

*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
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Jean M. Lorizio, Esq.
Chairman

DECISION

**HOA INC. D/B/A CASK & BOTTLE
313 LITTLETON ROAD
CHELMSFORD, MA 01824
LICENSE#: 0200-00028
VIOLATION DATE: 3/12/2018
HEARING DATE: 5/15/2018**

Hoa Inc. d/b/a Cask & Bottle (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, May 15, 2018, 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 Doyle's Report.

The following documents are in evidence:

1. Investigator Doyle's Compliance Check Field Report; and
2. Licensee's Stipulation of Facts.

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

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

FACTS

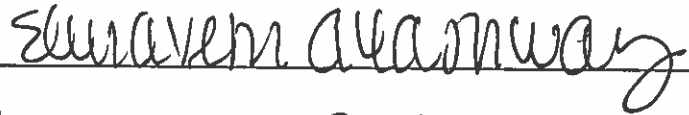
1. On Monday, March 12, 2018, at approximately 6:48 p.m., Investigators Bailey and Doyle ("Investigators") investigated the business Hoa Inc. d/b/a Cask & Bottle.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 24 ounce can of Bud Light beer, for two dollars and sixty cents (\$2.60). The underage operative was not asked for identification.

CONCLUSION

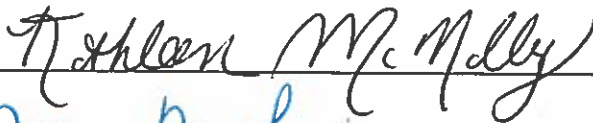
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for one (1) day which 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

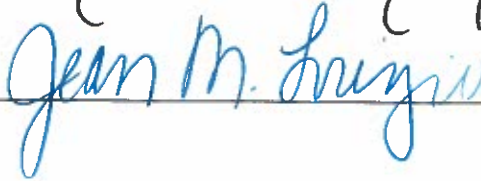
Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Jean M. Lorizio, Chairman



Dated: May 16, 2018

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
Brad Doyle, Investigator
Rose Bailey, Investigator
Administration, File