

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

Jean M. Lorizio, Esq. Chairman

#### **DECISION**

KEYUR CORP. D/B/A QUIK PIK 690 MAIN STREET NORWELL, MA 02061 LICENSE#: 00033-PK-0912

VIOLATION DATE: 6/14/2022

HEARD: 11/1/2022

Keyur Corp. d/b/a Quik Pik ("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, November 1, 2022, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Gardner's Report.

The following documents are in evidence:

- 1. Investigator Gardner's Minimum Purchase Age Compliance Check Field Report;
- 2. ABCC Form 43, New License Approval, 5/13/2013;
- 3. Town of Norwell Decision, 9/5/2014;
- 4. Licensee's Stipulation of Facts.

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

#### FINDINGS OF FACT

- 1. On Tuesday, June 14, 2022, at approximately 5:27 p.m., Investigators Carey and Gardner ("Investigators"), inspected the business operation of Keyur Corp. d/b/a Quik Pik.
- 2. An underage operative, working under the supervision of Investigators, purchased an alcoholic beverage, one six-pack of Bud Light beer, for nine dollars and ninety-nine cents (\$9.99). The underage operative was not asked for identification.
- 3. Jenish Patel appeared with his uncle, the Licensee, Nitin Patel. Jenish Patel testified as to safeguards put in place to prevent future sales to underage individuals. All employees, including the manager, have been re-certified via TIPS training. In addition, changes were made to the point-of-sale system wherein the register now requires employees to scan a patron's identification before a sale will be processed.

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### 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. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. As a result, the Commission issues a **WARNING.** 

## ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman

Crystal Matthews, Commissioner

Dated: November 21, 2022

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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2022-000126-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Robert Gardner, Investigator
Jack Carey, Investigator
Administration, File