



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

Jean M. Lorizio, Esq.
Chairman

AMENDED
NOTICE OF SUSPENSION

March 13, 2023

**KINGS BOWL OF BURLINGTON LLC D/B/A KINGS
52 SECOND AVENUE
BURLINGTON, MA 01803
LICENSE#: 00048-RS-0160
VIOLATION DATE: 12/8/2022
HEARD: 1/31/2023**

After a hearing on January 31, 2023, the Commission finds Kings Bowl Of Burlington LLC d/b/a Kings violated M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count). The Commission **suspends the license for a period of three (3) days to be served.**

The suspension shall commence on Monday, May 8, 2023, and terminate on Wednesday, May 10, 2023. The license will be delivered to the Local Licensing Board or its designee on Monday, May 8, 2023, at 9:00 A.M. It will be returned to the licensee on May 11, 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

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ALCOHOLIC BEVERAGES CONTROL COMMISSION

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ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Katelyn Quinn, Investigator
Dennis Keefe, Investigator
Dennis A. Quilty, Esq.
Administration, File



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Jean M. Lorizio, Esq.
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DECISION

**KINGS BOWL OF BURLINGTON LLC D/B/A KINGS
52 SECOND AVENUE
BURLINGTON, MA 01803
LICENSE#: 00048-RS-0160
VIOLATION DATE: 12/8/2022
HEARD: 1/31/2023**

Kings Bowl Of Burlington LLC d/b/a Kings (the “Licensee”) 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, January 31, 2023, regarding an alleged violation of M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Quinn’s report.

The following documents are in evidence:

1. Investigator Quinn’s Report;
 2. ABCC Form 43, New License approval, 5/1/2013;
 3. ABCC Decision, 10/6/2021;
 4. Licensee’s Stipulation of Facts.
- A. TIPS Certifications of Licensee’s Employees.

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

FINDINGS OF FACT

1. On Thursday, December 8, 2022, Investigators Keefe and Quinn (“Investigators”) inspected Kings Bowl of Burlington LLC d/b/a Kings to determine the manner in which business was being conducted.
2. At approximately 9:20 p.m., Investigators observed an unknown female (“UF”) who appeared to be intoxicated singing karaoke. Investigator Quinn observed that UF’s eyes were glassy, her speech was slurred, and she appeared slightly unsteady on her feet. She was in possession of a bottle of Bud Light beer.
3. At approximately 9:30 p.m., Investigators observed UF speaking with slurred speech to another individual while leaning into that person.

4. At approximately 9:45 p.m., Investigators observed UF chugging from a bottle of Bud Light beer.
5. At approximately 9:50 p.m., UF approached Investigator Quinn and spoke with slurred speech, informing Investigator Quinn she was about to perform karaoke.
6. At approximately 10:00 p.m., Investigators observed UF standing at the bar next to her friend. Her friend ordered two white tea shots, and stated to the bartender, "one for me and one for her" pointing to UF. Investigators then observed UF being served the shot and drinking it.
7. Investigators observed UF stumbling, bumping into people, and shouting obscenities while on the dance floor.
8. UF made eye contact with Investigators and was observed to have glassy, blood shot eyes. She informed Investigators she would be singing soon and introduced herself by name to Investigator Quinn. At this time, based on their training and experience, Investigators determined that UF was intoxicated.
9. At approximately 10:07 p.m., UF knocked over a bottle of beer that was sitting on the bar.
10. At approximately 10:15 p.m., UF approached Investigator Quinn and asked her to do a White Tea shot with her. Investigators observed UF order one High Noon hard seltzer and two white tea shots from the bartender.
11. Investigators observed the bartender serve UF first the High Noon Hard Seltzer and then the two white tea shots. UF consumed one of the shots and gave the other shot to another patron.
12. At approximately 10:25 p.m., Investigators observed the bartender standing at the bar, directly facing UF and her friend. He appeared to be starting directly at them before walking away. At approximately 10:26 p.m., UF knocked over two bottles of beer which were on the bar.
13. Investigators identified themselves to the manager on duty informing him of their observations of UF.
14. Investigators then informed the manager that a report would be filed with the Chief Investigator for further review.
15. Leo Fonseca, Chief Operating Officer, appeared at the Commission hearing and testified the Licensee has retrained all employees at their multiple locations.
16. The Licensee has held a license under M.G.L. c. 138, § 12 since 2013 with one previous violation.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (1 Count). Therefore, the Commission **suspends the license for a period of 3 days.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman

Jean M. Lorizio

Crystal Matthews, Commissioner

Crystal Matthews

Deborah Baglio, Commissioner

Deborah A Baglio

Dated: March 13, 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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2022-000205-ad-enf

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