



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**ROBERTS AUTO CLINIC & TIRE CENTER INC. D/B/A ROBERTS AUTO CLINIC
2 MASHAPAUG ROAD
HOLLAND, MA 01521
LICENSE#: 00010-PK-0536
VIOLATION DATE: 4/11/2023
HEARD: 9/05/2023**

Roberts Auto Clinic & Tire Center Inc. d/b/a Roberts Auto Clinic ("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, September 5, 2023, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Prior to the commencement of the hearing the Licensee stipulated to the facts alleged in Investigators Guarino and Fleming's Minimum Purchase Age Compliance Check Field Report.

The following documents are in evidence:

1. Investigators Guarino and Fleming's Minimum Purchase Age Compliance Check Field Report, 4/11/2023;
 2. ABCC Form 43, Transfer of Approval, 12/3/2004;
 3. Licensee's Stipulation of Facts.
- A. Licensee's Letter to the ABCC, 8/30/2023.

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

FINDINGS OF FACT

1. On Tuesday, April 11, 2023, at approximately 6:59 p.m., Investigators Fleming and Guarino ("Investigators") conducted a compliance check at Roberts Auto Clinic & Tire Center Inc. d/b/a Roberts Auto Clinic.
2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, a 24-ounce Bud Light beer, for three dollars and twenty-five cents (\$3.25). The underage operative was not asked for identification.

3. Robert Achi, Licensee, appeared at the Commission hearing and testified that he has retrained employees and constantly reminds them to check all customer identifications.
4. The Licensee has held a license under M.G.L. c. 138, § 15 since 2004 with no prior violations.

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: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Therefore, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner

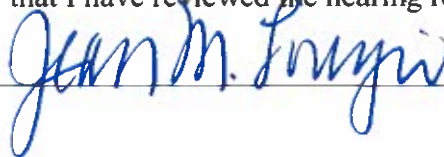


Deborah A. Baglio, Commissioner



I, the undersigned, hereby certify that I have reviewed the hearing record.

Jean M. Lorizio, Chairman



Dated: January 2, 2024

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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2023-000093-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Caroline Guarino, Investigator
Sean Fleming, Investigator
Administration, File