



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

Deborah B. Goldberg
Treasurer and Receiver General

Kim J. Gainsboro, Esq.
Chairman

DECISION

ARVIND PUSHPA CORPORATION D/B/A MALL DISCOUNT LIQUORS
525 HARVARD ST.
BROOKLINE, MA 02446
LICENSE#: 014800061
VIOLATION DATE: 06/09/2016
HEARING DATE: 11/29/2016

Arvind Pushpa Corporation d/b/a Mall Discount Liquors (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, November 29, 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 Lordan's Report.

The following documents are in evidence:

1. Investigator Lordan's Compliance Check Field Report dated June 9, 2016; and
2. Licensee's Stipulation of Facts.

A. Photo of Licensee's Register with Carding Signs.

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

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

FACTS

1. On Thursday, June 9, 2016, at approximately 6:31 p.m., Investigators Teehan and Lordan ("Investigators") investigated the business operation of Arvind Pushpa Corporation d/b/a Mall Discount Liquors.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 24 oz. bottle of Coors Light beer, for two dollars and forty-nine cents (\$2.49). The underage operative was not asked for identification.

CONCLUSION

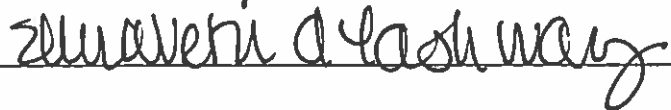
Based on the evidence the Commission finds the Licensee violated 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license 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

Kathleen McNally, Commissioner



Elizabeth A. Lashway, Commissioner



Dated: December 13, 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
Lisa Lordan, Investigator
Michael Teehan, Investigator
Administration, File