



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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

March 24, 2023

**LEE'S QUIK PIK INC. D/B/A LEE'S MARKET
1591 COMMONWEALTH AVENUE
BOSTON (BRIGHTON), MA 02135
LICENSE#: 89791-PK-0116
VIOLATION DATE: 10/06/2022
HEARD: 1/24/2023**

After a hearing on January 24, 2023, the Commission finds Lee's Quik Pik Inc. d/b/a Lee's Market violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. (1 Count). The Commission **suspends the license for a period of one (1) day to be served.**

The suspension shall be served on Monday, May 15, 2023. The license will be delivered to the Local Licensing Board or its designee on Monday, May 15, 2023, at 9:00 A.M. It will be returned to the licensee on Tuesday, May 16, 2023.

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.

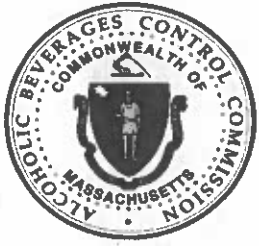
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
John David, Investigator
Nicholas Velez, Investigator
Matthew Porter, Esq.
Administration, File



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
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Chairman

DECISION

**LEE'S QUIK PIK INC. D/B/A LEE'S MARKET
1591 COMMONWEALTH AVENUE
BOSTON, (BRIGHTON) MA 02135
LICENSE#: 89791-PK-0116
VIOLATION DATE: 10/06/2022
HEARD: 1/24/2023**

Lee's Quik Pik Inc. d/b/a Lee's Market (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, January 24, 2023, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. (1 Count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator David's Report.

The following documents are in evidence:

1. Investigator David's Report;
2. ABCC Licensing Authority Certification, License Transfer approved, 6/11/2020;
3. Licensee Stipulation of Facts.

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

FINDINGS OF FACT

1. On Thursday, October 6, 2022, at approximately 9:40 p.m., Investigators Velez and David ("Investigators") inspected the business operation of Lee's Quik Pik Inc. d/b/a Lee's Market to determine the manner in which its business was being conducted.
2. While conducting surveillance outside the establishment, Investigators observed a youthful appearing male individual enter the premises and then exit the store carrying a bag which was later determined to contain alcoholic beverages.
3. Investigators approached the male individual, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.

4. Underage #1, actual date of birth 2/2/2003 (age 20), stated the clerk did not ask him for identification when he purchased the alcoholic beverages. He was in possession of one bottle of Barefoot wine and one 375 ml bottle of Smirnoff vodka.
5. Anil Patel, President and Principal of the Licensee corporation, appeared at the Commission hearing. The Commission was informed that all employees had been TIPS certified prior to this incident and have since been recertified. The Licensee has a scanning machine and employees have been reminded to utilize it at all times.
6. The Licensee has held a license under M.G.L. c. 138, § 15 since 2020 with no 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: Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 Count). Therefore, the Commission **suspends the license for one (1) day.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner _____

Crystal Matthews

Deborah Baglio, Commissioner _____

Deborah A. Baglio

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

Jean M. Lorizio, Chairman _____

Jean M. Lorizio

Dated: March 24, 2023

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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2022-000203-ad-enf

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