



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**LHGC HOSPITALITY MANAGEMENT INC. D/B/A THE PROPRIETOR'S LODGE
22 WAUBEEK ROAD
PITTSFIELD, MA 01201
LICENSE#: 00081-RS-0974
VIOLATION DATE: 8/29/2019
HEARD: 1/07/2020**

LHGC Hospitality Management Inc. d/b/a The Proprietor's Lodge (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, January 7, 2020, 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 (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Watson's Report.

The following documents are in evidence:

1. Investigator Watson's Compliance Check Field Report;
2. Licensee Stipulation of Fact;
3. Underage Operative Information Form;
4. Copy of License Transfer Application Approval, 11/1/2018;
5. Receipt for Alcohol Purchase.

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

FACTS

1. On Thursday, August 29, 2019, at approximately 5:43 p.m., Investigators Watson and Teehan ("Investigators") conducted an investigation of the business operation of LHGC Hospitality Management Inc. d/b/a The Proprietor's Lodge.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a Bud Light beer, for four dollars (\$4.00). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 12 since 2018 with no prior violations.
4. The Licensee testified at the hearing that they are now having weekly staff meetings and all servers have renewed their TIPS certification.

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 (21) years of age. The Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Dated: January 13, 2020

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
Lisa Watson, Investigator
Administration, File