

The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
Boston, Massachusetts 02114

Steven Grossman
Treasurer and Receiver General

NOTICE OF SUSPENSION

Kim S. Gainsboro, Esq.
Chairman
October 9, 2013

LINH LIQUORS, INC. DBA NORTH RANDOLPH PLAZA
1165 NORTH MAIN STREET
RANDOLPH, MA 02368
LICENSE#: 100800050
HEARD: 10/08/2013

After a hearing on October 8, 2013, the Commission finds Linh Liquors, Inc. dba North Randolph Plaza in violation of 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138 §34 Sale or Delivery of an Alcoholic Beverage to a person under twenty-one (21) years of age.

The Commission **suspends the licensee's license for a total of two (2) days to be served. The suspension shall commence on Wednesday, November 20, 2013, and terminate on Thursday, November 21, 2013.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, November 20, 2013 at 9:00 A.M. It will be returned to the licensee Friday, November 22, 2013.

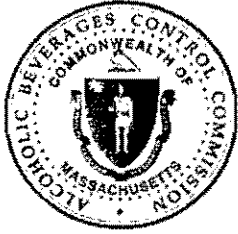
You are advised that pursuant to the provisions of M.G.L. c.138 §23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form. All checks must be certified and accompanied by the enclosed form, which must be signed by 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

Kim S. Gainsboro
Chairman

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Michael Teehan, Investigator
Timothy Hooton, Investigator
Administration
File



The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
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DECISION

Kim J. Gainsboro, Esq.
Chairman

LINH LIQUORS, INC. DBA NORTH RANDOLPH PLAZA
1165 NORTH MAIN STREET
RANDOLPH, MA 02368
LICENSE#: 100800050
HEARD: 10/08/2013

Linh Liquors, Inc. dba North Randolph Plaza (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, October 8, 2013, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 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 violation alleged in Investigator Hooton's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Hooton's Compliance Check Field Report dated April 3, 2013.

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

FACTS

1. On April 3, 2013 at approximately 5:25p.m., Investigators Teehan and Hooton conducted an investigation of the business operation of Linh Liquors, Inc. dba North Randolph Plaza.
2. An underage operative working with investigators purchased an alcoholic beverage, a 12 oz Budweiser can, for one dollar and fifty cents (\$1.50). The underage operative was not asked for identification.

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: c. 138 §34 Sale or Delivery of an Alcoholic Beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for 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 occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner *Susan Corcoran*

Kathleen McNally, Commissioner *Kathleen McNally*

Dated: October 9, 2013

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.

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Michael Teehan, Investigator
Timothy Hooton, Investigator
Administration
File