



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**TULSI CORP. D/B/A CROWLEY'S PACKAGE STORE
638A CHANDLER STREET
WORCESTER, MA 01602
LICENSE#: 00226-PK-1508
VIOLATION DATE: 9/23/2021
HEARD: 12/14/2021**

Tulsi Corp. d/b/a Crowley's Package Store (the "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, December 14, 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 years of age (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator David's Report.

The following documents are in evidence:

1. Investigator David's Investigative Report;
2. ABCC Form 43 License Transfer Approval, 5/5/2010;
3. Copy of Genuine and Fraudulent Driver's Licenses;
4. Licensee Stipulation of Facts.

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

FINDINGS OF FACT

1. On Thursday, September 23, 2021, at approximately 7:05 p.m., Investigators Binienda, Kujawski, and David ("Investigators"), conducted an inspection of the business operation of Tulsi Corp. d/b/a Crowley's Package Store to determine the manner in which its business was being conducted.
2. Investigators made observations from their parked vehicle outside the licensed premises.
3. Investigators observed two youthful appearing individuals inside a black Toyota Sports Utility Vehicle ("SUV") park in front of the establishment and a youthful appearing male individual exit the passenger door and enter the licensed premises.

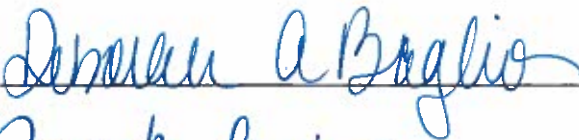
4. Investigators then observed the male exit the store in possession of alcoholic beverages: 10 Dr. McGillicuddy's Grape Schnapps Nips and 10 Dr. McGillicuddy's Root Beer Nips. Investigators identified themselves and asked to see proof of legal age.
5. Underage #1, actual date of birth 7/27/2001 (age 20), admitted he was under 21 years of age. He presented to Investigators a fraudulent Massachusetts driver's license in his own name with a different birth date. Underage #1 informed Investigators he was not asked for identification when he purchased the alcoholic beverages.
6. Investigators entered the licensed premises with the underage patron who identified the clerk who sold to him the alcoholic beverages. The employee acknowledged selling the alcoholic beverages to the underage individual without requesting to see his identification.
7. Investigators requested that the employee contact the Licensee about the violation. Investigators spoke to Mrs. Hina Patel, President of the Licensee corporation, via telephone, and informed her of the violation and that a report would be filed with the Chief Investigator for further action.
8. Mrs. Patel appeared at the Commission hearing. The Commission was informed that employees are trained to request identification but the employee in this matter did not follow the Licensee's protocol. The employee has been assigned other duties and will not be working at the register for the foreseeable future. In addition, all employees had been TIPS trained but the Licensee ensured all employees were re-certified. Finally, the Licensee plans to purchase a scanner to assist with evaluating identifications.
9. The Licensee has held a license under M.G.L. c. 138, § 15 since 2010 with no prior violations.

CONCLUSION

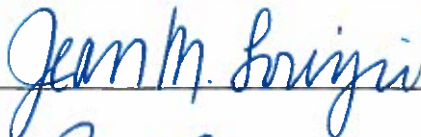
Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one years of age. As a result, the Commission **suspends the license for a period of one (1) day which will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Deborah A. Baglio, Commissioner



Jean M. Lorzio, Chairman



Crystal Matthews, Commissioner



Dated: December 15, 2021

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
John David, Investigator
Jamie Binienda, Investigator
Jan Kujawski, Investigator
Officer Patrick Harrington, Worcester Police Department
Matthew Porter, Esq.
Administration, File