

Re: Latino Centro, Inc.
d/b/a: El Centro
Premises: 56-62 Common Street
City/Town: Lawrence, MA 01840
License: AA Restaurant
Heard: January 26, 2010

DECISION

The Alcoholic Beverages Control Commission (“the Commission”) held a hearing on January 26, 2010 to determine whether Latino Centro, Inc. d/b/a El Centro violated 204 CMR 2.05(2)- Permitting an illegality on the licensed premises, to wit: M.G.L. chapter 138, §34C: Person under the age of twenty-one (21) in possession of an alcoholic beverage (2 counts) and 204 CMR 2.16(1): Failure to post cover charge or issue printed receipt. Prior to the commencement of the hearing, the licensee stipulated to the facts written in the Investigator’s report regarding the violations that occurred on December 19, 2009.

The following documents are in evidence:

1. Licensee Stipulation of Facts; and,
2. Investigator Jan Kujawski’s Report.

Facts

1. The report states on Friday, December 18, 2009, A.B.C.C. investigators observed the business operation of El Centro.
2. The investigators observed the front desk cashier accept a \$10.00 cover charge from patrons entering the establishment. The cashier was not giving the patrons a printed receipt.
3. The report also states the investigators observed two female patrons drinking a Long Island Iced Tea alcoholic beverage. The young women (d.o.b. 1/19/1990 and 6/14/1991) ages nineteen (19) and eighteen (18) were passing the beverage back and forth while drinking from it. The girls told the investigators a male friend had purchased the drink for them.

4. The owner, John Tarshi, testified he was changing the advertising and receipt policies used by his promoters. He also stated he was implementing a new bracelet policy.

Conclusion

Administrative review of the file indicates this was the first violation by the licensee in nine (9) years of ownership.

The Commission finds the licensee violated 204 CMR 2.16(1): Failure to post cover charge or issue printed receipt and **issues a warning**. The Commission further finds the licensee violated M.G.L. chapter 138, §34C: Person under the age of twenty-one (21) in possession of an alcoholic beverage (2 counts) and **suspends the license for nine (9) days of which nine (9) days will be held in abeyance for a period of two years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Robert H. Cronin, Commissioner _____

Susan Corcoran, Commissioner _____

Dated in Boston, Massachusetts this 2nd day of February 2010.

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: Lawrence Licensing Board
Frederick G. Mahony, Chief Investigator
File