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Chairman

*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
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DECISION

**KHODAL CORPORATION D/B/A KWIK STOP CONVENIENCE STORE
106 MAIN ST.
PRINCETON, MA 01541
LICENSE#: 88897-PK-1000
VIOLATION DATE: 06/12/2017
HEARING DATE: 09/19/2017**

Khodal Corporation d/b/a Kwik Stop Convenience Store (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, September 19, 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 Certificate for C. Patel.

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

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

FACTS

1. On Monday, June 12, 2017, at approximately 7:21 p.m., Investigators Bailey and Doyle ("Investigators") investigated the business operation of Khodal Corporation d/b/a Kwik Stop Convenience Store.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 24-ounce bottle of Bud Light beer, for two dollars and ninety cents (\$ 2.90). 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 a period of 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.**

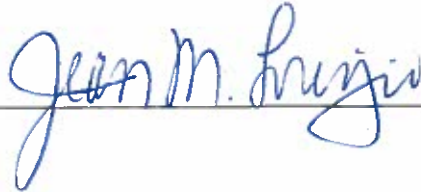
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Jean M. Lorizio, Chairman



Dated: September 21, 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
John Mooradian, Esq. via facsimile 781-592-4920
Gregory C. Demakis, Esq.
Administration, File