



*Commonwealth of Massachusetts*  
*Alcoholic Beverages Control Commission*  
*239 Causeway Street*  
*Boston, Massachusetts 02114*  
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**Jean M. Lorizio, Esq.**  
Chairman

**DECISION**

**JUSSTEVIN, INC. D/B/A LOFT 266**  
**264-266 PARK AVENUE**  
**WORCESTER, MA 01604**  
**LICENSE#: 1508-00136**  
**VIOLATION DATE: 12/07/2018**  
**HEARD: 4/16/2019**

Jusstevin, Inc. d/b/a Loft 266 (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, April 16, 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, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (1 count). 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 Investigative Report;
2. Licensee Stipulation of Fact;
3. Licensee's Transfer Application, 2009.

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

**FINDINGS OF FACT**

1. On Friday, December 7, 2018, at approximately 12:00 a.m., Investigators Keefe and Di Cicco ("Investigators") along with Officer Patrick Harrington of the Worcester Police Department Alcohol Enforcement Unit, conducted an investigation of the business operation of Jusstevin, Inc. d/b/a Loft 266 to determine the manner in which its business was being conducted.
2. While inside the licensed premises, Investigators observed a large group of youthful appearing individuals in possession of alcoholic beverages.
3. Investigators identified themselves and asked to see proof of legal age.
4. Underage #1, actual date of birth 5/01/1999 (age 19), was in possession of a Titos vodka cocktail. She stated to Investigators that she was not asked for identification when she entered the licensed premises.

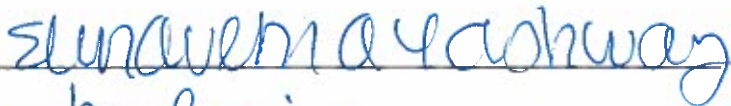
5. Investigators spoke to the owner, Stephen Hopkins, informed him of the violation, and that a report would be filed with the Chief Investigator for review.

### CONCLUSION

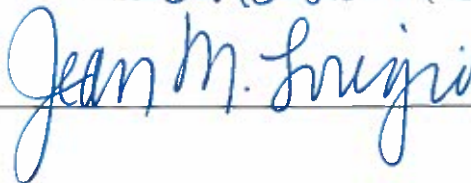
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2)- Permitting an Illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34C Possession of an alcoholic beverage by a person under twenty-one years of age (1 count). Therefore, the Commission **suspends the license 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**

Elizabeth A. Lashway, Commissioner



Jean M. Lorizio, Chairman



Dated: April 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  
Joseph Di Cicco, Investigator  
Dennis Keefe, Investigator  
Officer Patrick Harrington  
Administration, File