



The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Deborah B. Goldberg
Treasurer and Receiver General

Kim J. Gainsboro, Esq.
Chairman

DECISION

TIMTANMAN CORP. D/B/A POST OFFICE CAFÉ & CABARET
303 COMMERCIAL ST.
PROVINCETOWN, MA 02657
LICENSE#: 100400033
VIOLATION DATE: 06/24/2016
HEARING DATE: 10/05/2016

Timtanman Corp. d/b/a Post Office Café & Cabaret (the “Licensee”) holds an alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the “Commission”) held a hearing on Tuesday, September 6, 2016, 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 Binienda’s Report.

The following documents are in evidence:

1. Investigator Binienda’s Compliance Check Field Report dated June 24, 2016; and
2. Licensee’s Stipulation of Facts.

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

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

FACTS


1. On Friday, June 24, 2016, at approximately 05:15 p. m., Investigators Velez and Binienda (“Investigators”) investigated the business operation of Timtanman Corp. d/b/a Post Office Café & Cabaret.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a bottle of Budweiser Light beer, for four dollars and seventy-five cents (\$4.75). 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. As the Licensee has managed the business for more than 24 years and has had no previous violation, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner 

Elizabeth A. Lashway, Commissioner 

Dated: October 11, 2016

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
- Jamie Binienda, Investigator
- Nicholas Velez, Investigator
- Administration, File