

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

Jean M. Lorizio, Esq. Chairman

### **DECISION**

CENTRE GROUP LLC D/B/A UNION STREET 107R UNION STREET NEWTON, MA 02459

LICENSE#: 03464-RS-0800 VIOLATION DATE: 10/08/2020

HEARD: 11/02/2021

Centre Group LLC d/b/a Union Street (the "Licensee") holds an alcoholic beverages license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, November 2, 2021, regarding an alleged violation of 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 (16 Counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Teehan's Report.

The following documents are in evidence:

- 1. Investigator Teehan's Report;
- 2. Licensee Accela Summary, License Transfer approved 6/30/2017;
- 3. Copy of Fraudulent Identifications Confiscated by Investigators;
- 4. Licensee's Stipulation of Facts.

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

## **FINDINGS OF FACT**

- 1. On Thursday, October 8, 2020, at approximately 10:35 p.m., Investigators Bolcome, Guarino, and Teehan ("Investigators") conducted an inspection of Centre Group LLC d/b/a Union Street to determine the manner in which its business was being conducted.
- 2. While inside the licensed premises Investigators observed sixteen (16) youthful looking individuals, in possession of what appeared to be alcoholic beverages. Investigators identified themselves to the individuals and asked to see proof of legal age.
- 3. Underage #1, actual date of birth 9/20/2000 (age 20), was in possession of a glass of white sangria. She presented to Investigators a fraudulent Connecticut driver's license bearing

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- her name with a different birth date and informed them she presented the fraudulent identification to gain entrance to the premises.
- 4. Underage #2, actual date of birth 7/18/2001 (age 19), was in possession of a draft beer. He presented to Investigators a fraudulent Missouri driver's license bearing another person's name and with a different birth date which he stated he had presented to gain entry to the establishment.
- 5. Underage #3, actual date of birth 3/01/2001 (age 18), was in possession of a draft beer. He presented to Investigators a fraudulent Rhode Island driver's license bearing his name but with a different birth date and which he had used to gain entry to the licensed premises.
- 6. Underage #4, actual date of birth, 8/21/2000 (age 20), was in possession of a draft beer. He presented to Investigators a fraudulent Kansas driver's license bearing his name but with a different birth date. He informed Investigators he used the fraudulent identification to gain entry to the licensed premises.
- 7. Underage #5, actual date of birth 4/19/2001 (age 19), was in possession of a draft beer. He presented to Investigators a fraudulent New Jersey driver's license bearing his name but with a different birth date. He stated he had used the fraudulent identification to gain entry to the establishment.
- 8. Underage #6, actual date of birth 10/8/2000 (age 20), was in possession of a draft beer. He presented to Investigators a fraudulent New York driver's license bearing his name with a different birth date which he had used to gain entry to the licensed premises.
- 9. Underage #7, actual date of birth 8/29/2000 (age 20), was in possession of a Coors Light draft beer. He presented to Investigators a fraudulent California driver's license bearing his name but with a different birth date and stated he used the fraudulent identification to gain entry to the establishment.
- 10. Underage #8, actual date of birth 10/10/2002 (age 18), was in possession of a Cider Mule mixed drink. He presented to Investigators a fraudulent Connecticut driver's license bearing his own name but a different birth date. He stated he used the fraudulent identification to gain entry to the premises.
- 11. Underage #9, actual date of birth 10/23/2000 (age 19), was in possession of a Coors Light draft beer. He presented to Investigators a fraudulent Missouri driver's license bearing his own name but a different birth date. He informed Investigators he had used the fraudulent identification to gain entry to the licensed premises.
- 12. Underage #10, actual date of birth 1/18/2001 (age 19), was in possession of a Coors Light draft beer. He presented to Investigators a fraudulent New Jersey driver's license bearing his own name but a different birth date, and stated he used said fraudulent identification to gain entry to the establishment.
- 13. Underage #11, actual date of birth 1/18/2001 (age 19), was in possession of a Coors Light draft beer. He presented to Investigators a fraudulent Connecticut driver's license bearing

- his own name but a different birth date. He informed Investigators he had presented the fraudulent identification to gain entry to the licensed premises.
- 14. Underage #12, actual date of birth 6/23/2001 (age 19), was in possession of a Harpoon draft beer. He presented to Investigators a fraudulent Connecticut driver's license bearing his own name but a different birth date and informed Investigators he used said identification to gain entry to the establishment.
- 15. Underage #13, actual date of birth 4/29/2001 (age 19), was in possession of a Coors Light draft beer. He presented to Investigators a fraudulent Massachusetts driver's license bearing his name but a different birth date and stated he had used to the fraudulent identification to gain entrance to the licensed premises.
- 16. Underage #14, actual date of birth 5/30/2000 (age 20), was in possession of a Miller Light draft beer. He presented to Investigators a fraudulent California driver's license bearing his own name but with a different birth date. He stated he had used said fraudulent identification to gain entry to the licensed premises.
- 17. Underage #15, actual date of birth 6/28/2000 (age 20), was in possession of a Miller Light draft beer. He presented to Investigators a fraudulent New Jersey driver's license bearing his name but with a different birth date that he used to gain entry to the establishment.
- 18. Underage #16, actual date of birth 5/19/2000 (age 20), was in possession of a Miller Light draft beer. He presented to Investigators a fraudulent Rhode Island driver's license bearing his name but a different birth date. He stated he had used the fraudulent identification to gain entry to the establishment.
- 19. Investigators informed the manager on duty, Raji Pine, of the violations and that a report would be submitted to the Chief Investigator for further action.
- 20. Mr. Pine appeared at the Commission's hearing. The Commission was informed of the Licensee's efforts to prevent future violations. Said efforts include installing a scanner, refusing to accept out of state identification, employing a doorman for Friday, Saturday, and Sunday nights, and requesting police details for college events.
- 21. The Licensee has held a license under M.G.L. c. 138, § 12 since 2017 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: Ch. 138 § 34C - Possession of an alcoholic beverage by a person under twenty-one (21) years of age (16 Counts).

Therefore, the Commission suspends the license for a period of 20 days of which 16 days are hereby deemed served and 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

Deborah A. Baglio, Commissioner Beware a Baglio	
Jean M. Lorizio, Chairman Jem M. Lorizio	
Crystal Matthews, Commissioner Cycl Matthe	

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
Kyle E. Gill, Esq., Associate General Counsel
Michael Teehan, Investigator
David Bolcome, Investigator
Caroline Guarino, Investigator
Carolyn Conway, Esq.
Administration, File

Dated: January 18, 2022