

The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Deborah B. Goldberg
Treasurer and Receiver General

Kim S. Gainstora, Esq.
Chairman

DECISION

MARDOM LIQUORS, INC. D/B/A SHANLEY'S LIQUOR STORE
429 BELMONT STREET
BROCKTON, MA 02301
LICENSE#: 014400102
VIOLATION DATE: 04/20/2016
HEARING DATE: 07/05/2016

Mardom Liquors Inc. d/b/a Shanley's Liquor Store (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, July 5, 2016, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Temple's Report.

The following documents are in evidence:

1. Investigator Temple's Compliance Check Field Report dated April 20, 2016;
2. Licensee's Stipulation of Facts; and
- A. Licensee Signage.

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

The Commission took Administrative Notice of the Licensee's record.

FACTS


1. On Wednesday, April 20, 2016, at approximately 6:56 p.m., Investigator Temple and Investigator Carey ("Investigators") investigated the business operation of Mardom Liquors Inc. d/b/a Shanley's Liquor Store.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 16 oz. bottle of Budweiser light beer. The underage operative was not asked for identification.

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. c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for three (3) days of which three (3) days 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

Elizabeth A. Lashway, Commissioner 

Kathleen McNally, Commissioner 

Date: July 6, 2016

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
Christopher Temple, Investigator
Jack Carey, Investigator
Jose C. Centeio, Esq. via facsimile 617-210-4824
Administration
File