

Re: Kim Tran Corp.
d.b.a.: Trans Liquor Mart
Premises: 545 McGrath Highway
City/Town: Somerville, MA 02145
License: W & M Package
Heard: June 9, 2009

DECISION

A Commission hearing was held to determine whether Kim Tran Corp. d.b.a. Trans Liquor Mart 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 21 years of age (1 count).

The licensee stipulated to the facts contained in the Investigator's report dated April 30, 2009.

The report states on April 30, 2009 A.B.C.C. Investigators observed the business operation of Kim Tran Corp. They stopped a young man exiting the store with a 30-pack of Miller Beer. The young man, d.o.b. 7/6/1989 (age 19), was using a Mass ID card with a false birth date of 4/14/1988 (age 21).

Administrative review of the file indicates previous violations on January 3, 2009, December 26, 2008 and December 1, 2005 for service to minors.

The Commission finds that 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 21 years of age (1 count) and, therefore **suspends the license indefinitely until further order from the Commission. At the conclusion of 48-days and proof of all owners and employees completion of Alcoholic Service Training, the license will be eligible for a further written order of reinstatement by the Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Robert H. Cronin, Commissioner _____

Susan Corcoran, Commissioner _____

Dated in Boston, Massachusetts this 14th day of July 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