



*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 16, 2022

**JAJB INC. D/B/A TAVERN IN THE SQUARE ALLSTON
161-165 BRIGHTON AVENUE
BOSTON, MA 02134
LICENSE#: 04397-RS-0148
VIOLATION DATE: 3/17/2022
HEARD: 6/14/2022**

After a hearing on June 14, 2022, the Commission finds JAJB Inc. d/b/a Tavern in the Square 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 (4 Counts). The Commission **suspends the license for a period of four (4) days to be served.**

The suspension shall commence on Monday, October 3, 2022, and terminate on Thursday, October 6, 2022. The license will be delivered to the Local Licensing Board or its designee on Monday, October 3, 2022, at 9:00 A.M. It will be returned to the licensee on October 7, 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.

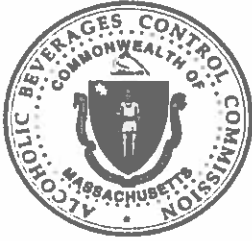
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

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
Melissa Anderson, Investigator
John David, Investigator
Sean Fleming, Investigator
Robert Gardner, Investigator
Brian Gould, Investigator
Katelyn Quinn, Investigator
Christopher Temple, Investigator
Nicholas Velez, Investigator
Robert L. Allen Jr., Esq.
Administration, File



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DECISION

**JAJB INC. D/B/A TAVERN IN THE SQUARE ALLSTON
161-165 BRIGHTON AVENUE
BOSTON, MA 02134
LICENSE#: 00139-RS-0116
VIOLATION DATE: 3/17/2022
HEARD: 6/14/2022**

JAJB Inc. d/b/a Tavern in the Square ("Licensee" or "Tavern") 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, June 14, 2022, regarding 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 (4 Counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Anderson's report.

The following documents are in evidence:

1. Investigator Anderson's Report;
2. ABCC Form 43, License Transfer Approval, 3/15/2010;
3. Photocopy of Fraudulent Identifications Confiscated;
4. ABCC Decision, 6/12/2012;
5. ABCC Decision, 4/16/2019;
6. ABCC Decision, 6/16/2021;
7. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Thursday March 17, 2022, at approximately 10:45 p.m., Investigators Gould, Quinn, Temple, Anderson, David, Fleming, Gardner, and Velez ("Investigators") entered the licensed premises to conduct an inspection of JAJB Inc. d/b/a Tavern in the Square ("Licensee" or "Tavern") located at 161-165 Brighton Avenue to determine the manner in which its business was being conducted.

2. Upon entering the licensed premises, Investigators observed multiple youthful appearing individuals in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of legal age.
3. Underage #1, actual date of birth 12/30/2002 (age 19) was in possession of a green draft beer. He presented to Investigators a fraudulent Connecticut driver's license in his name with a different birth date and stated to Investigators that he used the fraudulent license to gain entry to the establishment. Underage #1 then provided to Investigators his college identification card.
4. Underage #2, actual date of birth 3/04/2002 (age 20) was in possession of a vodka tonic mixed drink. He presented to Investigators a fraudulent Maryland driver's license in his name with a different birth date and stated to Investigators that he used the fraudulent license to gain entry to the establishment. Underage #2 then provided to Investigators his college identification card.
5. Underage #3, actual date of 4/15/2001 (age 20) was in possession of a vodka tonic mixed drink. He presented to Investigators a fraudulent New Jersey driver's license in his name with a different birth date and stated to Investigators that he used the fraudulent license to gain entry to the establishment.
6. Underage #4, actual date of 1/27/2002 (age 20) was in possession of a vodka cranberry mixed drink. She presented to Investigators a fraudulent Washington driver's license in her name with a different birth date and stated to Investigators that she used the fraudulent license to gain entry to the establishment.
7. Underage #5, actual date of 4/17/2001 (age 20) was in possession of a bottle of Bud Light beer. She presented to Investigators a Massachusetts driver's license in another person's name with a different birth date and stated to Investigators that she used the license to gain entry to the establishment. Underage #5 then provided to Investigators her college identification card.
8. Investigators determined that the Licensee reasonably relied on the Massachusetts identification presented and did not charge any additional violation.
9. Investigators informed the manager of the above violations and that a report would be submitted to the Chief Investigator further action.
10. Mr. Adam Corey, Director of Operations and Mr. Max Rosen, Manager of Record and Operations Leader, appeared at the Commission hearing. The Commission was informed that all of the patrons were asked for identification at the door and a scanning machine was utilized; however, there were more patrons than anticipated and staffing levels were an issue. The Licensee conducted a mandatory security training with its employees after this incident. Staff training is now being conducted more often, staffing has increased, and the employee working at the door on the night of this incident no longer works at the Tavern. The Licensee has held a license under M.G.L. c. 138, § 12 since 2010 with three 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 (4 Counts). Therefore, the Commission suspends the license for a period of four (4) days.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Deborah Baglio, Commissioner

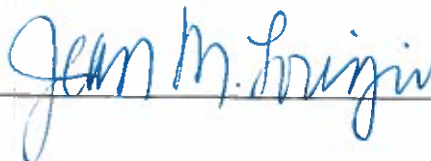


Crystal Matthews, Commissioner



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

Jean M. Lorizio, Chairman



Dated: August 16, 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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这份文件是重要的，应立即进行翻译

2022-000038-ad-enf

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