



*Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
Telephone: 617-727-3040  
Facsimile: 617-727-1510*

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

**NOTICE OF SUSPENSION**

June 19, 2018

**MIR INC. D/B/A MIR TAPAS LOUNGE  
102-116 ESSEX ST.  
LAWRENCE, MA 01840  
LICENSE#: 0594-00255  
VIOLATION DATE: 4/13/2018  
HEARD: 6/05/2018**

After a hearing on June 5, 2018, the Commission finds Mir Inc. d/b/a Mir Tapas Lounge violated 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Ch. 138 § 34C - Possession of an alcoholic beverage by a person under twenty-one (21) years of age (2 counts).

The Commission **suspends the license for seven (7) days of which three (3) days will be served and four (4) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

**The suspension shall commence on Wednesday, August 1, 2018 and terminate on Friday, August 3, 2018.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, August 1, 2017 at 9:00 A.M. It will be returned to the Licensee on Saturday, August 4, 2018.

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**

A handwritten signature in cursive script, appearing to read "Jean M. Lorizio".

Jean M. Lorizio  
Chairman

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Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.  
这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Joseph Di Cicco, Investigator  
Michael Teehan, Investigator  
Arthur Broadhurst, Esq. via facsimile 978-327-5144  
Administration, File



**Jean M. Lorizio, Esq.**  
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## **DECISION**

**MIR INC. D/B/A MIR TAPAS LOUNGE  
102-116 ESSEX ST.  
LAWRENCE, MA 01840  
LICENSE#: 0594-00255  
VIOLATION DATE: 4/13/2018  
HEARD: 6/05/2018**

Mir Inc. d/b/a Mir Tapas Lounge (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, June 5, 2018, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (2 counts). Prior to the start of the hearing, the Licensee stipulated to the violation in Investigator Di Cicco's report.

The following documents are in evidence:

1. Investigator Di Cicco's Investigative Report;
2. Licensee's Stipulation of Facts; and
3. Photocopies of Fraudulent Driver's License.

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

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

## **FINDINGS OF FACT**

1. On Friday, April 13, 2018, at approximately 11:00 p.m., Investigators Teehan and Di Cicco ("Investigators") conducted an investigation of the business operation of Mir Inc. d/b/a Mir Tapas Lounge to determine the manner in which its business was being conducted, and to investigate a complaint filed with this Commission.

2. Investigators observed youthful appearing individuals in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of legal age.
3. Underage #1, actual date of birth 4/18/1998 (age 19) was in possession of a Corona beer. She presented to Investigators a fraudulent Maine driver's license.
4. Underage #2, actual date of birth 6/4/1997 (age 20) was in possession of a mixed drink, vodka and cranberry. She presented to Investigators a fraudulent Maine driver's license.
5. Investigators made contact with the manager, Jonas Marine, and identified the underage individuals to him. Investigators also showed Mr. Marine and other staff members the fraudulent identifications used to gain entry to the premises and obtain alcoholic beverages.
6. Investigators informed Marine of the violations and that a report would be filed with the Chief Investigator for further review.

### 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. c. 138, § 34C- Possession of an alcoholic beverage by a person under twenty-one (21) years of age (3 counts). The Commission **suspends the license for a period of for seven (7) days of which three (3) days will be served and four (4) 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

Kathleen McNally, Commissioner



Elizabeth A. Lashway, Commissioner



Dated: June 19, 2018

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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