



*Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
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Boston, MA 02114  
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**Jean M. Lorizio, Esq.**  
*Chairman*

**DECISION**

**MOGADOR LLC D/B/A TEKILA'S  
126 MERRIMACK STREET  
METHUEN, MA 01844  
LICENSE#: 069600127  
VIOLATION DATE: 04/27/2017  
HEARING DATE: 07/18/2017**

Mogador LLC d/b/a Tekila's (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, July 18, 2017, 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 Doyle's Report.

The following documents are in evidence:

1. Investigator Doyle's Compliance Check Field Report; and
2. Licensee's Stipulation of Facts.

A. TIPS Certifications for Licensee's Employees.

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

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

**FACTS**

1. On Thursday, April 27, 2017, at approximately 6:59 p.m., Investigators Bailey and Doyle ("Investigators") investigated the business operation of Mogador LLC d/b/a Tekila's.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a Coors Light beer, for five dollars (\$5.00). 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. Therefore, the Commission **suspends the license for three (3) days of which three (3) 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: July 19, 2017

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  
Brad Doyle, Investigator  
Rose Bailey, Investigator  
Administration, File