



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

Jean M. Lorizio, Esq.
Chair

NOTICE OF SUSPENSION

March 27, 2024

**STATELINE LIQUORS, INC. D/B/A STATELINE LIQUORS
45 TOLL ROAD
SALISBURY, MA 01952
LICENSE#: 89005-PK-1066
VIOLATION DATE: 5/19/2023
HEARD: 9/26/2023**

After a hearing on September 26, 2023, the Commission finds Stateline Liquors, Inc. d/b/a Stateline Liquors 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 years of age (4 Counts). The Commission **suspends the license for a period of two (2) days to be served.**

The suspension shall commence on Monday, May 13, 2024, and terminate on Tuesday, May 14, 2024. The license will be delivered to the Local Licensing Board or its designee on Monday, May 13, 2024, at 9:00 A.M. It will be returned to the licensee on May 15, 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.

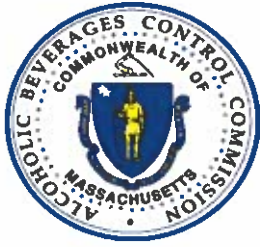
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
David Bolcome, Investigator
Melissa Anderson, Investigator
Administration, File



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

Jean M. Lorizio, Esq.
Chair

DECISION

**STATELINE LIQUORS, INC. D/B/A STATELINE LIQUORS
45 TOLL ROAD
SALISBURY, MA 01952
LICENSE#: 89005-PK-1066
VIOLATION DATE: 5/19/2023
HEARD: 9/26/2023**

Stateline Liquors, Inc. d/b/a Stateline Liquors ("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 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 years of age (4 Counts). Prior to the commencement of the hearing the Licensee stipulated to facts alleged in Investigator Bolcome's report.

The following documents are in evidence:

1. Investigator Bolcome's Report;
 2. Licensee's Accela Summary Tab, License Approved, 3/8/2017;
 3. Photograph of Underage #1's Fraudulent Massachusetts Driver's License;
 4. Photograph of Underage #2's Fraudulent Massachusetts Driver's License;
 5. Licensee's Stipulation of Facts.
- A. TIPS Certificate of D. Patel.

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

FINDINGS OF FACT

1. On Friday May 19, 2023, Investigators Anderson and Bolcome ("Investigators") conducted surveillance of Stateline Liquors, Inc. d/b/a Stateline Liquors to determine the way its business was being conducted.
2. At approximately 9:15 p.m., while outside the licensed premises, Investigators observed a youthful appearing male individual exit the licensed premises carrying an alcoholic

beverage. Investigators approached, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.

3. Underage #1, actual date of birth 11/17/2003 (age 19), was in possession of a 1.75-liter bottle of Tito's vodka. He provided Investigators with a fraudulent Massachusetts driver's license bearing his name but a different birth date.
4. Approximately fifteen minutes later as Investigators continued to monitor the premises, they observed a youthful appearing male individual exit the licensed premises carrying alcoholic beverages. Investigators approached, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
5. Underage #2, actual date of birth 11/06/2003 (age 19), was in possession of two 10-packs of 50 milliliter nip bottles of Pink Whitney vodka and one 10-pack of 50 milliliter nip bottles of Screwball whisky. He provided Investigators with a fraudulent Massachusetts driver's license bearing his name but a different birth date which he stated he used to purchase the alcoholic beverages.
6. At approximately 9:45 p.m., Investigators observed two youthful appearing male individuals exit the licensed premises carrying alcoholic beverages. Investigators approached, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
7. Underage #3, actual date of birth 7/05/2003 (age 19), was in possession of one 30-pack of Coors Light beer. He stated that he was not asked for identification when he purchased the beer.
8. Underage #4, actual date of birth 5/19/2003 (age 20), was in possession of one 750 milliliter bottle of Jameson whisky. He stated that he was not asked for identification when he purchased the whisky.
9. Investigators entered the licensed premises, spoke to the clerk on duty, informed him of the violations, and that a report would be submitted to the Chief Investigator for further action.
10. Chirag Patel, Licensee, appeared at the Commission hearing along with the clerk who made the sales to the underage individuals. Mr. Patel testified he now has an identification scanner in place and will ensure all employees, including himself and any newly hired employees, are TIPS certified.
11. The Licensee has held a license under M.G.L. c. 138, § 15 since 2017 with no prior violations.

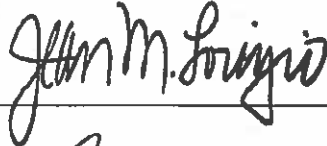
CONCLUSION

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 years of age (4 Counts). As a result, the Commission **suspends the license for a period of five (5) days of which two (2) will be served**

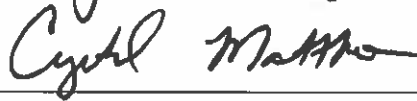
and three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations are found by this Commission.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

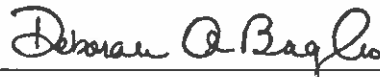
Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah Baglio, Commissioner



Dated: March 27, 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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2023-000185-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
David Bolcome, Investigator
Melissa Anderson, Investigator
Administration, File



Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, MA 02150-2358
Telephone: (617) 727-3040 Fax: (617) 727-1510

Jean M. Lorizio, Esq.
Chairman

OFFER IN COMPROMISE IN LIEU OF SUSPENSION

Licensee Information:

License Number:

Licensee Name:

DBA(if any):

Address of Licensed Premises:

City/Town:

State:

Zip:

Business Phone:

Cell Phone:

Type of License:

Email:

(Restaurant, Package Store, Club, Hotel, Tavern, General on Premises, Veterans Club)

Offer in Compromise Information:

1. The above referenced licensee is submitting this Offer to the Alcoholic Beverages Control Commission in reference to a recent decision, resulting a suspension:

a. Violation Date:

b. Number of Days Suspended:

c. Hearing Date:

2. The licensee certifies that this offer is calculated according to the formula set forth in M.G.L. Chapter 138, §23. The amounts on the following line items (Item 4 and Item 5) may be from either the twelve (12) months immediately preceding the date of this violation (Item 1a above) or, for licensees that have been in business for more than one (1) year, from the licensee's most recent full fiscal (income tax) year.

3. State the Period Covered by the amounts on Item 5 and 6:

4. Total annual **receipts** from the sale of ONLY alcoholic beverages:

\$

5. Total annual **invoiced costs** of ONLY alcoholic beverages sold:

\$

6. Gross annual alcoholic beverage profit:

\$

[Item 4 (receipts) minus Item 5 (invoiced costs)]

7. Annual Number of Days in Operation (365, 313 or *):

**If the business has not been open a full year, please enter number of days the premises has been open along with an affidavit.*

Seven (7) Day Annual Operation = 365

Six (6) Day Annual Operation = 313

All others (Special Licenses/Seasonal Licenses) Enter actual days of operation during the year preceding the violation date (Line 9b.).

8. Daily Gross Alcoholic Beverage Profit: (Item 6 divided by Item 7)

\$

9. Enter 50% of Amount Indicated on Item 8:

\$

10. Daily Fine (If Item 9 is less than \$40.00, enter \$40.00):

\$

11. Enter the Number of Days the License is Suspended: (From Item 1b.)

12. Offer in Compromise Amount: (Multiply Item 10 by Item 11)

\$

Signed Under the Penalties of Perjury,



Signature of Licensee (If Licensee is a Corporation, Manager of Record signs)

Accountant Certification:

MA License Number (Licensed Public Accountant):

Print Name Clearly (Licensed Public Accountant):

Print Address Clearly (Licensed Public Accountant):

I swear under the pains and penalties of perjury that the figures contained in the petition are correct based on the books and records of the above referenced licensee.



Signature of MA Licensed Accountant

Important Information:

***Offer MUST be received by the ABCC within twenty (20) calendar days after Licensee's receipt of Commission's Decision. No offer will be accepted if it is late.**

***Offer MUST be examined and certified by a Massachusetts Licensed Accountant. If the Accountant is not licensed in MA, it will not be accepted.**

***Offer will be returned if any of the fields/amounts are calculated incorrectly.**

***Offer MUST be accompanied by a Bank or Certified check, made payable to the Commonwealth of Massachusetts ABCC, for the full amount on Line 12.**

**IF THIS OFFER IS ACCEPTED, THE LICENSEE WAIVES ALL RIGHTS TO APPEAL
AND WAIVES JUDICIAL REVIEW OF THE COMMISSION'S DECISION
PURSUANT TO MGL C. 138, § 23, AND 204 CMR 20.02.**