



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

**Jean M. Lorizio, Esq.**  
*Chairman*

NOTICE OF SUSPENSION

September 16, 2024

**BETTER DAYS INC. D/B/A DAYS END TAVERN  
287 MAIN STREET  
OXFORD, MA 01540  
LICENSE#: 04406-GP-0944  
VIOLATION DATE: 12/15/2023  
HEARD: 3/26/2024**

After a hearing on March 26, 2024, the Commission finds Better Days Inc. d/b/a Days End Tavern violated M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (2 Counts). The Commission **suspends the license for a period of two (2) days to be served.**

**The suspension shall commence on Monday, October 28 , 2024 and terminate on Tuesday, October 29, 2024.** The license will be delivered to the Local Licensing Board or its designee on Monday, October 28, 2024 , at 9:00 A.M. It will be returned to the licensee on October 30, 2024.

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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Dokiman sa a enpòtan epi li ta dwe tradwi touswit  
‘Đây là tài liệu quan trọng và cần được dịch ngay’  
ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2024-000002-ad-enf

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Alicia Cutter, Investigator  
John David, Investigator  
Michael Teehan, Investigator  
John Entner, Esq.  
Administration, File



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*Alcoholic Beverages Control Commission*  
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*Chairman*

**DECISION**

**BETTER DAYS INC. D/B/A DAYS END TAVERN**  
**287 MAIN STREET**  
**OXFORD, MA 01540**  
**LICENSE#: 04406-GP-0944**  
**VIOLATION DATE: 12/15/2023**  
**HEARD: 3/26/2024**

Better Days Inc. d/b/a Days End Tavern (the "Licensee") holds an alcohol 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, March 26, 2024, regarding an alleged violation of M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (2 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. ABCC Licensing Authority Certification, Transfer of License Approved 10/11/2018;
3. Licensee's Stipulation of Facts.

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

**FINDINGS OF FACT**

1. On Friday, December 15, 2023, Investigators David, Teehan, and Cutter ("Investigators") inspected Better Days Inc. d/b/a Days End Tavern to determine the way its business was being conducted.
2. At approximately 11:10 p.m., Investigators observed two male individuals who appeared to be intoxicated.
3. Investigators observed an unidentified male individual ("UM1") who was staggering and unsteady on his feet. His movements appeared to be slow, and his speech was slurred. At one point, UM1 attempted to drink from an empty bottle. Investigators formulated the opinion that UM1 was intoxicated.

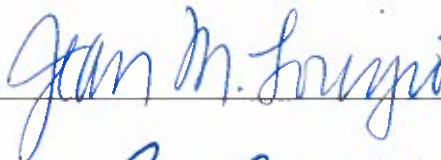
4. UM1 was in the pool table area, approximately 5-10 feet from the bar and in a direct line of sight of the bartenders. At approximately 11:57 p.m., UM1 walked up to the bar and was served a bottle of Budweiser beer from a female bartender.
5. Investigators observed another male individual ("M2") who was in possession of a mixed alcoholic beverage and was loud, boisterous, unsteady on his feet and had slurred speech. Investigators formulated the opinion that M2 was intoxicated.
6. M2 was also in the pool area, in the direct line of sight of the bartenders. Investigators observed the female bartender pour a few shots of an alcoholic beverage and then deliver the shots to a group of individuals at the bar, including M2. At approximately 11:56 p.m., Investigators observed M2 drinking the shot with the female bartender.
7. Investigators identified themselves to another bartender, advised her of the violations and that a report would be filed with the Chief Investigator for further review. Investigators further advised her to ensure safe transportation home for the intoxicated individuals.
8. The Licensee has held a license under M.G.L. c. 138, § 12 since 2018 with no previous violations.

#### CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. c. 138, § 69 – Sale or delivery of an alcoholic beverage to an intoxicated person (2 Counts). As a result, the Commission **suspends the license for a period of two (2) days.**

#### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah Baglio, Commissioner



Dated: September 16, 2024

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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