



*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 22, 2023

**PISETH HEM INC. D/B/A KING LIQUORS
326 FLETCHER STREET
LOWELL, MA 01854
LICENSE#: 89656-PK-0630
VIOLATION DATE: 9/16/2022
HEARD: 12/06/2022**

After a hearing on December 6, 2022, the Commission finds Piseth Hem Inc. d/b/a King Liquors violated M.G.L. Ch. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (4 Counts). The Commission **suspends the license for a period of five (5) days to be served.**

The suspension shall commence on Monday, May 15, 2023, and terminate on Friday, May 19, 2023. The license will be delivered to the Local Licensing Board or its designee on Monday, May 15, 2023, at 9:00 A.M. It will be returned to the licensee on May 20, 2023.

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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ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Alicia Cutter, Investigator
Dennis Keefe, Investigator
Katelyn Quinn, Investigator
Arthur C. Sullivan Jr., Esq.
Administration, File



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DECISION

**PISETH HEM INC. D/B/A KING LIQUORS
326 FLETCHER STREET
LOWELL, MA 01854
LICENSE#: 89656-PK-0630
VIOLATION DATE: 9/16/2022
HEARD: 12/06/2022**

Piseth Hem Inc. d/b/a King Liquors (“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, December 6, 2022, 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 (4 Counts). Prior to the commencement of the hearing the Licensee stipulated to facts alleged in Investigator Cutter’s report.

The following documents are in evidence:

1. Investigator Cutter’s Violation Report;
 2. ABCC Licensing Authority Certification, Transfer of License Approved, 10/3/2019;
 3. Photocopy of Fraudulent Driver’s Licenses Confiscated;
 4. Licensee’s Stipulation of Facts.
- A. Photographs (3) from Licensee’s Surveillance Cameras, 9/16/2022.

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

1. On Friday September 16, 2022, from approximately 7:45 p.m. to 8:10 p.m., Investigators Keefe, Quinn, and Cutter (“Investigators”) conducted surveillance of Piseth Hem Inc. d/b/a King Liquors (“Licensee” or “King Liquors”) to determine the manner in which its business was being conducted.
2. While outside the licensed premises, Investigators observed a youthful appearing male individual exit the licensed premises carrying a 12-pack of Happy Daddy Hard Seltzer. Investigators identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
3. Underage #1, actual date of birth 4/16/2002 (age 20), provided Investigators with a fraudulent Connecticut driver’s license that he used to purchase the alcoholic beverages.

4. Investigators observed a youthful appearing male individual exit the licensed premises carrying a black plastic bag containing what appeared to be alcoholic beverages. Investigators identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
5. Underage #2, actual date of birth 5/21/2002 (age 20), stated he was not asked for identification when he purchase a bottle of Smirnoff vodka.
6. Investigators observed a youthful appearing female individual exit the licensed premises carrying a black plastic bag containing what appeared to be alcoholic beverages. Investigators identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
7. Underage #3, actual date of birth 5/26/2003 (age 19), provided Investigators with a fraudulent Connecticut driver's license which she used to purchase four BeatBoxes Party Punch and one nip bottle of Smirnoff watermelon vodka.
8. Investigators observed a youthful appearing female individual exit the licensed premises carrying a 9-pack of Down East hard cider, a 6-pack of LoverBoy malt beverage, a sleeve of menthol liqueur nips, and a single menthol liqueur nip. Investigators identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
9. Underage #4, actual date of birth 4/01/2003 (age 19), provided Investigators with a fraudulent New York driver's license that she used to purchase the alcoholic beverages.
10. Investigators entered the licensed premises and spoke to the clerk on duty, Piseth Hem. Mr. Hem is the Licensee and Manager of Record. Investigators informed him of the violations, and that a report would be submitted to the Chief Investigator for further action.
11. Mr. Hem appeared at the Commission hearing and testified he has changed his policy and now requests identification from any patrons who appear to be 30 years of age or younger.
12. 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 (4 Counts). As a result, the Commission **suspends the license for a period of 5 days.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman 

Crystal Matthews, Commissioner 

Deborah Baglio, Commissioner 

Dated: March 22, 2023

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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2022-000175-ad-enf

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- Alicia Cutter, Investigator
- Dennis Keefe, Investigator
- Katelyn Quinn, Investigator
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- Administration, File