



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. Gainsboro, Esq.
Chairman

AMENDED
NOTICE OF SUSPENSION

December 20, 2016

JOY VARIETY INC. D/B/A TERRI'S MARKET
12 LOUISE RD.
DEDHAM, MA 02026
LICENSE#: 027400034
VIOLATION DATE: 08/10/2016
HEARD: 12/14/2016

After a hearing on December 14, 2016, the Commission finds Joy Variety Inc. d/b/a Terri's Market violated 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 Count).

The Commission suspends the license for five (5) days of which two (2) days will be served and 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.

The suspension shall commence on Wednesday, February 8, 2017 and terminate on Thursday, February 9, 2017. The license will be delivered to the Local Licensing Board or its designee on Wednesday, February 8, 2017 at 9:00 A.M. It will be returned to the Licensee Friday, February 10, 2017.

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



Kim S. Gainsboro
Chairman

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这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Michael Teehan, Investigator
Lisa Lordan, Investigator
Louis Cassis, Esq. via facsimile 617-472-5028
Administration, File



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NOTICE OF SUSPENSION

December 19, 2016

JOY VARIETY INC. D/B/A TERRI'S MARKET
12 LOUISE RD.
DEDHAM, MA 02026
LICENSE#: 027400034
VIOLATION DATE: 08/10/2016
HEARD: 12/14/2016

After a hearing on December 14, 2016, the Commission finds Joy Variety Inc. d/b/a Terri's Market violated 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 Count).

The Commission suspends the license for five (5) days of which two (2) days will be served and 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.

The suspension shall commence on Wednesday, February 11, 2017 and terminate on Thursday, February 12, 2017. The license will be delivered to the Local Licensing Board or its designee on Wednesday, February 11, 2017 at 9:00 A.M. It will be returned to the Licensee Friday, February 13, 2017.

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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Chairman

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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

JOY VARIETY INC. D/B/A TERRI'S MARKET
12 LOUISE RD.
DEDHAM, MA 02026
LICENSE#: 027400034
VIOLATION DATE: 08/10/2016
HEARD: 12/14/2016

Joy Variety Inc. d/b/a Terri's Market (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 Wednesday, December 14, 2016, regarding alleged violation of 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 Count). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Teehan's Report.

The following documents are in evidence:

1. Investigator Teehan's Investigative Report;
2. Licensee's Stipulation of Facts; and
3. Copy of Fake Identification.

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

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

FINDINGS OF FACT

1. On Wednesday, August 10, 2016, Investigators Lordan and Teehan ("Investigators") investigated Joy Variety Inc. d/b/a Terri's Market to determine the manner in which their business was being conducted.
2. At approximately 7:08 p.m., while outside the licensed premises, Investigators observed a youthful looking male subject exit the store with two 30-packs of Budweiser Light beer.
3. Investigators approached the male subject and asked for proof of legal age.

4. The Underage male, actual date of birth 09/16/1997 (age 18), stated that he used a fake Maine driver's license to purchase the alcoholic beverages.
5. Investigators informed the owner, Shailesh Patel, of the violation and that a report would be submitted to the Chief Investigator for further action.

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: c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 Count). Therefore, the Commission **suspends the license for five (5) days of which two (2) days will be served and 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 

Dated: December 19, 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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