

# Commonwealth of Massachusetts Department of the State Treasurer Alcoholic Beverages Control Commission 239 Causeway Street Boston, MA 02114 Telephone: 617-727-3040

Facsimile: 617-727-1510

# NOTICE OF SUSPENSION

March 5, 2018

GAM RO INC. D/B/A TEELE SQUARE LIQUORS 1119-23 BROADWAY SOMERVILLE, MA 02144 LICENSE#: 1130-00083

VIOLATION DATE: 10/20/2017 HEARD: 01/30/2018 @11:00 a.m

After a hearing on January 30, 2018, the Commission finds Gam Ro Inc. d/b/a Teele Square Liquors violated of M.G.L. c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count).

Therefore, the Commission suspends the license for four (4) days of which one (1) day 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 occur.

The suspension shall commence on Wednesday, May 2, 2018 and terminate on Wednesday, May 2, 2018. The license will be delivered to the Local Licensing Board or its designee on Wednesday, May 2, 2018 at 9:00 A.M. It will be returned to the Licensee on Thursday, May 3, 2018.

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 This document is important and should be translated immediately. Este documento es importante y debe ser traducido inmediatamente. Este documento é importante e deve ser traduzido imediatamente. Ce document est important et devrait être traduit immédiatement. Questo documento è importante e dovrebbe essere tradotto immediatamente. Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως. 这份文件是重要的,应立即进行翻译.

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Mark Kenny, Investigator
Michael Teehan, Investigator
Edward Fitzgerald, Esq. via facsimile 617-864-8460
Administration, File



Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
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Boston, MA 02114
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### **DECISION**

GAM RO INC. D/B/A TEELE SQUARE LIQUORS 1119-23 BROADWAY SOMERVILLE, MA 02144 LICENSE#: 1130-00083

VIOLATION DATE: 10/20/2017 HEARD: 01/30/2018 @11:00 a.m

Gam Ro Inc. d/b/a Teele Square Liquors (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, January 30, 2018, regarding an alleged violation of M.G.L. c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Teehan's report.

The following documents are in evidence:

- 1. Investigator Teehan's Investigative Report; and
- 2. Licensee's Stipulation of Facts.

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

The Commission took Administrative Notice of the Licensee's record.

## FINDINGS OF FACT

- 1. On Friday, October 20, 2017, at approximately 7:10 p.m., Investigators Kenny and Teehan ("Investigators") conducted an investigation of the business operation of Gam Ro Inc. d/b/a Teele Square Liquors to determine the manner in which its business was being conducted.
- 2. Investigators observed a youthful appearing male individual exit the store in possession of alcoholic beverages. Investigators identified themselves and asked for proof of legal age.
- 3. Underage #1, actual date of birth 5/3/1998 (age 19) was in possession of a 30-pack of Bud Light beer, two 16-oz. cans of Budweiser beer, and an 8-pack of Dr. McGillicuddy's whiskey.

- 4. Investigators informed the clerk on duty, Sagar Ghimire, of the violations and that a report would be filed with the Chief Investigator for further action.
- 5. Administrative review of the file shows the Licensee has been in business for over 10 years with no prior violations.

# CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Therefore, the Commission suspends the license for four (4) days of which one (1) day 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 occur.

### ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner

Jean M. Lorizio, Chairman

Dated: March 5, 2018

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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