

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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

November 7, 2022

CHAN SZE GROUP INC. D/B/A JOE'S LIQUORS
90 EAGLE STREET
FALL RIVER, MA 02721
LICENSE#: 00135-PK-0388
VIOLATION DATE: 4/29/2022
HEARD: 10/04/2022

After a hearing on October 4, 2022, the Commission finds Chan Sze Group Inc. d/b/a Joe's Liquors violated M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (3 Counts). The Commission **suspends the license for a period of two (2) days to be served.**

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

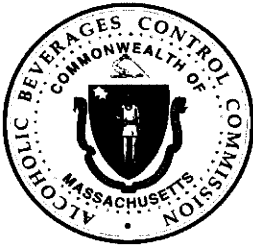
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
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
Kyle E. Gill, Esq., Associate General Counsel
Sean Fleming, Investigator
Robert Gardner, Investigator
Brian Gould, Investigator
Nicholas Velez, Investigator
Administration, File



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DECISION

CHAN SZE GROUP INC. D/B/A JOE'S LIQUORS
90 EAGLE STREET
FALL RIVER, MA 02721
LICENSE#: 00135-PK-0388
VIOLATION DATE: 4/29/2022
HEARD: 10/04/2022

Chan Sze Group Inc. d/b/a Joe's Liquors (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, October 4, 2022, regarding an alleged violation of M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (3 Counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Fleming's Report.

The following documents are in evidence:

1. Investigator Fleming's Report;
2. ABCC Form 43, Transfer of License Approval, 10/7/2014
3. Photograph of Confiscated Fraudulent Driver's Licenses;
4. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Friday, April 29, 2022, Investigators Gardner, Gould, Velez, and Fleming ("Investigators"), inspected Chan Sze Group Inc. d/b/a Joe's Liquors to determine the way its business was being conducted.
2. At approximately 6:30 p.m. while conducting surveillance of the establishment, Investigators observed a grey Jeep vehicle occupied by two youthful appearing male individuals, pull into the parking lot. Investigators observed one of the males exit the vehicle and enter the premises. Shortly afterwards, Investigators observed the same male exit the premises with what appeared to be alcoholic beverages.
3. Investigators approached the male, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.

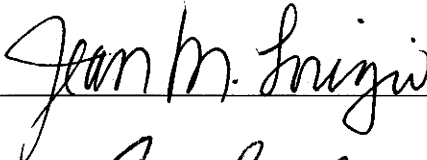
4. Underage #1, actual date of birth 1/24/2004 (age 18), provided to Investigators a fraudulent Connecticut driver's license, which he stated he used to purchase the following alcoholic beverages: one case of Bud Light beer and one sleeve of Dr. McGillicuddy's liqueur in 50 milliliter bottles. Investigators confiscated the alcohol and the fraudulent license.
5. At approximately 6:35 p.m., Investigator observed a black BMW occupied by two youthful appearing male individuals enter the parking lot. Investigators observed one of the males exit the vehicle, enter the store, and exit shortly thereafter carrying three cases of beer.
6. Investigators approached the male, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
7. Underage #2, actual date of birth 5/09/2002 (age 19), provided to Investigators a fraudulent Connecticut driver's license, which he stated he used to purchase the following alcoholic beverages: one case of Bud Light beer, one case of Corona beer, and one case of Bud Light alcoholic seltzers. Investigators confiscated the alcohol and the fraudulent license.
8. At approximately 7:48 p.m., Investigator observed a black Infinity occupied by one male individual pull into the parking lot. Investigators observed the youthful appearing male exit the vehicle and enter the licensed premises. Minutes later, the same male exited the store with what appeared to be alcoholic beverages.
9. Investigators approached the male, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
10. Underage #3, actual date of birth 7/06/2001 (age 20), provided to Investigators a fraudulent Massachusetts driver's license, which he stated he used to purchase the following alcoholic beverages: one bottle of Fireball Whiskey and one case of Truly hard seltzer. Investigators confiscated the alcohol and the fraudulent license.
11. Investigators entered the licensed premises and spoke with Kam Yuk Sze, Licensee and Manager of Record. Ms. Sze remembered the individuals as described by Investigators. She stated she had checked their identifications but was unable to determine the licenses were fraudulent.
12. Investigators informed Ms. Sze of the violations and that a report would be filed with the Chief Investigator for further action.
13. Ms. Sze appeared at the Commission hearing and testified as to the Licensee's efforts to prevent future sales to minors, including adopting a new policy wherein out-of-state identifications are no longer accepted.
14. The Licensee has held a license under M.G.L. c. 138, § 15 since 2014 with no prior violations.

CONCLUSION

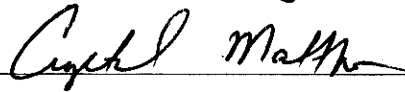
Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (3 Counts). As a result, the Commission **suspends the license for a period of two (2) days to be served.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

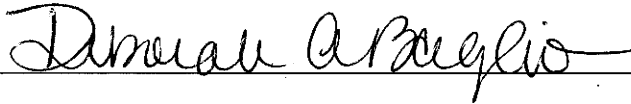
Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: November 7, 2022

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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这份文件是重要的，应立即进行翻译。

2022-000120-ad-enf

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