

BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY
DOCKET – THURSDAY, JANUARY 15, 2009
ROOM 215 - CITY HALL - 100 NORTH HOLLIDAY STREET

Please note: If you are interested in a particular case, please call 396-4385 the day before these hearings to verify that a particular case is still scheduled for this date and time.

1:00 p.m. cases

Leon Shvartsburg & Mikhail Drakh, Lenin, LLC T/a Red Square Restaurant, 1 E. Chase Street - Class “B” Beer, Wine & Liquor License – Violation of Rule 4.10(a) “No licensee shall purchase alcoholic beverages except from a duly licensed manufacturer or wholesaler; nor shall any licensee sell to any other licensee any alcoholic beverages; and no licensee shall, at any time, keep or permit to be kept upon the licensed premises, any alcoholic beverages unless purchased in accordance with the Rule” on August 21, 2008 (Re: Ten bottles of spirits and five bottles of wine seized as not having been purchased from a licensed wholesaler); **Violation of Rule 4.05(a)** “No licensee shall permit any person to consume alcoholic beverages on the licensed premises during hours when such sales are prohibited by law” and **Rule 4.05(b)** “No alcoholic beverages shall be served, dispensed, furnished or given away in any part of the premises during the hours when such sales are prohibited by law” on October 18, 2008 (Re: Liquor Board Inspector observed approximately 50 patrons on the premises at 2:17 a.m. several of whom were consuming alcoholic beverages); **Violation of Article 2B §11-304(d)(2)** “In Baltimore City, a licensed premises shall cease all operations, including the serving of alcoholic beverages or food and providing entertainment, at the closing hour for that class of licensed premises specified in this article. (3) Notwithstanding paragraph (2) of this subsection, the Board of Liquor License Commissioners may grant an exemption for remaining open after hours to: (i) A holder of a Class B restaurant license, only for serving food to patrons seated for dining on October 18, 2008 (Re: At 2:30 a.m., Liquor Board inspector observed patrons dancing and there were no signs of food or waiters serving patrons at tables); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on August 21, 2008 (Re: Licensee did not have a 2008 Trader’s License) and from November 19, 2008 to date (Re: Corporate charter not in good standing with Maryland Department of Assessments and Taxation); **Violation of Article 2B §10-301(j)(1)** “In Baltimore City, unless a licensee presents to the Board of Liquor License Commissioners by June 30 of the respective year, a certificate issued by the Director of Finance, showing that there are no unpaid taxes on the merchandise, fixtures and stock of the applicant due to the City of Baltimore or the State of Maryland, the renewal license shall be immediately suspended without a hearing but thereafter shall be immediately returned without a hearing upon presentation of such a certificate” from June 30, 2008 to date (Re: Licensee has failed to provide proof of payment of 2007-2008 Personal Property Tax bill)

DECISION:

Gary Lansinger & Steven Kougl, Kougl, Inc. T/a Club Harem, 425 E. Baltimore Street – Class BD7 Beer, Wine & Liquor License - Violation of Rule 4.10(a) “No licensee shall purchase alcoholic beverages except from a duly licensed manufacturer or wholesaler; nor shall any licensee sell to any other licensee any alcoholic beverages; and no licensee shall, at any time, keep or permit to be kept upon the licensed premises, any alcoholic beverages unless purchased in accordance with the Rule” on September 10, 2008 (Re: Twenty one bottles of distilled spirits on premises that were not listed on wholesaler invoices; 21 containers of distilled spirits seized); **Violation of Rule 3.03(a)** “Licensee shall keep accurate records of all purchases of alcoholic beverages for a period of one year from the date of each purchase. Such records shall include the date of each purchase, the quantity purchased, and the name and address of each seller. Such records shall be open for inspection at all times by duly authorized representatives of the Board” on September 10, 2008 (Re: Purchase records were not available for review); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” from September 10, 2008 to date (Re: Licensee does not have a 2008 Trader’s License) and from November 19, 2008 to date (Re: Corporate charter is not in good standing with Maryland Department of Assessments and Taxation)

DECISION:

Andrew Shin & Hyo Woo, Blue Crab Express & Café, LLC T/a Blue Crab Express & Café, 1020 W. Patapsco Avenue – Class “D” Beer, Wine & Liquor License - Violation of Rule 4.19 “No licensee shall store or keep any alcoholic beverages, except on the premises covered by the license or at a public or government controlled warehouse having a permit issued under the provisions of Article 2B of the Maryland Code” on October 23, 2008 (Re: Licensee storing alcoholic beverages in a walk in box outside the building and in a forty foot sea container without storage permits); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on from May 1, 2008 to date (Licensee has not provided a copy of 2008 Trader’s License as requested); **Violation of Article 2B §10-301(j)(1)** “In Baltimore City, unless a licensee presents to the Board of Liquor License Commissioners by June 30 of the respective year, a certificate issued by the Director of Finance, showing that there are no unpaid taxes on the merchandise, fixtures and stock of the applicant due to the City of Baltimore or the State of Maryland, the renewal license shall be immediately suspended without a hearing but thereafter shall be immediately returned without a hearing upon presentation of such a certificate” from June 30, 2008 to date (Re: Licensee has failed to provide proof of payment of 2007-2008 Personal Property Tax bill)

DECISION:

Charles E. Tracey & Michael Tracey, Tracey's Lounge, Inc. T/a Tracey's, 301 S. Macon Street – Class BD7 Beer, Wine & Liquor License - **Violation of Rule 4.10(a)** “No licensee shall purchase alcoholic beverages except from a duly licensed manufacturer or wholesaler; nor shall any licensee sell to any other licensee any alcoholic beverages; and no licensee shall, at any time, keep or permit to be kept upon the licensed premises, any alcoholic beverages unless purchased in accordance with the Rule” on September 3, 2008 (Re: Thirty nine (39) bottles of distilled spirits and 72 bottles of beer seized as not having been purchased from a licensed wholesaler); **Violation of Rule 3.03(a)** “Licensee shall keep accurate records of all purchases of alcoholic beverages for a period of one year from the date of each purchase. Such records shall include the date of each purchase, the quantity purchased, and the name and address of each seller. Such records shall be open for inspection at all times by duly authorized representatives of the Board” on September 3, 2008 (Re: Purchase records were not available for review); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on from May 1, 2008 to date (Licensee has not provided a copy of 2008 Trader's License as requested from all licensees)

DECISION:

Pedro Almazo Rojas & Benedicta Rodriguez T/a Amigs, 400 S. Eaton Street – Class “D” Beer, Wine & Liquor License - **Violation of Rule 4.10(a)** “No licensee shall purchase alcoholic beverages except from a duly licensed manufacturer or wholesaler; nor shall any licensee sell to any other licensee any alcoholic beverages; and no licensee shall, at any time, keep or permit to be kept upon the licensed premises, any alcoholic beverages unless purchased in accordance with the Rule” on October 3, 2008 (Re: Four hundred thirty-two containers of beer seized as not having been purchased from a licensed wholesaler); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” from and from May 1, 2008 to date (Licensee has not provided a copy of 2008 Trader's License as requested in letter to all licensees); **Violation of Article 2B §10-301(j)(1)** “In Baltimore City, unless a licensee presents to the Board of Liquor License Commissioners by June 30 of the respective year, a certificate issued by the Director of Finance, showing that there are no unpaid taxes on the merchandise, fixtures and stock of the applicant due to the City of Baltimore or the State of Maryland, the renewal license shall be immediately suspended without a hearing but thereafter shall be immediately returned without a hearing upon presentation of such a certificate” from June 30, 2008 to date (Re: Licensee has failed to provide proof of payment of 2007-2008 Personal Property Tax bill)

DECISION:

Felix Rodriguez & Zuriashwork Yemer, Nile Management, LLC T/a El Molino, 3230 E. Fairmount Avenue - Class BD7 Beer, Wine & Liquor License – **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on November 8, 2008 (Re: Alcoholic beverage sold to under 21 year old Baltimore City Police Cadet); **Violation of Rule 3.03(c)** “Licensees shall keep on their premises records containing the legal names, aliases, addresses, ages, and Social Security numbers of all persons employed by them. Such records shall be open for inspection at all times by duly authorized representatives of the Board, the Police Department of Baltimore City, and other governmental agencies” on November 8, 2008 (Re: No employee records available); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on from June 2, 2008 to date (Licensee has not provided a copy of 2008 Trader's License as requested in letter to all licensees); **Violation of Article 2B §10-301(j)(1)** “In Baltimore City, unless a licensee presents to the Board of Liquor License Commissioners by June 30 of the respective year, a certificate issued by the Director of Finance, showing that there are no unpaid taxes on the merchandise, fixtures and stock of the applicant due to the City of Baltimore or the State of Maryland, the renewal license shall be immediately suspended without a hearing but thereafter shall be immediately returned without a hearing upon presentation of such a certificate” from June 30, 2008 to date (Re: Licensee has failed to provide proof of payment of 2007-2008 Personal Property Tax bill)

DECISION:

Ke Won Jung & Irene Crawford, 101 Eaton Liquors, LLC T/a Eaton Liquors, 101 S. Eaton Street – Class “A” Beer, Wine & Liquor License - **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on November 8, 2008 (Re: Alcoholic beverage sold to under 21 year old Baltimore City Police Cadet); **Violation of Rule 3.03(c)** “Licensees shall keep on their premises records containing the legal names, aliases, addresses, ages, and Social Security numbers of all persons employed by them. Such records shall be open for inspection at all times by duly authorized representatives of the Board, the Police Department of Baltimore City, and other governmental agencies” on November 8, 2008 (Re: No employee records available); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on from June 2, 2008 to date (Licensee has not provided a copy of 2008 Trader's License as requested in letter to all licensees)

DECISION:

3:00 p.m. Cases

William Gilleland & Joann Julian, Open Hearth Inn, Inc. T/a Open Hearth Inn, 6591 St. Helena Avenue- Class BD7 Beer, Wine & Liquor License – **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on December 5, 2008 (Re: Alcoholic beverage sold to under 21 year old Baltimore City Police Cadet); **Violation of Rule 3.03(a)** “Licensee shall keep accurate records of all purchases of alcoholic beverages for a period of one year from the date of each purchase. Such records shall include the date of each purchase, the quantity purchased, and the name and address of each seller. Such records shall be open for inspection at all times by duly authorized representatives of the Board” on December 5, 2008 (Re: No purchase records available for review); **Violation of Rule 3.03(c)** “Licensees shall keep on their premises records containing the legal names, aliases, addresses, ages, and Social Security numbers of all persons employed by them. Such records shall be open for inspection at all times by duly authorized representatives of the Board, the Police Department of Baltimore City, and other governmental agencies” on December 5, 2008 (Re: No employee records available); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on from June 2, 2008 to date (Licensee has not provided a copy of 2008 Trader’s License as requested in letter to all licensees) and on December 5, 2008 (Re: No licenses for six amusement machines); **Violation of Rule 3.02** “Licensees shall cooperate with representatives of the Board, members of the Police Department, Health Department, Building Engineer’s office, Grand Jury and representatives of other governmental agencies whenever any such persons are on official business” on December 5, 2008 (Re: Employee refused to provide information to Police)

DECISION:

Sheery Rosensteen, 3242 Foster Avenue, LLC T/a Hummers Bar & Grill, 3242 Foster Avenue - Class BD7 Beer, Wine & Liquor License - **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on December 5, 2008 (Re: Alcoholic beverage sold to under 21 year old Baltimore City Police Cadet); **Violation of Rule 3.03(a)** “Licensee shall keep accurate records of all purchases of alcoholic beverages for a period of one year from the date of each purchase. Such records shall include the date of each purchase, the quantity purchased, and the name and address of each seller. Such records shall be open for inspection at all times by duly authorized representatives of the Board” on December 5, 2008 (Re: No purchase records available for review); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on December 5, 2008 (Re: No licenses for three amusement machines)

DECISION:

Darren Petty, PAV, Inc. T/a Canton Station, 1028 S. Conkling Street – Class BD7 Beer, Wine & Liquor License – **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on November 8, 2008 (Re: Alcoholic beverage sold to under 21 year old Baltimore City Police Cadet); **Violation of Rule 3.03(a)** “Licensee shall keep accurate records of all purchases of alcoholic beverages for a period of one year from the date of each purchase. Such records shall include the date of each purchase, the quantity purchased, and the name and address of each seller. Such records shall be open for inspection at all times by duly authorized representatives of the Board” on November 8, 2008 (Re: No purchase records available for review); **Violation of Rule 3.03(c)** “Licensees shall keep on their premises records containing the legal names, aliases, addresses, ages, and Social Security numbers of all persons employed by them. Such records shall be open for inspection at all times by duly authorized representatives of the Board, the Police Department of Baltimore City, and other governmental agencies” on November 8, 2008 (Re: No employee records available); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on from June 2, 2008 to date (Licensee has not provided a copy of 2008 Trader’s License as requested in letter to all licensees) and on December 31, 2008 (Re: Corporate charter is not in good standing in with Maryland Department of Assessments and Taxation); **Violation of Article 2B §10-301(j)(1)** “In Baltimore City, unless a licensee presents to the Board of Liquor License Commissioners by June 30 of the respective year, a certificate issued by the Director of Finance, showing that there are no unpaid taxes on the merchandise, fixtures and stock of the applicant due to the City of Baltimore or the State of Maryland, the renewal license shall be immediately suspended without a hearing but thereafter shall be immediately returned without a hearing upon presentation of such a certificate” from June 30, 2008 to date (Re: Licensee has failed to provide proof of payment of 2007-2008 Personal Property Tax bill)

DECISION:

Raymond Bondura T/a Ray’s Tavern, 6500 St. Helena Avenue – Class BD7 Beer, Wine & Liquor License – **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on December 5, 2008 (Re: Alcoholic beverage sold to under 21 year old Baltimore City Police Cadet); **Violation of Rule 3.03(c)** “Licensees shall keep on their premises records containing the legal names, aliases, addresses, ages, and Social Security numbers of all persons employed by them. Such records shall be open for inspection at all times by duly authorized representatives of the Board, the Police Department of Baltimore City, and other governmental agencies” on December 5, 2008 (Re: No employee records available);

Violation of Rule 4.18 “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” from June 2, 2008 to date (Licensee has not provided a copy of 2008 Trader’s License as requested in letter to all licensees)

DECISION:

Raj K. Bommarkanti & Timothy Kangelidis, Radharaj, Inc. T/a Fells Point Liquor & Bar, 1709 Fleet Street – Class BD7 Beer, Wine & Liquor License - **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on October 2, 2008 (Re: Alcoholic beverage sold to 20 year old Baltimore City Police Cadet) and on November 8, 2008 (Re: Alcoholic beverage sold to minor Baltimore City Police Cadet); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on from June 2, 2008 to date (Re: Licensees have not provided copy of 2008 Trader’s License as requested in letter to all licensee on June 2, 2008)

DECISION:

Jennifer Yousfi & Kasey Hildreth, Layth Enterprises, LLC T/a La Marsa, 706 S. Broadway – Class “D” Beer, Wine & Liquor License - **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on October 2, 2008 (Re: Alcoholic beverage sold to 20 year old Baltimore City Police Cadet) and on November 8, 2008 (Re: Sale of alcohol to minor Baltimore City Police Cadet); **Violation of Rule 4.05(a)** “No licensee shall permit any person to consume alcoholic beverages on the licensed premises during hours when such sales are prohibited by law” and **Rule 4.05(b)** “No alcoholic beverages shall be served, dispensed, furnished or given away in any part of the premises during the hours when such sales are prohibited by law” on October 26, 2008 (Re: Establishment has a Class “D” beer, wine & liquor license which must cease operation at 1:00 a.m.; police officer observed 40-50 people on licensed premises at 1:10 a.m. with numerous people having possession of open beers and mixed drinks; alcohol was still being served) and on November 1, 2008 (Re: Patron observed on licensed premises at 1:05 a.m.; drinks on bar); **Violation of Rule 3.12** “Licensees shall operate their establishments in such a manner as to avoid disturbing the peace, safety, health, quiet, and general welfare of the community” on October 26, 2008 (Re: Police officer observed several people exit establishment with open containers of beer); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on from June 2, 2008 to date (Re: Licensees have not provided copy of 2008 Trader’s License as requested in letter to all licensee on June 2, 2008) and from February 25, 2008 to date (Re: Corporate charter not in good standing as licensees were notified in letter on or about February 25, 2008) and on October 26, 2008 (Re: Providing live entertainment with a disc jockey without approval from the Liquor Board or Zoning Board); **Violation of Rule 3.02** “Licensees shall cooperate with representatives of the Board, members of the Police Department, Health Department, Building Engineer's office, Grand Jury and representatives of other governmental agencies whenever any such persons are on official business” on October 26, 2008 (Re: Manager of establishment continues not to cooperate with Police Department) and on November 1, 2008 (Re: Patrons with drinks again observed on licensed premises after 1 a.m. closing time); **Violation of Article 2B, § 10-505** “Every person receiving a license under the provisions of this article shall frame his license under glass and place the same so that it shall at all times be conspicuous and easily read in his place of business...” on November 8, 2008 (Re: License found under the bar)

DECISION: