



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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

February 12, 2024

FAST LANE LIQUORS INC.
D/B/A FAST LANE LIQUORS AND GROCERY NO. 2
924-926 HINGHAM STREET
ROCKLAND, MA 02370
LICENSE#: 00052-PK-1034
VIOLATION DATE: 4/07/2023
HEARD: 9/26/2023

After a hearing on September 26, 2023, the Commission finds Fast Lane Liquors Inc. d/b/a Fast Lane Liquors and Grocery No. 2 violated M.G.L. Ch.138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (2 Counts). The Commission **suspends the license for a period of one (1) day to be served.**

The suspension shall be served on Monday, April 1, 2024. The license will be delivered to the Local Licensing Board or its designee on Monday, April 1, 2024, at 9:00 A.M. It will be returned to the licensee on April 2, 2024.

You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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'Đây là tài liệu quan trọng và cần được dịch ngay'
ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Michael Teehan, Investigator
Mark Kenny, Investigator
Neil Mooney, Esq.
Administration, File



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Alcoholic Beverages Control Commission
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DECISION

FAST LANE LIQUORS INC.
D/B/A FAST LANE LIQUORS AND GROCERY NO. 2
924-926 HINGHAM STREET
ROCKLAND, MA 02370
LICENSE#: 00052-PK-1034
VIOLATION DATE: 4/07/2023
HEARD: 9/26/2023

Fast Lane Liquors Inc. d/b/a Fast Lane Liquors and Grocery No. 2 (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, September 26, 2023, regarding an alleged violation of M.G.L. Ch.138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (2 Counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Kenny's Report.

The following documents are in evidence:

1. Investigator Kenny's Report;
2. ABCC Form 43, New License Approval, 9/18/2009;
3. Licensee's Stipulation of Facts.
 - A. Approved Form 43 for Licensee, 9/18/2009;
 - B. Copies of TIPS Certifications for Shiv Lillaney, Gyanendra Timalsena and Manoj Khatiwada;
 - C. Purchase Data and Furnished Identification, 4/7/2023, approximately 7:47 p.m.;
 - D. Licensee's Statement of Additional Facts.

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

FINDINGS OF FACT

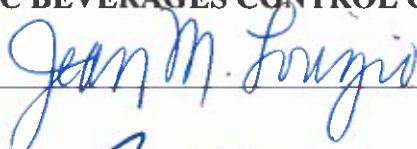
1. On Friday, April 7, 2023, Investigators Teehan and Kenny ("Investigators") conducted surveillance at Fast Lane Liquors Inc. d/b/a Fast Lane Liquors and Grocery No. 2.
2. At approximately 7:47 p.m., the Licensee made a sale of one 12-pack of cans of Miller Lite beer and two Twisted Tea Pink Lemonade Malt Beverages to a male who presented a fraudulent Massachusetts driver's license bearing Underage #1's name but a birth date of 4/17/2001. (Exhibit C)
3. At approximately 8:00 p.m., Investigators observed two youthful appearing male individuals exit the establishment in possession of alcoholic beverages, one 12-pack of cans of Miller Light beer, one 12-pack of bottles of Miller Light beer, one bottle of Smirnoff Ice malt beverage, and two cans of Smirnoff Smash malt beverage.
4. Investigators approached the male individuals, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
5. Underage #1, actual date of birth 4/17/2004 (age 18), stated to Investigators that he was not asked for identification when he purchased the alcoholic beverages.
6. Underage #2, actual date of birth 4/26/2004 (age 18) stated to Investigators that he was not asked for identification when he purchased the alcoholic beverages.
7. Investigators spoke with the employees on duty, informed them of the violations and that a report would be filed with the Chief Investigator for further action.
8. Shiv Lillaney, Licensee, appeared at the Commission hearing.
9. The Licensee's employees had been TIPS trained and were re-certified after this incident. (Exhibit D)
10. The Licensee has held a license under M.G.L. c. 138, § 15 since 2009 with no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch.138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (2 Counts). Therefore, as to Underage #1 the Commission issues a **WARNING**; as to Underage #2 the Commission **SUSPENDS the license for a period of 1 day to be served.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: February 12, 2024

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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2023-000184-ad-enf

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