



The Commonwealth of Massachusetts
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

JAI BHOLENATH CORP. DBA JAY'S LIQUORS
134 RIVER ST
FITCHBURG, MA 01420
LICENSE#: 039400071
VIOLATION DATE: 04/30/2015
HEARD: 07/14/2015

Jai Bholenath Corp. dba Jay's Liquors (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, July 14, 2015, regarding an 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. 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 Bailey's Compliance Check Field Report dated April 30, 2015; 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

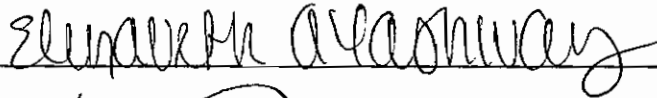
1. On Thursday, April 30, 2015, at approximately 6:14 p.m., Investigators Doyle and Bailey conducted an investigation of the business operation of Jai Bholenath Corp. dba Jay's Liquors.
2. While on the licensed premises an underage operative working with investigators purchased from the Licensee an alcoholic beverage, a sixteen ounce (16 oz.) can of Budweiser Light Lime beer, for one dollar and twenty-five cents (\$1.25). The underage operative was not asked for identification.

CONCLUSION

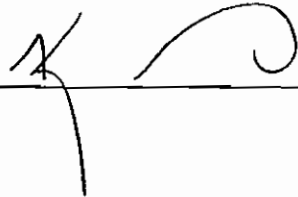
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for three (3) days of which 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 Lashway, Commissioner



Kim S. Gainsboro, Chairman



Dated: July 14, 2015

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.

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Brad Doyle, Investigator
Rose Bailey, Investigator
Timothy Perry, Esq. via facsimile 617-720-4310
Administration
File