

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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

March 15, 2023

**HIGHLAND LIQUORS OF WORCESTER INC.
121 HIGHLAND STREET
WORCESTER, MA 01609
LICENSE#: 00235-PK-1508
VIOLATION DATE: 9/22/2022
HEARD: 12/06/2022**

After a hearing on December 6, 2022, the Commission finds Highland Liquors of Worcester Inc. violated M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (3 Counts). The Commission **suspends the license for a period of two (2) days to be served.**

The suspension shall commence on Monday, May 8, 2023, and terminate on Tuesday, May 9, 2023. The license will be delivered to the Local Licensing Board or its designee on Monday, May 8, 2023, at 9:00 A.M. It will be returned to the licensee on May 10, 2023.

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.

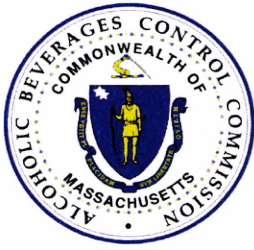
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Brian Gould, Investigator
Caroline Guarino, Investigator
Officer Patrick Harrington, Worcester Police Dept.
Arthur Sullivan, Esq.
Administration, File



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
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Jean M. Lorizio, Esq.
Chairman

DECISION

**HIGHLAND LIQUORS OF WORCESTER INC.
121 HIGHLAND STREET
WORCESTER, MA 01609
LICENSE#: 00235-PK-1508
VIOLATION DATE: 9/22/2022
HEARD: 12/06/2022**

Highland Liquors of Worcester Inc. (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 6, 2022, 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 (3 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 Violation Report;
2. ABCC Form 43, Transfer of License Approval, 9/7/1978;
3. Photograph of Fraudulent Driver's Licenses Confiscated;
4. ABCC Decision, 10/15/2019;
5. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Thursday, September 22, 2022, at approximately 9:25 p.m., Investigators Guarino and Gould, along with Worcester Police Officer Patrick Harrington, ("Investigators") inspected Highland Liquors of Worcester Inc. to determine the way its business was being conducted.
2. While conducting surveillance of the establishment, Investigators observed a youthful appearing male individual enter the licensed premises and minutes later, exit with alcoholic beverages.
3. Investigators approached the male, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.

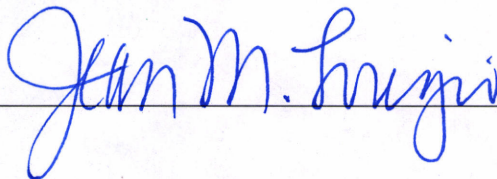
4. Underage #1, actual date of birth 8/15/2003 (age 19), provided to Investigators a fraudulent Delaware driver's license in his own name with a different birth date. He also presented his true Massachusetts driver's license. Underage #1 was in possession of one case of Down East Hard Cider and one case of Truly Hard Seltzer. Investigators confiscated the alcohol and the fraudulent license.
5. At 10:10 p.m., Investigators observed two youthful appearing male individuals enter the licensed premises. Minutes later, Investigators observed the same youthful appearing males exit the store with alcoholic beverages.
6. Investigators approached the males, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
7. Underage #2, actual date of birth 8/18/2003 (age 19) provided to Investigators a fraudulent Rhode Island driver's license in his own name with a different birth date. He also presented Investigators with his true Massachusetts driver's license.
8. Underage #3, actual date of birth 3/07/2004 (age 18) provided to Investigators a fraudulent Maine driver's license in his name with a different birth date. He also presented Investigators with his true Maine license.
9. Investigators confiscated the following: two cases of Michelob Light beer, one 6-pack of Mike's Hard Lemonade, 1 case of Truly Hard Seltzer, and one bottle of Captain Morgan Spiced Rum, as well as the fraudulent licenses.
10. At approximately 10:30 p.m., Investigators entered the licensed premises and spoke with two employees. Investigators informed the employees of the violations and that a report would be filed with the Chief Investigator for further action.
11. Mr. John, Licensee, appeared at the Commission hearing and testified they make every effort to train employees and stated that all employees are now TIPS trained. In addition, the Licensee has purchased an identification scanner.
12. The Licensee has held a license under M.G.L. c. 138, § 15 since 1978 with one prior compliance check violation.

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 (3 Counts). Therefore, the Commission **suspends the license for a period of four (4) days of which two (2) days will be served and two (2) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations are found by this Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

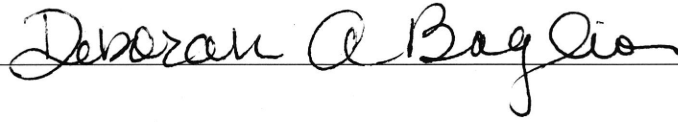
Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: March 15, 2023

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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2022-000176-ad-enf

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