



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**HUZAIFA CORP. D/B/A BECKER'S PACKAGE STORE
55 ROUTE 28
YARMOUTH, MA 02673
LICENSE#: 89274-PK-1518
VIOLATION DATE: 7/17/2019
HEARD: 10/15/2019**

Huzaifa Corp. d/b/a Becker's Package Store (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, October 15, 2019, regarding an alleged violation of 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.138 § 34- Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Binienda's Report.

The following documents are in evidence:

1. Investigator Binienda's Compliance Check Field Report;
2. Licensee Stipulation of Fact;
3. Copy of License Transfer Application Approval 2/23/2018.

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

FACTS

1. On Wednesday, July 17, 2019, at approximately 6:31 p.m., Investigators Velez and Binienda ("Investigators") investigated the business of Huzaifa Corp. d/b/a Becker's Package Store.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, two nips of Fireball whiskey for two dollars (\$2.00). The underage operative was not asked for identification.
3. The Licensee has held a license under M.G.L. c. 138, § 15 since 2018 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. Ch.138 § 34- Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. The Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Crystal Matthews, Commissioner  _____

Kathleen McNally, Commissioner  _____

Dated: October 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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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Jamie Binienda, Investigator
Nicholas Velez, Investigator
Administration, File