

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

**Jean M. Lorizio, Esq.**  
*Chairman*

NOTICE OF SUSPENSION

January 30, 2020

**ROCK BAR LLC D/B/A ROCK BAR**  
**81 WATER ST.**  
**WORCESTER, MA 01604**  
**LICENSE#: 00447-RS-1508**  
**VIOLATION DATE: 9/19/2019**  
**HEARD: 1/28/2020**

After a hearing on January 28, 2020, the Commission finds Rock Bar LLC d/b/a Rock Bar violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34C – Possession of an alcoholic beverage to a person under twenty-one years of age (14 counts).

The Commission **suspends the license for a period of seven (7) days of which three (3) days will be served, and four (4) 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 16, 2020 and terminate on Wednesday, March 18, 2020.** The license will be delivered to the Local Licensing Board or its designee on Monday, March 16, 2020 at 9:00 A.M. It will be returned to the licensee on March 19, 2020.

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.

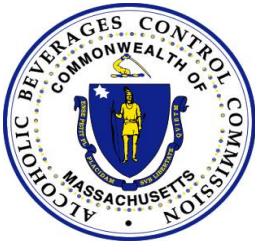
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

**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  
Christopher Temple, Investigator  
Officer Patrick Harrington, Worcester Police Department  
Administration, File



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

**DECISION**

**ROCK BAR LLC D/B/A ROCK BAR  
81 WATER ST.  
WORCESTER, MA 01604  
LICENSE#: 00447-RS-1508  
VIOLATION DATE: 9/19/2019  
HEARD: 1/28/2020**

Rock Bar LLC d/b/a Rock Bar (the “Licensee”) holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the “Commission”) held a hearing on Tuesday, January 28, 2020, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34C – Possession of an alcoholic beverage to a person under twenty-one years of age (14 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. Licensee Stipulation of Facts;
3. Photocopies of Fraudulent Driver’s Licenses;
4. Copy of License Approval, 1/23/2019.

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

**FINDINGS OF FACT**

1. On Thursday, September 19, 2019, at approximately 11:45 p.m., Investigators Keefe, Temple and Gould (“Investigators”), along with members of the Worcester Police Department Liquor Enforcement Unit (“Officers”) conducted an investigation of the business operation of Rock Bar LLC d/b/a Rock Bar to determine the manner in which its business was being conducted.

2. Investigators observed multiple youthful appearing individuals inside the bar, in possession of alcoholic beverages. Investigators identified themselves and asked to see proof of legal age.
3. Underage #1, actual date of birth 10/09/2000 (age 18) was in possession of a White Claw Hard Seltzer. She presented to Investigators a United States passport card in her sister's name.
4. Underage #2, actual date of birth, 11/20/1998 (age 20), was in possession of a Bud Light beer. He stated to Investigators that he did not present any identification to enter the licensed premises.
5. Underage #3, actual date of birth, 12/06/1998 (age 20), was in possession of a vodka and soda. He presented to Investigators a fraudulent Delaware driver's license.
6. Underage #4, actual date of birth, 7/21/2000 (age 19), was in possession of a rum and Coke®. She presented to Investigators a fraudulent Pennsylvania driver's license.
7. Underage #5, actual date of birth, 6/01/2000 (age 19), was in possession of a bottle of Bud Light beer. He presented to Investigators a fraudulent Delaware driver's license.
8. Underage #6, actual date of birth, 11/22/1999 (age 19), was in possession of a bottle of Bud Light beer. He presented to Investigators a fraudulent New York driver's license.
9. Underage #7, actual date of birth, 10/05/1998 (age 20), was in possession of a mixed drink. She presented to Investigators her college identification.
10. Underage #8, actual date of birth, 6/05/1999 (age 20), was in possession of a bottle of Bud Light beer. She presented to Investigators her college identification.
11. Underage #9, actual date of birth, 4/28/1999 (age 20), was in possession of a Bud Light beer. She presented to Investigators her college identification.
12. Underage #10, actual date of birth, 3/08/1999 (age 20), was in possession of a White Claw Hard Seltzer. She presented to Investigators her college identification.
13. Underage #11, actual date of birth, 8/27/1999 (age 20), was in possession of a White Claw Hard Seltzer. She presented to Investigators her college identification.
14. Underage #12, actual date of birth, 3/27/1999 (age 20), was in possession of a bottle of Bud Light beer. He presented to Investigators a fraudulent Michigan driver's license.
15. Underage #13, actual date of birth, 2/16/2001 (age 18), was in possession of a bottle of Bud Light beer. He presented to Investigators a fraudulent Delaware driver's license.
16. Underage #14, actual date of birth, 9/16/2000 (age 19), was in possession of a bottle of Bud Light beer. He presented to Investigators a fraudulent New Jersey driver's license.
17. Underage #15, actual date of birth, 2/17/2000 (age 19), was in possession of a vodka and Red Bull energy drink. He presented to Investigators a fraudulent Delaware driver's license.

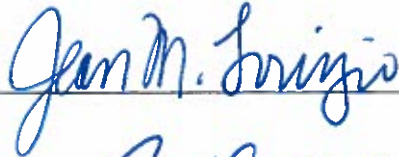
18. Investigators identified these underage individuals to the doormen and to the manager, George Yantsides.
19. Investigators informed Mr. Yantsides of the above violations and that a report would be filed with the Chief Investigator for further action.
20. The Licensee, George Yantsides, appeared at the Commission hearing and testified as to steps taken to ensure incidents such as this do not happen in the future. He stated that they no longer run nights geared toward the local colleges. They purchased a top of the line identification scanner and have stopped accepting out of state identifications.
21. Worcester Police Officer Patrick Harrington appeared at the Commission hearing and testified that the Licensee has taken advantage of police department training for himself and his employees. Officer Harrington testified that the Licensee has had his entire staff recertified through TIPS training. Officer Harrington testified that the Worcester Police Department has conducted several compliance checks at the premises since the incident, and the Licensee has passed each time.
22. Although the Investigative Report cited 15 violations, the Investigative Unit moved forward with only 14 counts as it was determined that the Licensee reasonably relied upon the United States passport identification presented.
23. The Licensee has held a license under M.G.L. c. 138, § 12 since 2019 with no prior violations.

## 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. c. 138, § 34C – Possession of an alcoholic beverage to a person under twenty-one years of age (14 counts). Therefore, the Commission **suspends the license for a period of seven (7) days of which three (3) days will be served, and four (4) 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**

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Dated: January 30, 2020

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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