



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

Jean M. Lorizio, Esq.
Chair

DECISION

**TUONG VAN INC. D/B/A VINCENT'S ASIAN BISTRO
1160 NORTH MAIN
RANDOLPH, MA 02368
LICENSE#: 1008-00014
VIOLATION DATE: 3/27/2019
HEARING DATE: 6/18/2019**

Tuong Van Inc. d/b/a Vincent's Asian Bistro (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, June 18, 2019, 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 Kenny's Report.

The following documents are in evidence:

1. Investigator Kenny's Compliance Check Field Report;
2. Licensee's Stipulation of Facts; and
3. Licensee's Transfer Application.

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

FACTS

1. On Wednesday, March 27, 2019, at approximately 6:45 p.m., Investigators Teehan and Kenny ("Investigators") investigated the business of Tuong Van Inc. d/b/a Vincent's Asian Bistro.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a Bud Light beer, for three dollars and sixty-eight cents (\$3.68). The underage operative was not asked for identification.

CONCLUSION

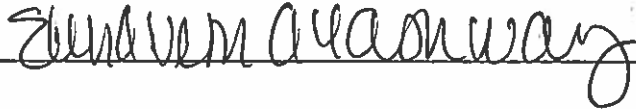
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for one (1) day which 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



Elizabeth Lashway, Commissioner



Dated: June 18, 2019

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
Mark Kenny, Investigator
Michael Teehan, Investigator
Administration, File