



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

**Jean M. Lorizio, Esq.**  
*Chair*

**DECISION**

**REHOBOTH MINI MART INC.  
61 PLAIN STREET  
REHOBOTH, MA 02769  
LICENSE#: 88949-PK-1020  
VIOLATION DATE: 4/24/2019  
HEARD: 11/26/2019**

Rehoboth Mini Mart Inc. (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, November 26, 2019, 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 Di Cicco's Report.

The following documents are in evidence:

1. Investigator Di Cicco's Compliance Check Field Report;
2. Licensee Stipulation of Fact;
3. Copy of New License Approval, 12/20/2016.

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

**FACTS**

1. On Wednesday, April 24, 2019, at approximately 7:12 p.m., Investigators Wilichoski and Di Cicco ("Investigators") conducted an investigation of the business operation Rehoboth Mini Mart Inc.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a can of Bud Light beer, for three dollars (\$3.04). The underage operative was not asked for identification.
3. At the Commission hearing the owner, Shaban Asghar, testified that he has retrained all his employees. All patrons are now required to produce identification prior to purchasing alcoholic beverages.

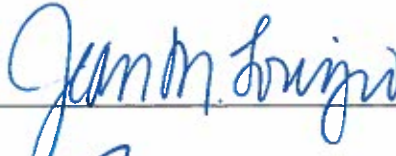
4. The Licensee has held a license under M.G.L. c. 138, § 15 since 2016 with no prior violations.

### 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: December 12, 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  
Joe Di Cicco, Investigator  
Caroline Wilichoski, Investigator  
Administration, File