3) days to be served.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah Baglio, Commissioner



Dated: August 22, 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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