



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

**Jean M. Lorizio, Esq.**  
*Chairman*

**DECISION**

**NEW MISSION HILL MARKET, INC. D/B/A FUENTES MARKET & LIQUOR  
678 PARKER STREET  
BOSTON, MA 02120  
LICENSE#: 01020-PK-0116  
VIOLATION DATE: 3/25/2022  
HEARD: 6/28/2022**

New Mission Hill Market, Inc. d/b/a Fuentes Market & Liquor ("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, 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, § 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 Smith's Report.

The following documents are in evidence:

1. Investigator Smith's Investigative Report;
2. ABCC Form 43 License Transfer Approved, 6/3/2016;
3. Photograph of Confiscated Fraudulent South Carolina Driver's License;
4. Licensee's Stipulation of Facts.

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

**FINDINGS OF FACT**

1. On Friday, March 25, 2022, at approximately 7:30 p.m., Investigators Anderson, Temple, and Smith ("Investigators"), conducted an inspection of New Mission Hill Market, Inc. d/b/a Fuentes Market & Liquor to determine the manner in which its business was being conducted.
2. Investigators observed three youthful appearing male individuals enter the licensed premises. Shortly thereafter, Investigators observed the same individuals exit the store in possession of alcoholic beverages: one 30-pack Natural Ice beer, one 12-pack Heineken beer, one 12-pack Leinenkugel beer, and two 40-ounce bottles of malt beverage. Investigators identified themselves and asked to see proof of legal age.

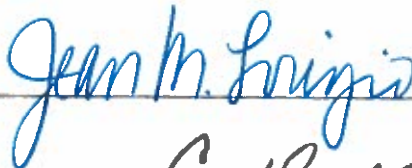
3. Underage #1, actual date of birth 6/12/2001 (age 20), presented to Investigators a fraudulent South Carolina driver's license in another person's name that he used to purchase the alcoholic beverages.
4. Investigators entered the licensed premises with Underage #1 and identified the underage to the clerk on duty, Maluk Patel. Mr. Patel stated to Investigators that he sold the alcoholic beverages to this individual and had checked his identification.
5. Investigators viewed the surveillance footage which confirmed Underage #1 approached the counter and presented identification before being allowed to purchase the alcoholic beverages.
6. Investigators informed Mr. Patel of the violation and that a report would be filed with the Chief Investigator for further review.
7. Tapan Patel, General Manager at Fuentes Market, appeared at the Commission hearing along with Maluk Patel.
8. Tapan Patel testified that since the Investigators' visit the Licensee has invested in a new state-of-the-art scanner, retrained all staff members, and has begun requesting identification from all members of a party. He stated this practice has caused groups of customers to leave the store without attempting to purchase any alcoholic beverages. Mr. Patel testified that if one person within a party is under the age of twenty-one, alcohol will not be sold to any member of the group. Mr. Patel further testified that employees have confiscated approximately 80 to 100 fraudulent identifications and have refused many sales, all in an effort to ensure alcohol is not sold to those under twenty-one years of age.
9. The Licensee has held a license under M.G.L. c. 138, § 15 since 2016 with no prior violations.

#### CONCLUSION

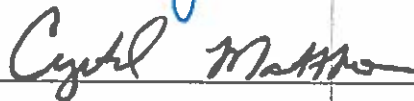
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age (1 count). Therefore, the Commission issues a **WARNING**.

#### ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. 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.

This document is important and should be translated immediately.  
Este documento es importante y debe ser traducido inmediatamente.  
Este documento é importante e deve ser traduzido imediatamente.  
Ce document est important et devrait être traduit immédiatement.  
Questo documento è importante e dovrebbe essere tradotto immediatamente.  
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.  
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  
Nicole Smith, Investigator  
Melissa Anderson, Investigator  
Christopher Temple, Investigator  
Stephen V. Miller, Esq.  
Administration, File