



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

**Jean M. Lorizio, Esq.**  
Chairman

**DECISION**

**LAS CHIVAS INC. D/B/A TEQUILA'S  
979 MAIN STREET  
WAKEFIELD, MA 01880  
LICENSE#: 03975-RS-1310  
VIOLATION DATE: 4/01/2019  
HEARD: 7/30/2019**

Las Chivas Inc. d/b/a Tequila'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, July 30, 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 Di Cicco's Report.

The following documents are in evidence:

1. Investigator Di Cicco's Compliance Check Field Report;
2. Licensee Stipulation of Fact; and
3. Licensee's License Application.

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

**FACTS**

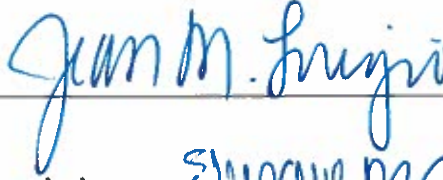
1. On Monday, April 1, 2019, at approximately 6:54 p.m., Investigators Kujawski and Di Cicco ("Investigators") investigated the business of Las Chivas Inc. d/b/a Tequila's.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a Bud Light beer for four dollars and fifty-five cents (\$4.55). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 12 since early 2018 with no previous violations.

### CONCLUSION

Based on the evidence, the Commission finds the Licensee violated 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). Therefore, the Commission **suspends the license for a period of one (1) day which 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**

Jean M. Lorizio, Chair



Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: August 8, 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  
Joseph Di Cicco, Investigator  
Jan Kujawski, Investigator  
Nicholas A. Felici, Esq.  
Administration, File