

*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150-2358*

Jean M. Lorizio, Esq.
Chair

NOTICE OF SUSPENSION

June 18, 2019

**OM HARSH CORP. D/B/A A & B LIQUORS
110 MCKEON ROAD
WORCESTER, MA 01613
LICENSE#: 1508-00248
VIOLATION DATE: 3/14/2019
HEARD: 6/18/2019**

After a hearing on June 18, 2019, the Commission finds Om Harsh Corp. d/b/a A & B Liquors violated M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (1 count).

The Commission **suspends the license for a period of two (2) days to be served.**

The suspension shall commence on **Monday, August 5, 2019 and terminate on Tuesday, August 6, 2019.** The license will be delivered to the Local Licensing Board or its designee on Monday, August 5, 2019 at 9:00 A.M. It will be returned to the licensee on Wednesday, August 7, 2019.

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.

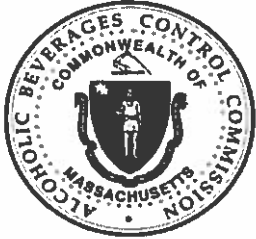
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Nicholas Velez, Investigator
Joseph Di Cicco, Investigator
Dennis Keefe, Investigator
Officer Patrick Harrington
Gregory Demakis, Esq.
Administration, File



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Jean M. Lorizio, Esq.
Chair

DECISION

**OM HARSH CORP. D/B/A A & B LIQUORS
110 MCKEON ROAD
WORCESTER, MA 01613
LICENSE#: 1508-00248
VIOLATION DATE: 3/14/2019
HEARD: 6/18/2019**

Om Harsh Corp. d/b/a A & B Liquors (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, June 18, 2019, regarding an alleged violation of M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to 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 Velez's Report.

The following documents are in evidence:

1. Investigator Velez's Investigative Report;
 2. Licensee Stipulation of Fact;
 3. Photocopy of Fraudulent Driver's License;
 4. ABCC Decision, 1/6/2015;
 5. Worcester Local Board Decision, 11/10/2016;
 6. Worcester Local Board Decision, 5/11/2017; and
 7. Licensee's Transfer Application, 8/8/2013.
- A. Worcester Police Department Letters Re: Successful Compliance Check, 3/19/2018 & 2/5/2019; and
- B. Signs Posted on Licensed Premises Re: We Check ID.

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

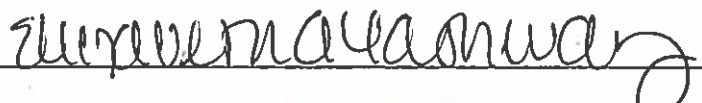
FINDINGS OF FACT

1. On Thursday, March 14, 2019, at approximately 8:17 p.m., Investigators Di Cicco, Keefe, and Velez ("Investigators") along with Officer Patrick Harrington of the Worcester Police Department Alcohol Enforcement Unit, conducted an investigation of the business operation of Om Harsh Corp. d/b/a A & B Liquors to determine the manner in which its business was being conducted.
2. While outside the licensed premises, Investigators observed a youthful looking male individual enter the premises. Minutes later, Investigators observed the same male individual exit the premise in possession of an 18-pack of Miller High Life beer.
3. Investigators identified themselves and asked to see proof of legal age.
4. Underage #1, actual date of birth 1/19/1999 (age 20), presented Investigators with a fraudulent Connecticut driver's license in his name with a different date of birth. The minor was in possession of an 18-pack of Miller High Life beer.
5. Investigators entered the licensed premises and spoke to a female clerk, Nikitaben Patel. Investigators informed Patel of the violation, and that a report would be filed with the Chief Investigator for further action.
6. By decision dated 1/6/2015, the Commission found that the Licensee had violated M.G.L. c. 138 § 34 (1 count) and issued a warning.

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 years of age (1 count). Therefore, the Commission **suspends the license for a period of two (2) days to be served.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Elizabeth A. Lashway, Commissioner 

Kathleen McNally, Commissioner 

Dated: June 18, 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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