

*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
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Jean M. Lorizio, Esq.
Chairman

DECISION

**TRAVIS HOSPITALITY INC. D/B/A BAYSIDE RESORT HOTEL
225 RTE 28
YARMOUTH, MA 02673
LICENSE#: 151800107
VIOLATION DATE: 06/13/2016
HEARING DATE: 05/02/2017**

Travis Hospitality Inc. d/b/a Bayside Resort Hotel (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, May 2, 2017, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. 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 Velez's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Velez's Compliance Check Field Report dated May 13, 2016
 - A. Employee Handbook; and
 - B. Licensee's Alcohol Service Policy.

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

The Commission took Administrative Notice of the Licensee's record.

FACTS

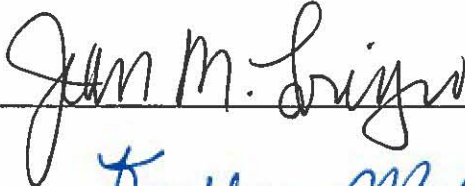
1. On Monday, June 13, 2016, at approximately 6:10 p.m., Investigators Binienda and Velez ("Investigators") investigated the business operation of Travis Hospitality Inc. d/b/a Bayside Resort Hotel.
2. An underage operative, working with Investigators, was in possession of an alcoholic beverage, a bottle of Budweiser Light beer. The underage operative was not asked for identification.

CONCLUSION

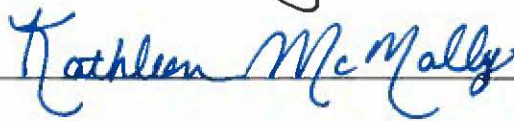
Based on the evidence the Commission finds the Licensee violated 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the Licensee has been in business for more than 10 years with no prior violations, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Kathleen McNally, Commissioner



Elizabeth A. Lashway, Commissioner



Dated: May 9, 2017

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
Nicholas Velez, Investigator
Jamie Binienda, Investigator
Stephen V. Miller, Esq. via facsimile 617-946-4624
Administration, File