



*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 5, 2024

**KN, LLC. D/B/A ANDRADE'S LIQUORS
280 WASHINGTON STREET
STOUGHTON, MA 02072
LICENSE#: 89388-PK-1244
VIOLATION DATE: 4/08/2023
HEARD: 9/26/2023**

After a hearing on September 26, 2023, the Commission finds KN LLC d/b/a Andrade Liquors 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 two (2) days to be served.**

The suspension shall commence on Monday, March 25, 2024, and terminate on Tuesday, March 26, 2024. The license will be delivered to the Local Licensing Board or its designee on Monday, March 25, 2024, at 9:00 A.M. It will be returned to the licensee on March 27, 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
Michael Teehan, Investigator
Mark Kenny, Investigator
Arthur Pearlman, Esq.
Administration, File



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DECISION

**KN, LLC. D/B/A ANDRADE'S LIQUORS
280 WASHINGTON STREET
STOUGHTON, MA 02072
LICENSE#: 89388-PK-1244
VIOLATION DATE: 4/08/2023
HEARD: 9/26/2023**

KN LLC d/b/a Andrade Liquors (the "Licensee" or "Andrade Liquors") 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 Fleming's Report.

The following documents are in evidence:

1. Investigator Fleming's Report;
2. ABCC Application Summary Review, Transfer of License Approved, 8/22/2018;
3. Photograph of Identifications Confiscated;
4. ABCC Decision, 8/15/2022;
5. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Saturday, April 8, 2023, at approximately 7:00 p.m., Investigators Teehan and Fleming (Investigators) began surveillance of the business operation of KN LLC d/b/a Andrade Liquors.
2. At approximately 7:20 p.m., Investigators observed a black Honda SUV enter the Licensee's parking lot. Investigators observed a youthful appearing male individual exit the vehicle and enter the establishment. Shortly thereafter, the male individual exited the premises in possession of alcoholic beverages.
3. Investigators identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.

4. Underage #1, actual date of birth 11/19/2004 (age 18), was in possession of one case of Truly Hard Seltzer. When asked his age, Underage #1 stated he was twenty-one and presented to Investigators a valid Massachusetts driver's license.
5. Investigators determined that the picture on the driver's license did not depict the person standing before them. Underage #1 then admitted to Investigators that the Massachusetts driver's license belonged to his brother and stated he had presented the imposter identification inside the licensed premises when purchasing the alcoholic beverages.
6. At approximately 7:30 p.m., Investigators observed a silver Jeep enter the parking lot of Andrade's Liquors. Investigators observed a youthful appearing male individuals exit the vehicle and enter the establishment. Shortly thereafter, the male individual exited the premises in possession of alcoholic beverages.
7. Investigators identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
8. Underage #2, actual date of birth 6/17/2005 (age 17), was in possession of one 30-pack of Bud Light beer. Underage #2 stated he was not asked for identification when he purchased the beer.
9. Based on their observations of the physical features and appearance of the male individuals, Investigators determined that a reasonable person should have known these individuals were under the age of twenty-one.
10. At approximately 9:00 p.m., Investigators entered the licensed premises and spoke to the clerks on duty, informed them of the violations and that a report would be filed with the Chief Investigator for further action. Investigators also spoke to the Licensee via telephone and informed him of the violations.
11. The Licensee has held a license under M.G.L. c. 138, § 15 since 2018.

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, the Commission **suspends the license for a period of two (2) days.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: February 5, 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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2023-000182-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Sean Fleming, Investigator
Michael Teehan, Investigator
Arthur Pearlman, Esq.
Administration, File