

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 8, 2022

SHAANI CORP. D/B/A BIG BOB'S WINE & SPIRITS
501 SOUTHBRIDGE STREET
WORCESTER, MA 01610
LICENSE#: 89599-PK-1508
VIOLATION DATE: 9/03/2021
HEARD: 11/30/2021

After a hearing on November 30, 2021, the Commission finds Shaani Corp. d/b/a Big Bob's Wine & Spirits violated M.G.L. Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (10 Counts). The Commission **suspends the license for a period of 15 days of which seven (7) days will be served, and eight (8) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

The suspension shall commence on Monday, March 28, 2022, and terminate on Sunday, April 3, 2022. The license will be delivered to the Local Licensing Board or its designee on Monday, March 28, 2022, at 9:00 A.M. It will be returned to the licensee on April 4, 2022.

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.

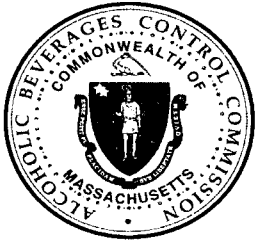
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Brian Gould, Investigator
Dennis Keefe, Investigator
Robert Gardner, Investigator
Nicole Terasconi, Investigator
John David, Investigator
Melissa Anderson, Investigator
Sean Fleming, Investigator
Officer Patrick Harrington, Worcester Police Department
Matthew Porter, Esq.
Administration, File



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DECISION

**SHAANI CORP. D/B/A BIG BOB'S WINE & SPIRITS
501 SOUTHBRIDGE STREET
WORCESTER, MA 01610
LICENSE#: 89599-PK-1508
VIOLATION DATE: 9/03/2021
HEARD: 11/30/2021**

Shaani Corp. d/b/a Big Bob's Wine & Spirits ("Licensee") 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, November 30, 2021, 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 (10 Counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Gould's Report.

The following documents are in evidence:

1. Investigator Gould's Investigative Report;
2. ABCC License Transfer Approval, 7/9/2019;
3. Photograph of Fraudulent Identifications Confiscated;
4. City of Worcester Decision, 6/30/2021;
5. City of Worcester Decision, 10/18/2021;
6. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Friday, September 3, 2021, at approximately 7:00 p.m., Investigators Anderson, Cutter, David, Fleming, Gardner, Keefe, Terasconi, and Gould ("Investigators") along with Worcester Police Officer Harrington, conducted an investigation of Shaani Corp. d/b/a Big Bob's Wine & Spirits to determine the manner in which its business was being conducted and to investigate a complaint filed with this Commission.

2. Investigators conducted surveillance outside of the licensed premises and observed a white Jeep Wrangler stop in front of the premises. Investigators observed two youthful appearing female individuals exit the vehicle and enter the premises.
3. Moments later the same youthful appearing female individuals exited the store in possession of alcoholic beverages, three cases of White Claw Hard Seltzer, one case of Truly Hard Seltzer, and one bottle of champagne. Investigators identified themselves to the youthful appearing individuals and asked to see proof of legal age.
4. Underage #1, actual date of birth 1/2/2001 (age 20), presented to the Investigator a fraudulent New York driver's license in her own name with a different birth date and also presented her legitimate driver's license.
5. Underage #2, actual date of birth 6/28/2001 (age 20), presented to the Investigator a fraudulent New York driver's license with a different name and birth date. She also presented her legitimate driver's license. Investigators confiscated the alcoholic beverages.
6. Investigators continued their surveillance outside of the licensed premises and observed a gray Sports Utility Vehicle ("SUV") pull into the parking lot. Investigators observed two youthful appearing male individuals exit the vehicle and enter the premises.
7. Moments later the same two youthful appearing male individuals exited the store in possession of alcoholic beverages, three cases of Natural Light beer. Investigators identified themselves to the youthful appearing individuals and asked to see proof of legal age.
8. Underage #3, actual date of birth 12/26/2002 (age 19), presented to Investigators a fraudulent New York driver's license in his own name with a different birth date and also presented his legitimate driver's license.
9. Underage #4, actual date of birth 7/9/2003 (age 18), presented to Investigators a fraudulent New York driver's license in his own name with a different birth date and also presented his legitimate driver's license.
10. Investigators continued their surveillance outside of the licensed premises and observed a white SUV pull into the lot next to the licensed premises. Investigators observed a youthful appearing male individual exit the vehicle and enter the premises.
11. Moments later the same youthful appearing male individual exited the store in possession of a bottle of Tito's vodka. Investigators identified themselves to the youthful appearing individual in the white SUV and asked to see proof of legal age.
12. Underage #5, actual date of birth 3/30/2001 (age 20), presented to Investigators a fraudulent Maine driver's license in his own name with a different birth date as well as his legitimate Massachusetts driver's license. Investigators confiscated two bottles of Tito's vodka and one bottle of Strawberryita.

13. Investigators continued their surveillance outside of the licensed premises and observed a white Mercedes SUV pull into the parking lot. Investigators observed a youthful appearing male individual exit the vehicle and enter the premises.
14. Moments later the same youthful appearing male individual exited the store in possession of High Noon Hard Seltzer, Bud Light beer, and a bottle of what appeared to be an alcoholic beverage. Investigators identified themselves to the youthful appearing individual in the white Mercedes SUV and asked to see proof of legal age.
15. Underage #6, actual date of birth 3/27/2001 (age 20), presented to Investigators a fraudulent Pennsylvania driver's license in his own name with a different birth date along with his legitimate driver's license. Investigators confiscated three cases of High Noon Seltzer, one case of Bud Light beer and one bottle of Fireball Whiskey.
16. Investigators continued their surveillance outside of the licensed premises and observed a gray SUV pull into the lot next to licensed premises. Investigators observed a youthful appearing female individual exit the passenger side of the vehicle and enter the premises.
17. Moments later the same youthful appearing female individual exited the store in possession of alcoholic beverages, High Noon Hard Seltzer, and a bottle of vodka. Investigators identified themselves to the youthful appearing individual in the gray SUV and asked to see proof of legal age.
18. Underage #7, actual date of birth 5/25/2001 (age 20), presented to Investigators an imposter identification, the Massachusetts driver's license belonging to her older sister. She also presented her legitimate driver's license. Investigators confiscated one case of High Noon Seltzer and one bottle of Amsterdam Vodka.
19. Investigators continued their surveillance outside of the licensed premises and observed a black sedan park in the lot next to the premises. Investigators observed a youthful appearing male individual exit the passenger side of the vehicle and enter the premises.
20. Moments later the same youthful appearing male individual exited the store in possession of a 12-pack of beer. Investigators identified themselves to the youthful appearing individual in the black sedan and asked to see proof of legal age.
21. Underage #8, actual date of birth 1/3/2001 (age 20), presented to Investigators a fraudulent Rhode Island driver's license with a different name and birth date as well as his legitimate Minnesota driver's license. Investigators confiscated one 12-pack of Coors beer.
22. Investigators then observed a silver Ford SUV park in the lot next to the premises, and a youthful appearing male individual exited the driver's side of the vehicle and entered the licensed premises.
23. Moments later the same youthful appearing male individual exited the premises in possession of Miller Lite beer and two bottles of what appeared to be alcoholic beverages. Investigators identified themselves to the youthful appearing individual in the silver Ford SUV and asked to see proof of legal age.

24. Underage #9, actual date of birth 7/10/2001 (age 20), presented to Investigators his Texas driver's license. He informed Investigators that he was not asked for identification when inside the premises. Investigators confiscated one case of Miller Lite beer, one bottle of Tito's Vodka and one bottle of champagne.
25. Investigators then observed in the parking lot next to the licensed premises a white Ford Explorer. Investigators observed a youthful appearing male individual exit the driver's side of the vehicle and enter the licensed premises.
26. Moments later the same youthful appearing male individual exited the premises in possession of two bottles of vodka and a small bag. Investigators identified themselves to the youthful appearing individual in the white Ford Explorer and asked to see proof of legal age.
27. Underage #10, actual date of birth 11/9/2001 (age 19), presented to Investigators a fraudulent California driver's license in his own name with a different birth date along with his legitimate driver's license. Investigators confiscated two bottles of Tito's Vodka and three nips.
28. Investigators entered the licensed premises and spoke to the employee on duty, Chetankumar Patel. Investigators informed Mr. Patel of the violations and that a report would be submitted to the Chief Investigator for further action.
29. Ms. Falguni Patel, President of the Licensee, appeared at the Commission's hearing. The Commission was informed of the Licensee's efforts to prevent future violations. Said efforts include re-certifying employees' TIPS training and ensuring all new employees are TIPS certified, installing a new scanner, scanning all out of state identifications and ensuring identifications presented match with the individuals seeking to purchase alcoholic beverages.
30. The Licensee has held a license under M.G.L. c. 138, § 15 since 2019.

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 (10 Counts).

Therefore, the Commission **suspends the license for a period of 15 days of which seven (7) days will be served and eight (8) days 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

Deborah A. Baglio, Commissioner 

Crystal Matthews, Commissioner 

I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Jean M. Lorizio, Chairman 

Dated: February 8, 2022

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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