



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

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In the matter of the request of)	
)	
BASA VENTURES, INC.)	Request ID No. 909029
4665 S Beech Daly St)	
Dearborn Heights, Michigan 48127)	
)	
Wayne County)	
_____)	

At the February 1, 2018 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

LICENSING APPEAL ORDER

On June 2, 2017, Basa Ventures, Inc. (“applicant”) filed a request to transfer ownership of the escrowed 2017 Specially Designated Distributor and Specially Designated Merchant licenses with Sunday Sales Permit (P.M.) from K-Landmark, Inc., at the above-noted address. The applicant also requested a new Sunday Sales Permit (A.M.) and a new Beer and Wine Tasting Permit.

Commission records reflect that the applicant was issued Conditional Specially Designated Distributor and Specially Designated Merchant licenses under MCL 436.1525(6) at this location on July 19, 2017.

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale

thereof.

The applicant is authorized to do business in Michigan, as required under MCL 436.1535 for licensure. Under MCL 436.1537(1)(f) and (g), the licensee may sell spirits, mixed spirit drink, beer and wine for consumption off the premises, only.

At a meeting held on November 22, 2017, the Commission denied this request under administrative rule R 436.1105(2)(a) after considering the operating record of sole applicant stockholder, Bashar B. Jarbo, who is currently licensed as a stockholder in Deljar, Inc. and Bejar, Inc. Commission records indicate that each licensed location has been found responsible for one (1) violation of selling alcohol to a minor as noted in the denial order issued in this matter, which is contrary to MCL 436.1801(2).

Further, the request was denied under administrative rule R 436.1105(2)(j) after considering the effects that issuance of a license would have on the health, welfare, and safety of the general public.

Joseph Shallal, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the February 1, 2018 hearing, held at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated a course of action has been taken to assist in preventing further violations of the Michigan Liquor Control Code and Administrative Rules, and all other concerns regarding this application were adequately addressed.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request.

THEREFORE, IT IS ORDERED that:

A. The denial order of November 22, 2017 issued in this matter is reversed and the applicant's request to transfer ownership of the escrowed 2017 Specially Designated

Distributor and Specially Designated Merchant licenses from K-Landmark, Inc. is APPROVED, subject to the following:

1. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
 2. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
 3. The licensee shall submit to the Commission a promissory note indicating that Basa Ventures, Inc. received a loan in the amount of \$60,000.00 from Main Street Bank.
 4. The licensee shall submit to the Commission a promissory note indicating that Basa Ventures, Inc. received a loan in the amount of \$177,000.00 from applicant member, Bashar Jarbo.
 5. The licensee shall submit to the Commission the required license and permit fees in the amount of \$838.35, pursuant to MCL 436.1525(1)(k).
 6. The licensee shall submit to the Commission form LCC-301 ("Report of Stockholders/Members/Partners").
 7. The licensee shall submit to the Commission form LCC-107 ("Closing Form for New License or License Sale").
 8. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
 9. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).
- B. The applicant's request to transfer the existing Sunday Sales Permit (P.M.) to

sell alcoholic liquor after 12:00 Noon on Sundays is APPROVED, subject to the following:

1. A reference to the time of day includes daylight savings time, when observed.
2. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village or township that it prohibits the sale of spirits, mixed spirit drink, or beer and wine during the time authorized by this permit.

C. The applicant's request for a new Sunday Sales Permit (A.M.) to sell alcoholic liquor between 7 A.M. and Noon on Sundays, is APPROVED pursuant to Public Act 213 of 2010, MCL 436.2111-2115. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village, township, or the local governmental unit, that it prohibits or otherwise objects to the sale of spirits, mixed spirit drink or beer and wine between the hours of 7 A.M. and Noon on Sundays. If notice and supporting documentation is received by the Commission, a show cause hearing will be scheduled before the Commission under administrative rule R 436.1925(1) to determine if the permit must be revoked.

D. The applicant's request for a new Beer and Wine Tasting Permit is APPROVED, subject to the following:

1. No charges for the tasting of the beer and wine are allowed under MCL 436.1537(5)(a).
2. The tasting samples provided to a customer must not exceed 3 servings at up to 3 ounces per serving of beer or 3 servings at up to 2 ounces of wine under MCL 436.1537(5)(b).
3. A customer must not be provided with more than a total of 3 samples of beer or wine within a 24-hour period per licensed premises under MCL 436.1537(5)(b).
4. The Commission must be notified, in writing, a minimum of 10 working days prior to the event, regarding the date, time, and location of the event MCL 436.1537(5)(d).

5. Under MCL 436.1537(6), during the time the permitted beer or wine tasting is conducted, the applicant-permit holder, or its agent or employee who has successfully completed a server training program as provided for in MCL 436.1906, shall devote full time to the beer and wine tasting activity and shall perform no other duties including the sale of alcoholic liquor for consumption off the licensed premises.
6. Beer and wine used for the permitted tasting must come from the specially designated merchant's (SDM's) inventory under MCL 436.1537(6), and all open bottles must be removed from the premises on the same business day or resealed and stored in a locked, separate storage compartment on the licensed premises when not being used for the activities allowed by the Permit.
7. The Permit holder must prohibit a wholesaler from conducting or participating in the beer and wine tastings under MCL 436.1537(7).
8. A permitted beer and wine tasting must be conducted during the legal hours for sale of alcoholic liquor by the licensee under MCL 436.1537(8).

E. The Conditional License shall cancel within 20 business days from the issuance date of this order.

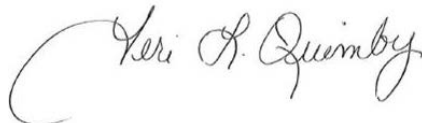
F. Under administrative rule R 436.1003(1), the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

G. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the licenses and permits.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: 03/01/2018

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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

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In the matter of the request of)
)
BLIND PIG ENTERTAINMENT, LLC) Request ID No. 913658
208 S 1st St)
Ann Arbor, Michigan 48104-1306)
)
Washtenaw County)
_____)

At the February 27, 2018 hearing of the Michigan Liquor Control Commission in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner

LICENSE APPEAL ORDER

On June 30, 2017, Blind Pig Entertainment, LLC (“applicant”) filed a request to transfer ownership of the escrowed 2017 Class C and Specially Designated Merchant licenses with two (2) Bars, Sunday Sales Permit (P.M.), Dance-Entertainment Permit, and Specific Purpose Permit (Food) from Wells-Goffett, Inc. located at the above-noted address.

Commission records reflect that the applicant was approved for a Conditional license issued under MCL 436.1525(6) on November 1, 2017 and same was issued on December 5, 2017.

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale

thereof.

At a meeting held on February 2, 2018, the Commission denied this request under administrative rule R 436.1103(2) because the applicant failed to provide all the information necessary for the investigation and processing of this application.

Joseph Infante, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at a hearing held in Lansing on February 27, 2018.


After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that this application should be returned to commission staff for further processing and investigation of this application.

THEREFORE, IT IS ORDERED that the denial order of February 2, 2018 issued in this matter is REVERSED and this application is REMANDED to Commission staff for further processing and investigation of this application.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner

Date Mailed: March 22, 2018

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STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

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In the matter of the request of)	
)	
COSTAS VILLAGE BAR, LLC)	Request ID No. 905115
35228-35234 W Michigan Ave)	
Wayne, Michigan 48184-1693)	
)	
Wayne County)	
_____)	

At the February 22, 2018 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

LICENSE APPEAL ORDER

On April 17, 2017, Costas Village Bar, LLC. (“applicant”) filed a request to transfer ownership of the 2017 Class C and Specially Designated Merchant licenses with Sunday Sales Permits (A.M. & P.M.), from John E. Roussakis and Theresa L. Shackelford at the above-noted address. The applicant also requested to cancel the existing Sunday Sales Permit (A.M.), and requested a new Dance-Entertainment Permit.

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof.

The applicant is authorized to do business in Michigan, as required under MCL 436.1535 for licensure. Under MCL 436.1537(1)(b), the licensee may sell beer, wine,

mixed spirit drink and spirits for consumption on the premises. Under MCL 436.1537(1)(f) the licensee may sell beer and wine for consumption off the premises only.

At a meeting held on January 24, 2018, the Commission denied this request under administrative rule R 436.1105(2)(a) after considering the operating record of applicant member, John E. Roussakis, who is currently licensed as a partner under the licenses to be transferred in this application.

Commission records indicate the subject location was found responsible for a 2-count violation for the sale of alcohol to an 18-year old minor and allowing the minor to consume alcohol on the licensed premises; eight (8) violations of the sale of alcoholic liquor to intoxicated patrons; five (5) incidents of allowing an intoxicated person to consume alcohol on the licensed premises; one (1) incident of allowing an intoxicated patron to loiter; one (1) incident of allowing fights or brawls on the licensed premises; and a violation for issuing non-sufficient funds checks to the Commission totaling \$335.08.

The application was also denied under administrative rule R 436.1105(2)(j) after considering the and considering the effects that issuance of a license would have on the health, welfare, and safety of the general public when determining whether an applicant should be issued a license or permit.

Peter Zingas, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the February 22, 2018 hearing, held at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file with updated documents submitted, and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated a course of action has been taken to assist in preventing further violations of the Michigan Liquor Control Code and Administrative Rules. The applicant also provided documents indicating John E. Roussakis divested his membership interest in Costas Village Bar, LLC to co-applicant member, Costas V. Ciungan, leaving Mr. Ciungan with 100% membership interest in the applicant entity.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request.

THEREFORE, IT IS ORDERED that:

A. The denial order of January 24, 2018 issued in this matter is reversed and the applicant's request to transfer ownership of the 2017 Class C and Specially Designated Merchant licenses from John E. Roussakis and Theresa L. Shackelford is APPROVED, subject to the following:

1. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
2. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
3. The licensee shall submit to the Commission documentary proof (promissory note) that Costas Village Bar, LLC received a loan in the amount of \$122,000.00 from applicant member, Costas Ciungan.
4. The licensee shall submit to the Commission form LC-95 ("Proof of Financial Responsibility").
5. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
6. The licensee shall submit to the Commission form LCC-301 ("Report of Stockholders/Members/Partners").
7. The licensee shall submit to the Commission form LCC-107 ("Closing Form for New License or License Sale").
8. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).
9. The licensee shall provide documentary proof to the Commission to demonstrate that, at a minimum, supervisory personnel on each shift and during all hours in which alcoholic liquor is served have

successfully completed a server training program approved by the Commission as required under MCL 436.1501(1), within 180 days from the issuance of the license, as provided in administrative rule R 436.1060. Pursuant to MCL 436.1525(8), the license is required to comply with the server training requirements beginning on the date the conditional license is issued regardless of whether the licensee is actively operating under the license.

- a. The licensee shall maintain active certification of completion for server training on the licensed premises at all times as provided in administrative rule R 436.1060.
- b. Failure to provide this documentary proof to the Commission within 180 days of the issuance of the license shall result in the licensee being charged with failure to comply with this order, under administrative rule R 436.1029, which may result in fines, suspension and/or revocation of the license.

B. The applicant's request to transfer the existing Sunday Sales Permit (P.M.) to sell alcoholic liquor for consumption on the premises after Noon on Sundays is APPROVED, subject to the following:

1. A reference to the time of day includes daylight savings time, when observed.
2. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village, or township that it prohibits the sale of spirits, mixed spirit drink, or beer and wine during the time authorized by this permit.

C. The applicant's request for a new Dance-Entertainment Permit is APPROVED, subject to the following:

1. The licensee must have a well-defined and clearly marked dance floor that is 100 square feet or larger under administrative rule R 436.1415.
2. The licensee is prohibited from having tables, chairs, or other obstacles on the dance floor while customers are dancing.

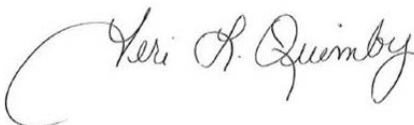
D. Under administrative rule R 436.1003(1), the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

E. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the licenses and permits.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: 04/11/2018

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STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

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In the matter of the request of)	
)	
DECARLOS STEWART)	Request ID No. 1801-00808
12722 Birwood)	
Detroit, Michigan 48234)	
)	
)	

At the February 22, 2018 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

LICENSING APPEAL ORDER

On January 19, 2018, Decarlos Stewart (“applicant”) filed a request for a new Vendor Representative license.

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof.

At a meeting held on January 31, 2018, the Commission denied this request under MCL 436.2003 and administrative rules R 436.1105(2)(g) and R 436.1105(2)(j), after considering the effects that issuance of a license would have on the health, welfare, and

safety of the general public when determining whether an applicant should be issued a license or permit, after considering the prior conviction record of Decarlos Stewart and failure to report all previous convictions to the Commission during the application process.

Decarlos Stewart submitted a timely request for an appeal in this matter and Attorney Nicholas Tsalis represented the applicant at a hearing held on February 22, 2018, at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that the applicant sufficiently answered all previous questions concerning this application.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request.

THEREFORE, IT IS ORDERED that:

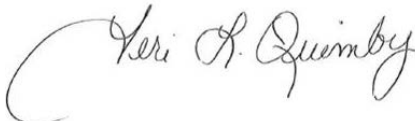
- A. The denial order of January 31, 2018 issued in this matter is reversed and the applicant's request for a new Vendor Representative license is APPROVED.
- B. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
- C. Pursuant to administrative rule R 436.1853(2), the license is renewable by May 1, 2020, and every three (3) years thereafter.
- D. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).

- E. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of this license.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner (dissent)



Dennis Olshove, Commissioner

Date Mailed: April 6, 2018

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STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

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In the matter of the request of)	
)	
EXCELL INVESTMENTS L.L.C.)	Request ID No. 914744
25080 Southfield Rd)	
Southfield, Michigan 48075-1902)	
)	
Oakland County)	
_____)	

At the February 6, 2018 hearing of the Michigan Liquor Control Commission in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Dennis Olshove, Commissioner

CONDITIONAL LICENSE APPEAL ORDER

On August 21, 2017, Excell Investments L.L.C. (“applicant”) filed an application for a conditional license under MCL 436.1525(6), as well as for transfer of ownership of a 2017 Resort Class C issued under MCL 436.1531(2), only, and various permits from Bronson Strike Zone, L.L.C.; and to transfer of location (governmental unit) under MCL 436.1531(1) from 717 E. Chicago St., Bronson, Branch County, to the above-noted address.

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof.

The applicant is authorized to do business in Michigan, as required under MCL 436.1535 for licensure. Under MCL 436.1537(1)(b), the licensee may sell beer, wine, mixed spirit drink and spirits for consumption on the premises. Under MCL 436.1537(1)(f)

the licensee may sell beer and wine may be sold for consumption off the premises only.

At a meeting held on January 26, 2018, the Commission denied the conditional license request under MCL 436.1525(6); and under administrative rule R 436.1105(2)(a) after considering the operating record of applicant member, Excellence Ukomadu, as a prior licensee under Excell Investments L.L.C., d/b/a Lavish Life Lounge. Commission records indicate that location was found responsible for two (2) violations of writing nonsufficient funds checks totaling \$3,208.16; contrary to administrative rule R 436.1059; a violation for failing to obey an order of the Commission by not providing proof of successful completion server training within 180 days from the issuance of the license; and a violation of cancelling liquor liability insurance without providing thirty (30) days prior written notice to the Commission.

The Commission also denied this request under administrative rule R 436.1105(2)(j) after considering the effects that issuance of a license would have on the health, welfare, and safety of the general public when determining whether an applicant should be issued a license or permit.

John Doyle, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the February 6, 2018 hearing, held at the Commission's Lansing office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated a course of action has been taken to assist in preventing further violations of the Michigan Liquor Control Code and Administrative Rules.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's conditional license request.

THEREFORE, IT IS ORDERED that:

A. The denial order of January 26, 2018 issued in this matter is reversed and the applicant's request for a conditional Resort Class C license under MCL 436.1525(6) is APPROVED, subject to the following:

1. The existing license and separate permits shall be submitted to the Commission before or at the time of the issuance of the conditional license, to remain in escrow under administrative rule R 436.1107 until one of the expiration factors is reached under MCL 436.1525(9).
2. Receipt of form LCC-108 (“Request to Place License in Escrow”).
3. Upon issuance of the conditional license, the license shall remain in escrow under administrative rule R 436.1107 until one of the expiration factors is automatically reached under MCL 436.1525(9) pursuant to MCL 436.1525(11).
4. The conditional license is non-transferable and nonrenewable.
5. The conditional license shall expire under one of the following expiration factors, whichever occurs first, pursuant to MCL 436.1525(9):
 - a. One (1) year after the date the conditional license was issued, notwithstanding any suspension of the conditional license by the Commission.
 - b. The Commission issues the license for which the applicant submitted the license application that serves as the basis of the conditional license.
 - c. After all administrative remedies before the Commission have been exhausted when the Commission issues an order of denial of the license application that serves as the basis for the conditional license.
 - d. When the licensee or conditional licensee notifies the Commission in writing that the initial or conditional application should be cancelled.
6. The conditional licensee shall maintain active certification of completion for server training on the licensed premises at all times as provided in administrative rule R 436.1060.

B. The applicant's request for a conditional transfer of location (governmental unit) under MCL 436.1531(1) and the provisions of MCL 436.1525(6) from 717 E. Chicago St., Bronson, Branch County, to 25080 Southfield Rd, Southfield, Oakland County, is APPROVED, subject to the following:

1. If the Commission determines that the conditional license has been issued at a proposed location that is within 500 feet of a church or school building, the Commission shall suspend the conditional license and notify the church or school of the proposed location under the rules promulgated under the Michigan Liquor Control Code pursuant to MCL 436.1525(7).
2. If the Commission issues a conditional license based on the Church or School Proximity Affidavit submitted by the applicant without knowledge that the representations included in the affidavit are incorrect, the State of Michigan is not liable to any person for the Commission's issuance of the conditional license pursuant to MCL 436.1525(7).

C. The applicant's request for a conditional Sunday Sales Permit (P.M.) is APPROVED, subject to the following:

1. A reference to the time of day includes daylight savings time, when observed.
2. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village or township that it prohibits the sale of spirits, mixed spirit drink, or beer and wine during the time authorized by this permit.

D. The applicant's request for a conditional Dance-Entertainment Permit is approved, subject to the following:

1. The licensee must have a well-defined and clearly marked dance floor that is 100 square feet or larger under administrative rule R 436.1415.
2. The licensee is prohibited from having tables, chairs, or other obstacles on the dance floor while customers are dancing.

E. The applicant's request for conditional Specific Purpose Permits (Food & Bowling) is APPROVED, subject to the following:

1. Under administrative rule R 436.1437(2), the licensee shall not allow customers on the licensed premises during the time period provided by the Specific Purpose Permit unless the activity, and only that activity, allowed by the Specific Purpose Permit, is occurring.

F. The applicant's request for a conditional Outdoor Service (1 area) is APPROVED subject to the following:

1. The outdoor service area shall remain well-defined and clearly marked.
2. The licensee shall permit the sale, service and consumption of alcoholic liquor outdoors in the defined area only.
3. The licensee is prohibited from allowing the sale, service, possession or consumption of alcoholic beverages in any portion of the approved outdoor service area designated for the playing of sporting activities or for sporting events, including any break or intermission.
4. The licensee shall take all necessary actions to ensure the health, safety and welfare of all patrons and guests.

G. The applicant's request for two (2) conditional Bars is APPROVED.

H. Under administrative rule R 436.1003(1), the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

I. Failure by the conditional licensee to comply with all laws and rules may result in the revocation of the approval contained in this order.

J. The approval of this conditional license does not guarantee approval by the Commission of the request to transfer the existing license. Any investments made by the conditional license applicant are done at the applicant's risk.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Dennis Olshove, Commissioner

Date Mailed: March 16, 2018

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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

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In the matter of the request of)
)
FALLING DOWN BEER COMPANY, LLC) Request ID No. 851824
14 N Washington St, Ste A & C)
Oxford, Michigan 48371-4699)
)
Oakland County)
_____)

At the February 15, 2018 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

LICENSING APPEAL ORDER

On July 5, 2016, Falling Down Beer Company, LLC (applicant) filed a request for a new Small Distiller license, new Small Wine Maker license, and new Micro Brewer license to be held at the above-noted address.

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof.

At a meeting held on December 15, 2017, the Commission denied the request under MCL 436.2003 and administrative rules R 436.1105(2)(g) and R 436.1105(2)(j) after considering the effects that issuance of a license would have on the health, welfare, and safety of the general public when determining whether an applicant should be issued a

license or permit, after considering the prior conviction record of applicant member, Stephen J. Dudzinski, and failure to report same to the Commission during the application process.

The Commission also denied this request under administrative rules R 436.1105(2)(a) and R 436.1059 after considering the prior operating record of Falling Down Beer Company, LLC currently licensed at another location. Commission records indicate that the applicant was cited and found responsible for failure, refusal or neglecting to have supervisory personnel who maintained active, unexpired Service Training Certification on the licensed premises on each shift and during all hours of alcoholic liquor service; has had multiple violations for failure to submit timely reports and pay the proper taxes of a Small Wine Maker; and has a history of dishonored payments for license renewal and application fees.

Kelly Allen, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the February 15, 2018 hearing, held at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated through testimony and submission of updated documents that the previous questions concerning this application have been satisfactorily addressed. Stephen J. Dudzinski has divested all membership interest in the applicant entity and will not be involved in any aspect of this licensed business.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and approve the applicant's request.

THEREFORE, IT IS ORDERED that:

A. The denial order of December 15, 2017 issued in this matter is reversed and the applicant's request for a new Small Distiller license, new Small Wine Maker license, and new Micro Brewer license is APPROVED, subject to the following:

1. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the

Commission has been provided with a notice of pending litigation involving the application.

2. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
3. **The licensee shall submit to a Final Inspection to be conducted by the Commission's Enforcement Division to determine the renovations have been completed; to determine that all fixtures and equipment have been installed and seating capacity has been determined and is posted; and to determine that the licensed premises meets all the requirements of the Michigan Liquor Control Code and Administrative Rules.**
4. The licensee shall submit to the Commission documentary proof (Promissory Note) that Falling Down Brewing Company, LLC received a loan in the amount of \$713,000.00 from Huntington Bank.
5. The licensee shall submit to the Commission an acceptable and executed Lease Agreement that includes Suites A, C and Cooling Area, and reflects the use as Micro Brewer, Small Wine Maker and Small Distiller.
6. The licensee shall submit to the Commission a Federal Basic Permit for the Small Distiller license issued by the Alcohol and Tobacco Tax and Trade Bureau (TTB) pursuant to administrative rule R 436.1827.
7. The licensee shall submit to the Commission a Federal Basic Permit issued by the Alcohol and Tobacco Tax and Trade Bureau (TTB) for the Small Wine Maker license pursuant to administrative rule R 436.1705(1).
8. The licensee shall submit to the Commission "Brewer's Notice" issued by the Alcohol and Tobacco Tax and Trade Bureau (TTB) pursuant to administrative rule R 436.1609(1).

9. The licensee shall submit to the Commission form LC-MW-816 (“Surety Bond for Non-Retail License”) for the Small Wine Maker and Micro Brewer licenses.
10. The licensee shall submit to the Commission form LC-95 (“Proof of Financial Responsibility”).
11. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
12. The licensee shall submit to the Commission form LCC-301 (“Report of Stockholders/Members/Partners”).
13. The licensee shall submit to the Commission form LCC-107 (“Closing Form for New License or License Sale”).
14. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).
15. The licensee shall provide documentary proof to the Commission to demonstrate that, at a minimum, supervisory personnel on each shift and during all hours in which alcoholic liquor is served have successfully completed a server training program approved by the Commission as required under MCL 436.1501(1), within 180 days from the issuance of the licenses, as provided in administrative rule R 436.1060.
 - a. The licensee shall maintain active certification of completion for server training on the licensed premises at all times as provided in administrative rule R 436.1060.
 - b. Failure to provide this documentary proof to the Commission within 180 days of the issuance of the license shall result in the licensee being charged with failure to comply with this order,

under administrative rule R 436.1029, which may result in fines, suspension and/or revocation of the licenses.

16. The licensee shall not manufacture more than 60,000 gallons of spirits annually, of all brands combined, may provide samples to consumers at the licensed premises at no charge of the spirit products it manufactures; may sell for consumption on the licensed premises brands it manufactures; and sell for consumption off the licensed premises for not less than the uniform price set by the Commission under MCL 436.1111(9), MCL 436.1534, MCL 436.1537(p), MCL 436.1603(5)(6) and administrative rule R 436.1529.
17. The licensee shall package, mark, brand and label all spirit products in accordance with the federal distilled spirit regulations published in 27 C.F.R. prior to the sale in Michigan under administrative rule R 436.1825 and R 436.1829.
18. The licensee shall receive a registration number of approval from the Commission prior to the sale of all spirit products in Michigan under administrative rule R 436.1829(d).
19. The licensee shall register with the Commission as a Vendor of Spirits and be represented by a licensed Vendor Representative to sell spirit products it manufactures to the Commission under MCL 436.1113(4), administrative rule R 436.1001(w) and administrative rule R 436.1853(4).
20. The licensee shall contract with an Authorized Distribution Agent to warehouse and deliver its spirit products to retailers through the Commission's spirit distribution system under administrative rule R 436.1802(1).
21. The licensee is allowed to produce not more than 50,000 gallons of wine in one calendar year; may provide samples to consumers at the licensed premises of the wine they manufacture; and also sell that

wine for consumption off the licensed premises as defined under MCL 436.1113 (9) and MCL 436.1537.

22. The licensee shall file a report of operations with the Commission no later than the fifteenth day of each month reporting the preceding month's activity. A copy of each invoice shall accompany the report along with payment of the wine excise tax as required under MCL 436.1301 and administrative rule R 436.1725 (1).
23. The licensee shall label all wine products in accordance with the federal wine regulations published in 27 C.F.R. prior to the sale in Michigan under administrative rule R 436.1719.
24. The licensee shall receive a registration number of approval for all wine products from the Commission prior to the sale in Michigan under administrative rule R 436.1719.
25. The licensee shall file a schedule of the net cash prices to retail licensees for all sales of wine before January 1, April 1, July 1, and October 1 of each year under administrative rule R 436.1726 (1).
26. The licensee is allowed to produce no more than 60,000 barrels of beer per year and may sell that beer to consumers for consumption on or off the licensed premises.
27. The licensee shall comply with the tax collection and reporting system under MCL 436.1301 and MCL 436.1409.
28. The licensee shall label all beer products in accordance with the federal beer regulations published in 27 C.F.R. prior to the sale in Michigan under administrative rule R 436.1611.
29. The licensee shall receive a registration number of approval for all beer products from the Commission prior to the sale in Michigan under administrative rule R 436.1611(c).
30. The licensee shall collect a container deposit of a minimum of \$30.00 for all refillable containers of beer with a capacity over 5 gallons. A cash refund equal to the deposit collected for all refillable containers

over 5 gallons shall be made to a licensee who has made the deposit and returned the containers for refund under administrative rule R 436.1629.

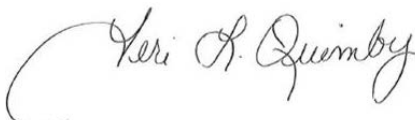
B. Under administrative rule R 436.1003(1), the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

C. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the licenses.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner

Request ID No. 851824
Page 8



Dennis Olshove, Commissioner

Date Mailed: February 23, 2018

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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

* * * * *

In the matter of the request of)
)
FALLING DOWN BEER COMPANY, LLC) Request ID No. 858625
2270 E 10 Mile Rd)
Warren, Michigan 48091-3701)
)
Macomb County)
_____)

February 15, 2018 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

LICENSING APPEAL ORDER

On October 21, 2016, Falling Down Beer Company, LLC (“licensee”), holder of 2017 Micro Brewer and Small Wine Maker licenses with Entertainment Permit located at the above-noted address, filed a request to to transfer membership interest in the 2015 licensing year by adding new members (Class B Units) Wendy Sawyer, Michael Dowding, Toby Couture, Sandra Palazzone, Jeff Priskorn, Arpad R. Miklos, Bob Brooks Computer Sales, Inc., Paul Grosshans, Donna Garrigues, Eric Nemeth, Deborah Uren, Susan K. Bossardet, Adam Kline, George W. Hutton, Robert W. Brooks, Lisa Moore, Debra Penabaker, Shana Shaw and Steve Dudzinski through corporate restructuring; and as a result existing members George M. Lang and Mark E. Larson will each hold 45% membership and membership interest issued to new members (Class B Units) is as follows: Wendy Sawyer 1.4%, Michael Dowding 0.6%, Toby Couture 0.3%, Sandra Palazzone 0.3%, Jeff Priskorn 0.3%, Arpad R. Miklos 0.3%, Bob Brooks Computer Sales, Inc. 1.7%, Paul Grosshans 0.6%, Donna Garrigues 0.6%, Eric Nemeth 0.3%, Deborah

Uren 0.3%, Susan K. Bossardet 0.3%, Adam Kline 0.3%, George W. Hutton 0.3%, Robert W. Brooks 1.4%, Lisa Moore 0.3%, Debra Penabaker 0.3%, Shana Shaw 0.3% and Steve Dudzinski 0.6%.

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof.

At a meeting held on December 15, 2017, the Commission denied this request under MCL 436.2003 and administrative rules R 436.1105(2)(g) and R 436.1105(2)(j) after considering the effects that issuance of a license would have on the health, welfare, and safety of the general public when determining whether an applicant should be issued a license or permit, after considering the prior conviction record of applicant member, Stephen J. Dudzinski, and failure to report same to the Commission during the application process.

The Commission also denied this request under administrative rules R 436.1105(2)(a) and R 436.1059 after considering the prior operating record of Falling Down Beer Company, LLC currently licensed at another location. Commission records indicate that the applicant was cited and found responsible for failure, refusal or neglecting to have supervisory personnel who maintained active, unexpired Service Training Certification on the licensed premises on each shift and during all hours of alcoholic liquor service; has had multiple violations for failure to submit timely reports and pay the proper taxes of a Small Wine Maker; and has a history of dishonored payments for license renewal and application fees.

Kelly Allen, legal counsel on behalf of the licensee, submitted a timely request for an appeal in this matter and represented the licensee at the February 15, 2018 hearing, held

at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that the licensee sufficiently demonstrated through testimony and submission of updated documents that the previous questions concerning this application have been satisfactorily addressed.

The Commission finds that Stephen J. Dudzinski has divested all membership interest back to the licensed entity and will not be involved in any aspect of this licensed business. Updated documentation was provided showing George Lang and Mark Larson each now hold 50% Class A membership interest and the status of the Class B membership interest is no longer an impediment to licensure.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and approve the licensee's request, as amended.

THEREFORE, IT IS ORDERED that:

A. The denial order of December 15, 2017 issued in this matter is reversed and the licensee's request to request to transfer membership interest in the 2017 Micro Brewer and Small Wine Maker licenses with Entertainment Permit held at the above-noted address by adding new members (Class B Units) Wendy Sawyer, Michael Dowding, Toby Couture, Sandra Palazzone, Jeff Priskorn, Arpad R. Miklos, Bob Brooks Computer Sales, Inc., Paul Grosshans, Donna Garrigues, Eric Nemeth, Deborah Uren, Susan K. Bossardet, Adam Kline, George W. Hutton, Robert W. Brooks, Lisa Moore, Debra Penabaker and Shana Shaw through corporate restructuring; and as a result existing members George M. Lang and Mark E. Larson will each hold 50% membership interest (Class A Units), and membership interest issued to new members (Class B Units) is as follows: Wendy Sawyer 14.7%, Michael Dowding 5.9%, Toby Couture 2.94%, Sandra Palazzone 2.94%, Jeff Priskorn 2.94%, Arpad R. Miklos 2.94%, Bob Brooks Computer Sales, Inc. 17.62%, Paul Grosshans 5.9%, Donna Garrigues 5.9%, Eric Nemeth 2.94%, Deborah Uren 2.94%, Susan K. Bossardet 2.94%, Adam Kline 2.94%, George W. Hutton 2.94%, Robert W.

Brooks 14.7%, Lisa Moore 2.94%, Debra Penabaker 2.94% and Shana Shaw 2.94% is APPROVED, subject to the following:

1. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
2. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
3. The licensee shall submit to the Commission form LCC-301 "Report of Stockholders/Members/Partners".
4. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
5. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).

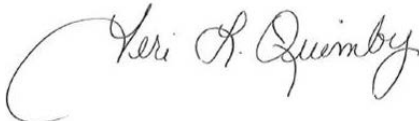
B. Under administrative rule R 436.1003(1), the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

C. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the licenses.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: March 1, 2018

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STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

* * * * *

In the matter of the request of)	
)	
GURSIRAT, INC.)	Request ID No. 908370
4509 Willoughby Rd)	
Holt, Michigan 48842-2185)	
)	
Delhi Township)	Ingham County
<hr/>)

At the February 27, 2018 hearing of the Michigan Liquor Control Commission in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner

LICENSING APPEAL ORDER

On May 22, 2017, Gursirat, Inc. (“applicant”) filed a request to transfer ownership of the 2017 Specially Designated Distributor and Specially Designated Merchant licenses with Sunday Sales Permit (P.M.) from Lenaj Inc., at the above-noted location. The applicant also requested a new Sunday Sales Permit (A.M.).

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof.

The applicant is authorized to do business in Michigan, as required under MCL 436.1535 for licensure. Under MCL 436.1537(1)(f) and (g) the licensee may sell beer, wine, spirits, and mixed spirit drink for consumption off the premises only.

At a meeting held on January 17, 2108, the Commission denied this request under administrative rule R 436.1105(2)(a) after considering the record of applicant stockholder, Ramandeep Singh, who was ticketed twice in 2012 as the selling clerk cited for the sale of alcohol to minors.

The request was also denied under administrative rule R 436.1105(2)(j) after considering the effects that issuance of a license would have on the health, welfare, and safety of the general public when determining whether an applicant should be issued a license or permit.

Michael Brown, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the February 27, 2018 hearing, held at the Commission's Lansing office.

After hearing arguments, reviewing the MLCC file with updated documents presented, and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated a course of action has been taken to assist in preventing further violations of the Michigan Liquor Control Code and Administrative Rule.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request.

THEREFORE, IT IS ORDERED that:

A. The denial order of January 17, 2018 issued in this matter is reversed and the applicant's request to transfer ownership of the 2017 Specially Designated Distributor and Specially Designated Merchant licenses from Lenaj Inc. at the subject location is APPROVED, subject to the following:

1. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
2. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
3. The licensee shall submit to the Commission documentary proof that Gursirat, Inc. received a loan in the amount of \$60,000.00 from applicant stockholder, Ramandeep Singh.
4. The licensee shall submit to the Commission documentary proof that Gursirat, Inc. received a loan in the amount of \$50,000.00 from Kuldish Kaur.
5. The licensee shall submit to the Commission an acceptable and executed lease agreement.
6. The licensee shall submit to the Commission the remaining Specially Designated Distributor license and/or permit fees in the amount of \$1,290.30, pursuant to MCL 436.1525(1)(k).
7. The licensee shall submit to the Commission form LC-95 ("Proof of Financial Responsibility").
8. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
9. The licensee shall submit to the Commission form LCC-301 ("Report of Stockholders/Members/Partners").
10. The licensee shall submit to the Commission form LCC-107 ("Closing Form for New License or License Sale").
11. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in

writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).

B. The applicant's request to transfer the existing Sunday Sales Permit (P.M.) to sell alcoholic liquor after 12:00 Noon on Sundays is APPROVED, subject to the following:

1. A reference to the time of day includes daylight savings time, when observed.
2. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village or township that it prohibits the sale of spirits, mixed spirit drink, or beer and wine during the time authorized by this permit.

C. The applicant's request for a new Sunday Sales Permit (A.M.) is APPROVED pursuant to Public Act 213 of 2010, MCL 436.2111-2115. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village, township, or the local governmental unit, that it prohibits or otherwise objects to the sale of spirits, mixed spirit drink or beer and wine between the hours of 7:00 A.M. and 12:00 Noon on Sundays. If notice and supporting documentation is received by the Commission a Show Cause Hearing will be scheduled before the Commission under administrative rule R 436.1925(1) to determine if the permit must be revoked.

D. Under administrative rule R 436.1003(1), the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive

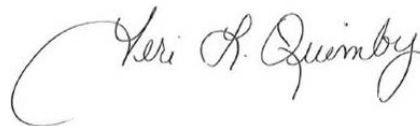
these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

E. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the licenses and permits.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner

Date Mailed: 04/18/2018

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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

* * * * *

In the matter of the request of)
)
JOSEPH W. JENTZER) Request ID No. 1802-01189
20300 Oporto Ave)
Livonia, Michigan 48152)
)
)
_____)

At the February 22, 2018 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

LICENSING APPEAL ORDER

On January 29, 2018, Joseph W. Jentzer (“applicant”) filed a request for a new Salesperson license.

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof.

At a meeting held on February 7, 2018, the Commission denied this request under administrative rules R 436.1105(2)(g) and R 436.1105(2)(j), after considering the effects that issuance of a license would have on the health, welfare, and safety of the general

public when determining whether an applicant should be issued a license or permit, after considering the prior conviction record of Joseph W. Jentzer.

Joseph Jentzer submitted a timely request for an appeal in this matter and represented himself at a hearing held on February 22, 2018, at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that the applicant sufficiently answered all previous questions concerning this application.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request.

THEREFORE, IT IS ORDERED that:

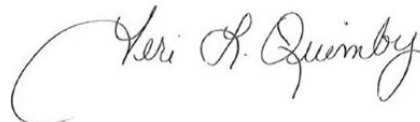
- A. The denial order of February 7, 2018 issued in this matter is reversed and the applicant's request for a new Salesperson license is APPROVED.
- B. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
- C. Pursuant to administrative rule R 436.1853(2), the license is renewable by May 1, 2020, and every three (3) years thereafter.
- D. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).
- E. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan

Liquor Control Code, Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of this license.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed:

tlc



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

* * * * *

In the matter of the request of)
)
KSM HOLDINGS, LLC) Request ID No. 914612
14628 E Jefferson Ave)
Detroit, Michigan 48215-2967)
)
Wayne County)
_____)

At the February 15, 2018 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

LICENSING APPEAL ORDER

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof.

On July 25, 2017, KSM Holdings, LLC (“licensee”) filed a request for a Participation Permit with Demitart Detroit LLC for the operation of the day to day business of the licensed premises for food and beverages sales, to be held in conjunction with escrowed 2017 Class C license located at the above-noted address.

At a meeting held on January 4, 2018, the Commission denied this request because in the participation agreement and good cause statement, the licensee stated that it never intended to operate the business without a third party manager, which violates administrative rule R 436.1041 by obtaining a license for the use and benefit of another

person whose name does not appear on the license.

The request was also denied under administrative rule R 436.1023(3) because the sublease indicates the licensee will not have exclusive control over the licensed premises because the participant would have control of the premises.

David Draper, legal counsel on behalf of the licensee, submitted a request for an appeal in this matter and represented the licensee at the February 15, 2018 hearing held in Southfield.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission does not find error with the application of the MLCC Code or Administrative Rules.

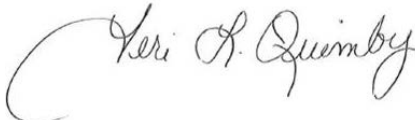
For the reasons stated on the record, the previous order is affirmed.

THEREFORE, IT IS ORDERED that the denial order of January 4, 2018 issued in this matter is AFFIRMED.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: April 4, 2019

tlc



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

* * * * *

In the matter of the request of)	
)	
MONDAIR 2014, LLC)	Request ID No. 900709
2815 Gull Rd)	
Kalamazoo, Michigan 49048-1336)	
)	
Kalamazoo Township Kalamazoo County)	
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At the February 20, 2018 hearing of the Michigan Liquor Control Commission in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

LICENSING APPEAL ORDER

On February 14, 2017, Mondair 2014, LLC (“applicant”) filed a request to transfer ownership of the escrowed 2017 Specially Designated Distributor and Specially Designated Merchant licenses with Sunday Sales Permit (A.M. and P.M.) from Amarjit, LLC; and transfer location (governmental unit) under MCL 436.1531(18) from 13745 M 96, Augusta, Ross Township, Kalamazoo County, to the above-noted address.

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof.

The applicant is authorized to do business in Michigan, as required under MCL 436.1535 for licensure. Under MCL 436.1537(1)(f) and (g) the licensee may sell beer, wine, spirits, and mixed spirit drink for consumption off the premises only.

At a meeting held on January 31, 2018, the Commission denied this request under administrative rule R 436.1105(2)(a) after considering the prior operating record of sole applicant member, Gurmukh Singh, who is licensed at five (5) locations found responsible for multiple violations of the Michigan Liquor Control Code, including a total of two (2) violations of the sale of alcohol to 18-year old minors; which is contrary to MCL 436.1801(2); a 13-charge violation for allowing drug paraphernalia and gambling on the licensed premises; and a 3-charge violation for selling alcohol to a customer for less than cost to a retail customers, failing to maintain accurate records of alcohol purchases and sales, and having receipts printed with the wrong date, showing an incorrect date of purchase.

The request was also denied under administrative rule R 436.1105(2)(j) after considering the effects that issuance of a license would have on the health, welfare, and safety of the general public when determining whether an applicant should be issued a license or permit.

John Doyle, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the February 20, 2018 hearing, held at the Commission's Lansing office.

After hearing arguments, reviewing the MLCC file with updated documents submitted, and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated a course of action has been taken to assist in preventing further violations of the Michigan Liquor Control Code and Administrative Rules.

Commission records indicate that according to the measurement conducted by the Commission's Enforcement Division under MCL 436.1503(1), Sunnyside United Methodist Church, located at 2800 Gull Rd, Kalamazoo, Kalamazoo Township, Kalamazoo County, is 0 feet from the proposed location (directly across the street).

MCL 436.1503(1) provides that an application to transfer location of a license to sell alcoholic beverages at retail shall be denied if the contemplated location is within 500 feet

of a church or school building. MCL 436.1503(4), states that: "The commission may waive this section for all classes of licenses. If an objection is not filed by the church or school, the commission may issue the license pursuant to this act. If an objection is filed, the commission shall hold a hearing pursuant to rules established by the commission before making a decision on issuing the license."

Since an objection was received from Sunnyside United Methodist Church, church hearings were held on August 29, 2017 and November 14, 2017. After concluding the church hearing, the Commission found that the burden was met, and the applicant demonstrated by competent, material and substantial evidence that granting a license would not adversely affect the operation of the church; and that a waiver of MCL 436.1503 is permissible in this case.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request.

THEREFORE, IT IS ORDERED that:

A. The denial order of January 31, 2018 issued in this matter is reversed and the applicant's request to transfer ownership of the escrowed 2017 Specially Designated Distributor and Specially Designated Merchant licenses from Amarjit, LLC is APPROVED, subject to the following:

1. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
2. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
3. **The licensee shall submit to a Final Inspection to be conducted by the Commission's Enforcement Division to determine construction has been completed as proposed; to determine the true measurements of the licensed premises; to determine all furniture, fixtures and equipment have been installed; to**

determine that sufficient inventory has been installed; and to determine that the premises meets all requirements of the Michigan Liquor Control Code and Administrative Rules.

4. The licensee shall submit to the Commission a copy of a signed land contract, real estate mortgage, warranty deed, or quit claim deed.
5. The licensee shall submit to the Commission form LC-95 ("Proof of Financial Responsibility").
6. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
7. The licensee shall submit to the Commission form LCC-301 ("Report of Stockholders/Members/Partners").
8. The licensee shall submit to the Commission form LCC-107 ("Closing Form for New License or License Sale").
9. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).

B. The applicant's request to transfer location (governmental unit) under MCL 436.1531(18) from 13745 M 96, Augusta, Ross Township, Kalamazoo County, to 2815 Gull Rd, Kalamazoo, Kalamazoo Township, Kalamazoo County is APPROVED.

C. The applicant's request to transfer the existing Sunday Sales Permit (A.M.) is APPROVED pursuant to Public Act 213 of 2010, MCL 436.2111-2115. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village, township, or the local governmental unit, that it prohibits or otherwise objects to the sale of spirits, mixed spirit drink or beer and wine between the hours of 7:00 A.M. and 12:00 Noon on Sundays. If notice and supporting documentation is received by the Commission a Show Cause Hearing will be scheduled before the Commission under administrative rule R 436.1925(1) to determine if the permit must be revoked.

D. The applicant's request to transfer the existing Sunday Sales Permit (P.M.) to sell alcoholic liquor after 12:00 Noon on Sundays is APPROVED, subject to the following:

1. A reference to the time of day includes daylight savings time, when observed.
2. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village or township that it prohibits the sale of spirits, mixed spirit drink, or beer and wine during the time authorized by this permit.

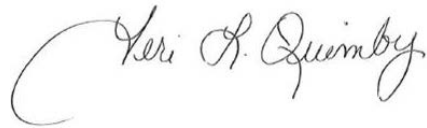
E. Under administrative rule R 436.1003(1), the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

F. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the licenses and permits.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: 03/30/2018

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STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

* * * * *

In the matter of the request of)	
)	
PURITAN LIQUOR, INC.)	Request ID No. 917395
14234 Puritan St)	
Detroit, Michigan 48227-3323)	
)	
Wayne County)	
_____)	

At the February 15, 2018 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

LICENSING APPEAL ORDER

On September 5, 2017, Puritan Liquor, Inc. (“applicant”) filed a request to transfer ownership of the escrowed 2017 Specially Designated Distributor and Specially Designated Merchant licenses with Sunday Sales Permits (A.M. & P.M.) from Abro Five, Inc., at the above-noted location. The applicant also requested a new Beer and Wine Tasting Permit.

Commission records reflect that the applicant was issued Conditional Specially Designated Distributor and Specially Designated Merchant licenses under MCL 436.1525(6) at this location on October 25, 2017.

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale

thereof.

The applicant is authorized to do business in Michigan, as required under MCL 436.1535 for licensure. Under MCL 436.1537(1)(f) and (g) the licensee may sell beer, wine, spirits, and mixed spirit drink for consumption off the premises only.

At a meeting held on January 31, 2018, the Commission denied this request under administrative rule R 436.1105(2)(a) after considering the prior operating record of sole applicant stockholder, Randy Wadie, who is currently licensed as a stockholder in Players Liquor, Inc. and Jerjis, Inc. Commission records indicate that each licensed location has been found responsible for one (1) violation of selling alcohol to a minor as noted in the denial order issued in this matter, which is contrary to MCL 436.1801(2); and Randy Wadie was cited as the selling clerk in the August 3, 2017 sale to minor violation that occurred at Players Liquor, Inc. Commission records also indicate that Jerjis, Inc. was also found responsible for issuing a non-sufficient funds check to the Commission totaling \$2,155.10, which is contrary to administrative rule R 436.1059.

The request was also denied under administrative rules R 436.1105(2)(g) and R 436.1105(2)(j) after considering the 2011 conviction record of Randy Wadie; and considering the effects that issuance of a license would have on the health, welfare, and safety of the general public when determining whether an applicant should be issued a license or permit.

Gus Abro, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the February 15, 2018 hearing, held at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file with updated documents submitted, and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated a course of action has been taken to assist in preventing further violations of the Michigan Liquor Control Code and Administrative Rules. The Commission further finds that the "Register of Actions" from 36th Judicial District Court, Case No. 17285235, and Ticket No. 285235 indicates the selling clerk cited in the August 3, 2017 sale to minor violation that occurred at Players Liquor, Inc. was Ivan Hanoush, not

Randy Wadie as commission records previously indicated. That violation record (CV# 500095) has since been corrected to reflect same.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request.

THEREFORE, IT IS ORDERED that:

A. The denial order of January 31, 2018 issued in this matter is reversed and the applicant's request to transfer ownership of the escrowed 2017 Specially Designated Distributor and Specially Designated Merchant licenses from Abro Five, Inc. at the subject location is APPROVED, subject to the following:

1. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
2. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
3. The licensee shall submit to the Commission a promissory note indicating that Puritan Liquor, Inc. received a loan in the amount of \$35,000.00 from Players Liquor Inc.
4. The licensee shall submit to the Commission the required Specially Designated Distributor license and/or permit fees in the amount of \$1,897.50, pursuant to MCL 436.1525(1)(k).
5. The licensee shall submit to the Commission form LCC-301 ("Report of Stockholders/Members/Partners").
6. The licensee shall submit to the Commission form LCC-107 ("Closing Form for New License or License Sale").
7. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.

8. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).

B. The licensee's request to transfer the existing Sunday Sales Permit (P.M.) to sell alcoholic liquor after 12:00 Noon on Sundays is APPROVED, subject to the following:

1. A reference to the time of day includes daylight savings time, when observed.
2. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village or township that it prohibits the sale of spirits, mixed spirit drink, or beer and wine during the time authorized by this permit.

C. The licensee's request to transfer the existing Sunday Sales Permit (A.M.) to sell alcoholic liquor between 7 A.M. and Noon on Sundays, is APPROVED pursuant to Public Act 213 of 2010, MCL 436.2111-2115. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village, township, or the local governmental unit, that it prohibits or otherwise objects to the sale of spirits, mixed spirit drink or beer and wine between the hours of 7 A.M. and Noon on Sundays. If notice and supporting documentation is received by the Commission, a show cause hearing will be scheduled before the Commission under administrative rule R 436.1925(1) to determine if the permit must be revoked.

D. The licensee's request for a new Beer and Wine Tasting Permit is APPROVED, subject to the following:

1. No charges for the tasting of the beer and wine are allowed under MCL 436.1537(5)(a).
2. The tasting samples provided to a customer must not exceed 3 servings at up to 3 ounces per serving of beer or 3 servings at up to 2 ounces of wine under MCL 436.1537(5)(b).

3. A customer must not be provided with more than a total of 3 samples of beer or wine within a 24-hour period per licensed premises under MCL 436.1537(5)(b).
4. The Commission must be notified, in writing, a minimum of 10 working days prior to the event, regarding the date, time, and location of the event MCL 436.1537(5)(d).
5. Under MCL 436.1537(6), during the time the permitted beer or wine tasting is conducted, the applicant-permit holder, or its agent or employee who has successfully completed a server training program as provided for in MCL 436.1906, shall devote full time to the beer and wine tasting activity and shall perform no other duties including the sale of alcoholic liquor for consumption off the licensed premises.
6. Beer and wine used for the permitted tasting must come from the specially designated merchant's (SDM's) inventory under MCL 436.1537(6), and all open bottles must be removed from the premises on the same business day or resealed and stored in a locked, separate storage compartment on the licensed premises when not being used for the activities allowed by the Permit.
7. The Permit holder must prohibit a wholesaler from conducting or participating in the beer and wine tastings under MCL 436.1537(7).
8. A permitted beer and wine tasting must be conducted during the legal hours for sale of alcoholic liquor by the licensee under MCL 436.1537(8).

E. The Conditional License shall cancel within 20 business days from the issuance date of this order.

F. Under administrative rule R 436.1003(1), the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not

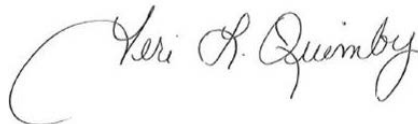
use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

G. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the licenses and permits.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed:

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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

* * * * *

In the matter of the request of)
)
WATKINS TRANSPORT, INC.) Request ID No. 902034
240 S Broad St)
Hillsdale, Michigan 49242-2095)
)
Hillsdale County)
_____)

At the February 20, 2018 hearing of the Michigan Liquor Control Commission in
Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

LICENSING APPEAL ORDER

On March 7, 2017, Watkins Transport, Inc. (“applicant”) filed an application for a new Specially Designated Merchant license issued under MCL 436.1533(7), with Sunday Sales Permit (A.M.) and permission to maintain motor vehicle fuel pumps on or adjacent to the licensed premises issued under MCL 436.1541(6), to be located at the above-noted address

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof.

At a meeting held on September 6, 2017, the Commission denied this request under the provisions of MCL 436.1533(5) because the Specially Designated Merchant quota for the City of Hillsdale is full with eight (8) licenses allowed under the quota and eight (8)

licenses already issued.

The request was also denied under the provisions of MCL 436.1533(7) because the applicant does not appear to qualify for a license as the Commission received the application on March 7, 2017, and is after the 60-day license application window; which was from January 5, 2017 to March 6, 2017.

Clifford Knaggs, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at hearings held in Lansing on November 14, 2017 and February 20, 2018.

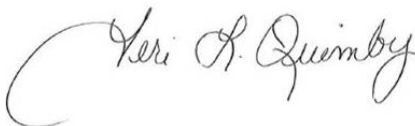
After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that this application should be returned to Commission staff for further processing.

THEREFORE, IT IS ORDERED that the denial order of September 6, 2017 issued in this matter is REVERSED and this application is REMANDED to Commission staff for further processing.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: March 22, 2018

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the licensee may sell beer and wine for consumption off the premises only.

At a meeting held on January 17, 2018, the Commission denied this request under administrative rule R 436.1105(2)(a) after considering the operating record of sole applicant stockholder, Angela W. Vincent, currently licensed as an individual with a Class C license, d/b/a Liv Resto Lounge located at 641 Beaubian St, Detroit, Wayne County since 2011. Commission records indicate that location was found responsible for two (2) violations of the sale of alcoholic liquor to a minor, both occurring in 2016; which is contrary to MCL 436.1801(2); and found responsible for four (4) violations for issuing non-sufficient funds checks to the Commission totaling over \$2000; contrary to administrative rule R 436.1059.

The application was also denied under administrative rule R 436.1105(2)(j) after considering the and considering the effects that issuance of a license would have on the health, welfare, and safety of the general public when determining whether an applicant should be issued a license or permit.

Gus Abro, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the February 22, 2018 hearing, held at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated a course of action has been taken to assist in preventing further violations of the Michigan Liquor Control Code and Administrative Rules.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request.

THEREFORE, IT IS ORDERED that:

A. The denial order of January 17, 2018 issued in this matter is reversed and the applicant's request to transfer ownership of the 2017 Class C license from R. J. Rice, and Associates, Inc. is APPROVED, subject to the following:

1. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the

Commission has been provided with a notice of pending litigation involving the application.

2. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
3. The licensee shall submit to the Commission documentary proof (promissory note) that Wright One, Inc. received a loan in the amount of \$120,000.00 from Invest Detroit.
4. The licensee shall submit to the Commission documentary proof (promissory note) that Wright One, Inc. received a loan in the amount of \$280,000.00 from Detroit Development Fund and Diversified Members Credit Union.
5. The licensee shall submit to the Commission a copy of a signed land contract, real estate mortgage, warranty deed, or quit claim deed.
6. The licensee shall submit to the Commission form LC-95 ("Proof of Financial Responsibility").
7. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
8. The licensee shall submit to the Commission form LCC-301 ("Report of Stockholders/Members/Partners").
9. The licensee shall submit to the Commission form LCC-107 ("Closing Form for New License or License Sale").
10. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).
11. The licensee shall provide documentary proof to the Commission to demonstrate that, at a minimum, supervisory personnel on each shift and during all hours in which alcoholic liquor is served have successfully completed a server training program approved by the

Commission as required under MCL 436.1501(1), within 180 days from the issuance of the licenses and permits, as provided in administrative rule R 436.1060.

- a. The licensee shall maintain active certification of completion for server training on the licensed premises at all times as provided in administrative rule R 436.1060.
- b. Failure to provide this documentary proof to the Commission within 180 days of the issuance of the license shall result in the licensee being charged with failure to comply with this order, under administrative rule R 436.1029, which may result in fines, suspension and/or revocation of the licenses and permits.

B. The applicant's request to transfer the existing Sunday Sales Permit (P.M.) to sell alcoholic liquor for consumption on the premises after Noon on Sundays is APPROVED, subject to the following:

1. A reference to the time of day includes daylight savings time, when observed.
2. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village, or township that it prohibits the sale of spirits, mixed spirit drink, or beer and wine during the time authorized by this permit.

C. The applicant's request to transfer the existing Dance Permit is APPROVED, subject to the following:

1. The licensee must have a well-defined and clearly marked dance floor that is 100 square feet or larger under administrative rule R 436.1415.
2. The licensee is prohibited from having tables, chairs, or other obstacles on the dance floor while customers are dancing.

D. The applicant's request for a new Specially Designated Merchant license under MCL 436.1533(5)(a) is APPROVED.

E. The applicant's request for a new permit to sell alcoholic liquor between 7

A.M. and Noon on Sundays is APPROVED pursuant to Public Act 213 of 2010, MCL 436.2111-2115. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village, township, or the local governmental unit, that it prohibits or otherwise objects to the sale of spirits, mixed spirit drink or beer and wine between the hours of 7 A.M. and Noon on Sundays. If notice and supporting documentation is received by the Commission, a show cause hearing will be scheduled before the Commission under administrative rule R 436.1925(1) to determine if the permit must be revoked.

F. The applicant's request for a new Entertainment Permit is APPROVED.

G. Under administrative rule R 436.1003(1), the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

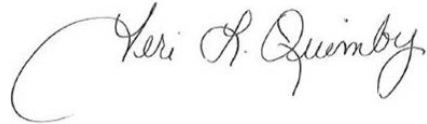
H. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the licenses and permits.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman

Request ID No. 912729
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Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: March 15, 2018

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