

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

**Jean M. Lorizio, Esq.**  
*Chairman*

NOTICE OF SUSPENSION

March 3, 2022

**SHIVAI CORP. D/B/A JAY'S WINE & SPIRITS**  
**1702 PRESIDENTS AVENUE**  
**FALL RIVER, MA 02720**  
**LICENSE#: 89536-PK-0388**  
**VIOLATION DATE: 5/13/2021**  
**HEARD: 11/16/2021**

After a hearing on November 16, 2021, the Commission finds Wine & Liquors, Inc. d/b/a Roslindale Liquors violated M.G.L. c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age (2 counts).

The Commission **suspends the license for a period of two (2) days to be served.**

**The suspension shall commence on Monday, April 18, 2022, and terminate on Tuesday, April 19, 2022.** The license will be delivered to the Local Licensing Board or its designee on Monday, April 18, 2022, at 9:00 A.M. It will be returned to the licensee on April 20, 2022.

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.

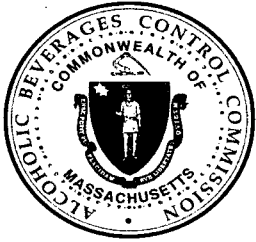
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

**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  
Nicholas Velez, Investigator  
Christopher Temple, Investigator  
Matthew Porter, Esq.  
Administration, File



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**DECISION**

**SHIVAI CORP. D/B/A JAY'S WINE & SPIRITS**  
**1702 PRESIDENTS AVENUE**  
**FALL RIVER, MA 02720**  
**LICENSE#: 89536-PK-0388**  
**VIOLATION DATE: 5/13/2021**  
**HEARD: 11/16/2021**

Shivai Corp. d/b/a Jay's Wine & Spirits (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, November 16, 2021, 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 (2 counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Velez's Report.

The following documents are in evidence:

1. Investigator Velez's Violation Report;
2. ABCC cover sheet showing License Transfer Approved, 4/11/2019;
3. Copy of Fraudulent Driver's Licenses;
4. Licensee Stipulation of Facts.

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

**FINDINGS OF FACT**

1. On Thursday, May 13, 2021, at approximately 6:30 p.m. Investigators Temple and Velez ("Investigators"), conducted an investigation of the business operation of Shivai Corp. d/b/a Jay's Wine & Spirits to determine the manner in which its business was being conducted.
2. Investigators conducted surveillance outside of the licensed premises and observed a youthful appearing male individual enter the licensed premises and minutes later, exit the store in possession of one 6-pack of Seagram's Hard Seltzer and a brown bag. Investigators identified themselves and asked to see proof of legal age.

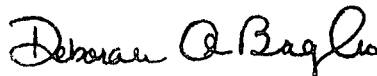
3. Underage #1, actual date of birth 4/19/2001 (age 20), presented to Investigators a fraudulent Connecticut driver's license in his own name and address but with a different birth date. Underage #1 was in possession of a 6-pack of Seagram's Hard Seltzer, a 200-milliliter bottle of Captain Morgan's Spiced Rum, and a 4-pack of Loyal Mixed-Berry Lemonade cocktail.
4. Investigators continued to conduct surveillance outside the licensed premises and observed a youthful appearing female individual enter the licensed premises and minutes later, exit the store carrying a 6-pack of White Claw Seltzer and a brown bag. Investigators identified themselves and asked to see proof of legal age.
5. Underage #2, actual date of birth 5/14/2001 (age 20), presented to Investigators a fraudulent Pennsylvania driver's license in her own name but with a different address and birth date. Underage #2 was in possession of a 6-pack of White Claw Hard Seltzer and a brown bag which contained a 1.75-liter bottle of Deep Eddy Lemonade vodka.
6. Mr. Jayshilkumar Patel, president of the Licensee, appeared at the Commission's hearing. On the date of the violation, the Licensee had a scanner in place but it was not up to date. The clerk relied on his own judgment and reviewed the dates of birth on the identifications presented but was unable to scan the driver's licenses. The Licensee has ordered a new state of the art scanner and implemented a new policy wherein they will not accept any out of state licenses until the new scanner is in place. All employees have received recertification of their TIPS training and all new employees are required to be TIPS certified.
7. The Licensee has held a license under M.G.L. c. 138, § 15 since 2019 with no prior violations.

#### CONCLUSION

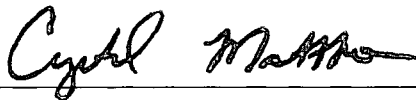
Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age (2 counts). Therefore, the Commission **suspends the license for a period of two (2) days to be served.**

#### ALCOHOLIC BEVERAGES CONTROL COMMISSION

Deborah A. Baglio, Commissioner

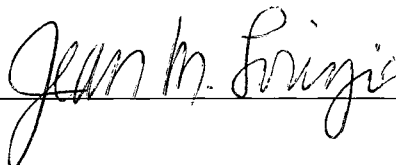


Crystal Matthews, Commissioner



I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Jean M. Lorizio, Chairman



Dated: March 3, 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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