



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**BOLAND GROUP I LLC D/B/A FUDDRUCKER'S
910 BROADWAY
SAUGUS, MA 01906
LICENSE#: 00014-RS-1078
VIOLATION DATE: 7/23/2019
HEARD: 10/15/2019**

Boland Group I LLC d/b/a Fuddrucker's (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, October 15, 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 Keefe's Report.

The following documents are in evidence:

1. Investigator Keefe's Compliance Check Field Report;
 2. Licensee Stipulation of Fact;
 3. Copy of License Transfer Application Approval 9/16/1998.
- A. Licensee's Memorandum, 10/15/2019;
 - B. Licensee's Handbook Acknowledgment Form;
 - C. Licensee's Alcohol Training Policy;
 - D. ServSafe Certificates for Employees;
 - E. Licensee's History and Culture.

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

FACTS

1. On Tuesday, July 23, 2019, at approximately 6:06 p.m., Investigators Di Cicco and Keefe ("Investigators") investigated the business of Boland Group I LLC d/b/a Fuddrucker's.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a Bud Light beer for four dollars and twenty-eight (\$4.28). The underage operative was not asked for identification.

3. The Licensee has held a license under M.G.L. c. 138, § 12 since 1998 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

Kathleen McNally, Commissioner Kathleen McNally

Jean M. Lorizio, Chairman Jean M. Lorizio

Crystal Matthews, Commissioner Crystal Matthews

Dated: October 16, 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
Dennis Keefe, Investigator
Joseph Di Cicco, Investigator
Administration, File