



Jean M. Lorizio, Esq.
Chairman

*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
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Boston, MA 02114
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NOTICE OF SUSPENSION

October 18, 2017

**THE PAHK INC. D/B/A THE PAHK
285-287 ELM STREET
WESTFIELD, MA 01085
LICENSE#: 144-000134
VIOLATION DATE: 05/29/2017
HEARD: 10/17/2017**

After a hearing on October 17, 2017, the Commission finds The Pahk Inc. d/b/a The Pahk violated 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age.

Therefore, the Commission suspends the license for a period of four (4) days of which four (4) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.

By decision dated January 20, 2017, the Commission had previously ordered a nine (9) day suspension with three (3) days to be served, and six (6) days held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur. Based on the violation found above, the Licensee violated the conditions of that six (6) day suspension being held in abeyance. The Commission hereby orders that 6-day suspension to be served. The Licensee will serve a total six (6) days.

The suspension shall commence on Wednesday, December 6, 2017 and terminate on Monday, December 11, 2017. The license will be delivered to the Local Licensing Board or its designee on Wednesday, December 6, 2017 at 9:00 A.M. It will be returned to the licensee on Tuesday, December 12, 2017.

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.

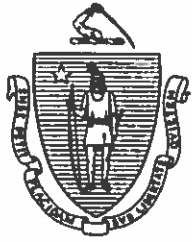
ALCOHOLIC BEVERAGES CONTROL COMMISSION



Jean M. Lorizio
Chairman

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Christopher Temple, Investigator
Nick Velez, Investigator
Daniel Kelly, Esq. via email
Mail to: 25 Acrebrook Rd. Springfield 01129
Administration, File



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DECISION

**THE PAHK INC. D/B/A THE PAHK
285-287 ELM STREET
WESTFIELD, MA 01085
LICENSE#: 144-000134
VIOLATION DATE: 05/29/2017
HEARD: 10/17/2017**

The Pahk Inc. d/b/a The Pahk (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, October 17, 2017, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the start of the hearing, the Licensee stipulated to the violation in Investigator Temple's report.

The following documents are in evidence:

1. Investigator Temple's Compliance Check Field 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 Monday, May 29, 2017, at approximately 6:35 p.m., Investigators Velez and Temple ("Investigators") investigated the business operation The Pahk Inc. d/b/a The Pahk.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a bottle of Budweiser Light beer for three dollars (\$3.00). The underage operative was not asked for identification.

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 four (4) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

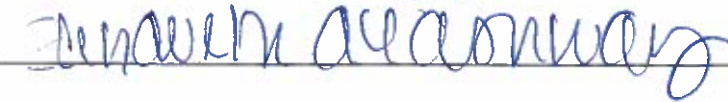
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ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



Elizabeth Lashway, Commissioner



Dated: October 18, 2017

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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这份文件是重要的，应立即进行翻译。

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