

Re: Bargain Spot Warehouse Liquors, Inc.  
d.b.a.: Downtown Wine & Spirits  
Premise: 225-231 Elm Street  
City/Town: Somerville, MA 02144  
License: AA Package  
Heard: November 18, 2008

### DECISION

A Commission hearing was held to determine whether Bargain Spot Warehouse Liquors, Inc. 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 years of age (1 count).

The licensee stipulated to the facts contained in the Investigator's report dated September 12, 2008.

The report states on September 12, 2008 A.B.C.C. Investigators observed the business operation of Bargain Spot Warehouse Liquors, Inc. The Investigators noticed a youthful looking female exit the store with a 12-pack of Stella Artois Beer and a 750-ml bottle of Sauza Blanco. The young woman presented a real Michigan Driver's license with a d.o.b. of 3/15/1986 (22 years old). The Investigators determined the young woman in front of them was not the person pictured on the Michigan license. The young lady provided her real name and date of birth, 12/20/1988 (age 19). She told the Investigators she used the Michigan license to purchase the alcohol.

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 (1 count) and, therefore, **suspends the license for 4 days of which 2 days will be held in abeyance for a period of two years provided no further violations of Ch. 138 or Commission regulations occur.**

### ALCOHOLIC BEVERAGES CONTROL COMMISSION

Robert H. Cronin, Commissioner \_\_\_\_\_

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

Susan Corcoran, Commissioner \_\_\_\_\_

Dated in Boston, Massachusetts this 11<sup>th</sup> day of February 2009.

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 days of receipt of this decision.

cc: Local Licensing Board; Frederick G. Mahony, Chief Investigator; File