

Re: Rohbaj Enterprises, Inc.
d.b.a.: Kashish Restaurant
Premise: 61 Leonard Street
City/Town: Belmont, MA 02478
License: W & M Restaurant
Heard: June 11, 2009

DECISION

A Commission hearing was held to determine whether Rohbaj Enterprises, Inc. d.b.a. Kashish Restaurant violated 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: 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 April 6, 2009.

The Investigator's Compliance Check Field Report states an underage operative working with A.B.C.C. Investigators purchased a bottle of Budweiser for \$3.25 at Kashish Restaurant. The young man, d.o.b. 9/21/1988 (age 20) was not asked for identification by the server.

The Commission finds the licensee violated 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: 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 3 days of which 3 days will be held in abeyance for a period of two years provided no further violation 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 15th day of June 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; William Goldberg, Esq.; File