



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**MOHAMMAD ISLAM D/B/A OLD TOWNE MARKET
8 POST OFFICE SQUARE
LYNNFIELD, MA 01940
LICENSE#: 0640-00020
VIOLATION DATE: 3/18/2019
HEARING DATE: 6/11/2019**

Mohammad Islam d/b/a Old Towne Market (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, June 11, 2019, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. 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 Di Cicco's Report.

The following documents are in evidence:

1. Investigator Di Cicco's Compliance Check Field Report;
2. Licensee's Stipulation of Facts; and
3. Licensee's Commission file.

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

FACTS

1. On Monday, March 18, 2019, at approximately 6:24 p.m., Investigators Temple and Di Cicco ("Investigators") investigated the business of Mohammad Islam d/b/a Old Towne Market.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a can of Bud Light beer, for three dollars and eighty-nine cents (\$3.89). 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: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the Licensee has been in business for more than 10 years with no prior violations, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Elizabeth Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: June 11, 2019

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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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Joseph Di Cicco, Investigator
Christopher Temple, Investigator
Administration, File