



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 21, 2024

SUNSET GROUP LLC D/B/A SUNSET CANTINA
916 COMMONWEALTH AVENUE
BROOKLINE, MA 02215
LICENSE#: 07465-RS-0148
VIOLATION DATE: 10/12 /2023
HEARD: 3/05/2024

After a hearing on March 5, 2024, the Commission finds Sunset Group LLC d/b/a Sunset Cantina violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under 21 years of age. (14 Counts)

The Commission **suspends the license for a period of 18 days of which nine (9) days will be served and nine (9) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission regulations are found by this Commission.**

The suspension shall commence on Monday, October 7, 2024, and terminate on Tuesday, October 15, 2024. The license will be delivered to the Local Licensing Board or its designee on Monday, October 7, 2024 at 9:00 A.M. It will be returned to the licensee on October 16, 2024.

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

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2023-000281-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Katelyn Quinn, Investigator
David Bolcome, Investigator
Sean Fleming, Investigator
Robert Gardner, Investigator
Nicole Smith, Investigator
Michael Teehan, Investigator
Chris Temple, Investigator
Nicole Terasconi, Investigator
Nicholas Velez, Investigator
Robert L. Allen, Esq.
Administration, File



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DECISION

SUNSET GROUP LLC D/B/A SUNSET CANTINA
916 COMMONWEALTH AVENUE
BROOKLINE, MA 02215
LICENSE#: 07465-RS-0148
VIOLATION DATE: 10/12 /2023
HEARD: 3/05/2024

Sunset Group LLC d/b/a Sunset Cantina ("Licensee" or "Sunset Cantina") 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, March 5, 2024, regarding alleged violations of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under 21 years of age. (15 Counts) Prior to the commencement of the hearing, the Licensee stipulated to the facts as written in Investigator Quinn's report.

The following documents are in evidence:

1. Investigator Quinn's Report;
2. Photograph of Fraudulent and Imposter Identifications Confiscated;
3. Photograph of Exterior of Licensed Premises;
4. ABCC Licensing Authority Certification, Transfer of License Approved, 4/14/2023;
5. ABCC Decision, 9/18/2023;
6. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Thursday October 12, 2023, Investigators Bolcome, Fleming, Gardner, Smith, Teehan, Temple, Terasconi, Velez, and Quinn ("Investigators") inspected Sunset Group LLC d/b/a Sunset Cantina ("Licensee" or "Sunset Cantina") to determine the way its business was being conducted.
2. Investigators observed a large crowd of youthful appearing individuals standing on the sidewalk and in the street outside the establishment. Investigators could see into the establishment's windows and observed a large crowd inside as well.

3. At approximately 10:30 p.m., Investigators entered the licensed premises and observed it appeared to be near capacity and most patrons were very youthful in appearance.
4. Investigators identified themselves to several youthful appearing individuals in possession of what appeared to be alcoholic beverages and asked to see proof of legal age to possess alcoholic beverages.
5. Underage #1, actual date of birth 11/18/2002 (age 20), was in possession of a vodka and cranberry mixed drink. She presented to Investigators a fraudulent Vermont driver's license bearing her name but a different birth date.
6. Underage #2, actual date of birth 4/18/2005 (age 18), was in possession of a vodka and soda mixed drink.
7. Underage #3, actual date of birth 2/10/2005 (age 18), was in possession of a vodka and Red Bull mixed drink. He presented to Investigators a fraudulent New Hampshire driver's license bearing his name but a different birth date.
8. Underage #4, actual date of birth 3/02/2005 (age 18), was in possession of a vodka and lemonade mixed drink. She presented to Investigators a fraudulent Rhode Island driver's license bearing her name but a different birth date.
9. Underage #5, actual date of birth 10/11/2004 (age 19), was in possession of a vodka and soda mixed drink. She presented to Investigators a fraudulent Connecticut driver's license bearing her name but a different birth date.
10. Underage #6, actual date of birth 7/19/2005 (age 18), was in possession of a Dirty Shirley Temple (vodka and flavored soda water) mixed drink.
11. Underage #7, actual date of birth 10/21/2004 (age 18), was in possession of a Bud Light beer. He presented to Investigators a fraudulent North Carolina driver's license bearing his name but a different birth date.
12. Underage #8, actual date of birth 9/06/2005 (age 18), was in possession of a vodka and cranberry mixed drink. She presented to Investigators a fraudulent Rhode Island driver's license bearing her name but a different birth date.
13. Underage #9, actual date of birth 12/17/2004 (age 18), was in possession of a vodka and Red Bull mixed drink. He presented to Investigators a fraudulent Pennsylvania driver's license bearing his name but a different birth date.
14. Underage #10, actual date of birth 10/06/2004 (age 19), was in possession of a vodka and Red Bull mixed drink. He presented to Investigators a fraudulent Connecticut driver's license bearing his name but a different birth date.
15. Underage #11, actual date of birth 1/20/2005 (age 18) was in possession of a draft beer. He presented to Investigator an imposter New York driver's license indicating a birth date of 5/10/2000.

16. Underage #12, actual date of birth 11/25/2004 (age 18) was in possession of a vodka mixed drink. She presented to Investigators a fraudulent Colorado driver's license bearing her name but a different birth date.
17. Underage #13, actual date of birth 4/01/2005 (age 18), stated she had been drinking vodka shots at the bar. She presented to Investigators a fraudulent Connecticut driver's license bearing her name but a different birth date.
18. Underage #13 was not observed to be in possession of an alcoholic beverage.
19. Underage #14, actual date of birth 7/23/2005 (age 18), was in possession of an alcoholic mixed drink.
20. Underage #15, actual date of birth 11/09/2004 (age 18), was in possession of a vodka and cranberry mixed drink. She presented to Investigators an imposter Connecticut driver's license with a birth date of 1/17/2000.
21. As Investigators began to check identifications, they observed numerous youthful appearing individuals exiting the premises. In less than approximately 10 minutes, Sunset Cantina appeared to be empty, except for staff.
22. Investigators informed the general manager of the violations and that a report would be filed with the Chief Investigator for further review.
23. Catarina Chang, Licensee, appeared at the Commission hearing, along with Juan Carmona, a manager. The Commission was informed of steps taken to prevent future incidents wherein persons under the age of twenty-one are allowed to be in possession of alcoholic beverages. The Licensee has made staffing changes. A new identification scanner has been purchased and employees are instructed to also use their common sense when assessing an identification. All patrons are now required to produce identification and only people over the age of twenty-one are allowed entry after 7:00 p.m. The Licensee has hired a private security company.
24. The Licensee has held a license under M.G.L. c. 138, § 12 since April 2023 with one prior violation.

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, § 34C – Possession of an alcoholic beverage by a person under 21 years of age (14 Counts). The Commission finds NO VIOLATION as to Underage #13.

As a result, the Commission **suspends the license for a period of 18 days of which nine (9) days will be served and nine (9) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission regulations are found by this Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman

Jean M. Lorizio

Crystal Matthews, Commissioner

Crystal Matthews

Deborah Baglio, Commissioner

Deborah A. Baglio

Dated: August 21, 2024

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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