



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

CHAIR CITY INC.
221 MAIN STREET
GARDNER, MA 01440
LICENSE#: 043600062
VIOLATION DATE: 05/06/2015
HEARD: 07/14/2015

Chair City Inc. (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 Bailey's Report.

The following documents are in evidence:

1. Investigator Bailey's Compliance Check Field Report dated May 6, 2015;
 2. Licensee's Stipulation of Facts;
 3. Commission's 2015 Compliance Check Guidelines; and
 4. Photograph of Underage Operative.
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- A. Verification of Age through Register;
 - B. Alcohol Intervention Methods, 2011 – 2015;
 - C. Alcohol Intervention Methods Certificates for Employees; and
 - D. DUA Claim form for C. Smith.

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

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

FACTS

1. On Wednesday, May 6, 2015, at approximately 6:40 p.m., Investigators Doyle and Bailey conducted an investigation of the business operation of Chair City Inc.
2. While on the licensed premises an underage operative working with investigators purchased from the Licensee an alcoholic beverage, a twenty-four ounce (24 oz.) container of Coors Light beer, for two dollars and seventy-nine cents (\$2.79). The underage operative was not asked for identification.

CONCLUSION

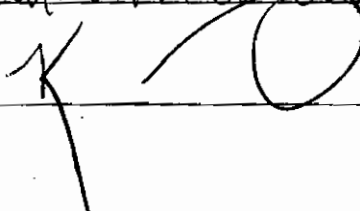
Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the Licensee has had no previous violations, the Commission issues a **WARNING**.

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
Rose Bailey, Investigator
Brad Doyle, Investigator
Administration
File