

**March 9, 2022
9200 Basil Court
Largo, MD 20774
Virtual Hearing**

Present:

Daphne Turpin-Forbes, Board Chair
Armando Camacho, Vice Chairman
Tammie Norman, Commissioner
Dennis Smith, Commissioner
Jason DeLoach, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Johnny Toles, Deputy Chief Liquor Inspector
Christian Mendoza, Deputy Chief Liquor Inspector
Leonard Vauss, Administrative Assistant
Patricia Bell, Administrative Manager
Katrice James, Administrative Aide
Keyanna Little, Administrative Aide

Start Time: 7:04 p.m.

Commissioner Forbes: This is an open meeting for the Prince George's County Board of License Commissioners. Welcome to our House. To ensure compliance with the law (Maryland Open Meetings Act) and our goal of transparency, to please identify yourself when speaking and speak audibly. As a professional courtesy, when not speaking, please mute your device. If someone from the public that is not providing testimony as a witness today, I will recognize you in the hearing and give you an opportunity for your voice to be heard. Everyone's voice matters at the BOLC. We understand that some of you may be passionate about what you have to say and that passion, in this regard, is permissible. What is not permissible is if truth, facts, and respect are not grounded in your voice. Thank you in advance for being truthful, respectful, and honest during the entire proceeding.

Director Sheppard: During a typical hearing, there would be an exchange between the Board and the attorneys to exchange information as exhibits. Because this hearing is now virtual, we have implemented a 10-day rule to give those individuals here today, 10-days from today's date to add to the official record. I would ask that you email myself or the administrative staff of the BOLC. You may add information to the record long as it is information that has been discussed in this hearing.

REGULAR SESSION:

- 1. t/a El Amate II Restaurant:** Request for a Special Entertainment Permit.
Licensee does not have an attorney, acknowledge their right to an attorney, and agree to move forward without representation.
Mr. Ramon Arbaiza is sworn in.
Mr. Manuel Medoza is sworn in.
Mr. Inmar Lizama (Interpreter) is sworn in.
Corporal Juan Hunt (Prince George's County Police Department) is sworn in.
Mr. Arbaiza: The Special Entertainment we'd like to do is karaoke and a DJ, we just want to have a little entertainment for the customers.
Corporal Hunt: We conducted a site inspection on February 17th, we went over the rules and regulations for a Special Entertainment Permit. They were advised their U&O reads that eating, drinking, and patron dancing until 12:00 a.m. and only music after 12:00 a.m., excluding adult entertainment. I explained to them that whatever entertainment they're having at that point has to cease by 12:00 a.m. They can still play music in their system. The security plan is adequate.
Commissioner Forbes: Mr. Arbaiza and Mr. Medoza, do you have any questions? Do you understand what is required in terms of compliance with the Special Entertainment Permit based on the security plan that Corporal Hunt just explained?
Mr. Arbaiza confirms they understand.
No questions from Commissioners.
Commissioner Camacho makes a motion to grant the Special Entertainment Permit to El Amate II Restaurant, seconded by **Commissioner Norman**.
After Board vote, the motion carries.

- 2. t/a Base Restaurant:** Request for a Special Entertainment Permit.
Licensee does not have an attorney, acknowledge his right to an attorney, and agree to move forward without representation.
Mr. Dandy Chukwuezi is sworn in.
Corporal Juan Hunt (Prince George's County Police Department) is sworn in.
Mr. Chukwuezi: My plans if we're granted a Special Entertainment Permit, we'd like to have a live band, occasionally a DJ, birthday celebrations, and graduation parties.
Corporal Hunt: We went out to do a site inspection on February 11th, we went over the rules and regulations of having a Special Entertainment Permit. We had a little back and forth regarding paperwork, some small corrections needed to be made. A couple of documents were missing, he has provided those to me. At this point in time, the security plan is adequate.
Commissioner Norman: I'm looking at the U&O, it says patron dancing with no adult entertainment per port town. What does that mean?
Director Sheppard: Are you referring to the adult entertainment portion? No exotic dancing.
Commissioner Forbes: What the U&O provides is Base Restaurant is allowed music and patron dancing with the caveat; the patron dancing also requires a Special

Dancehall Permit. Mr. Chukwuezi is trying to do is have a DJ and live band. The U&O allows for that to happen, and the security plan is adequate.

No further questions.

Commissioner Camacho makes a motion to grant the Special Entertainment Permit to Base Restaurant, seconded by **Commissioner Norman**.

After Board vote, the motion carries.

3. t/a Emily's Restaurant: Request for a Special Entertainment Permit.

Licensee does not have an attorney, acknowledge his right to an attorney, and agree to move forward without representation.

Mr. Jorge Vasquez is sworn in.

Emily Vasquez is sworn in.

Corporal Hunt is still under oath.

Mr. Vasquez: My Special Entertainment I'd like to provide karaoke and a DJ for the customers.

Commissioner Camacho: I'd like to know whether they provided the officer with a schedule of events they plan to have during the week? There's nothing here in the file that I can see.

Ms. Vasquez: Yes, we provided Corporal Hunt with our plan of a DJ and karaoke every day. He should have it.

Corporal Hunt confirms he has the schedule.

Corporal Hunt: We met on February 17th to do the site inspection; they had a few corrections that needed to be made to the security plan. They provided those corrections. I did advise them that their U&O states that live entertainment stops at 12:00 a.m. and at that point they can play music through their house system. They're in the process now with Ms. Sterling as far as getting their dance permit. I explained to them until that is done, dancing will not be allowed. The security plan is adequate as proposed.

No further questions.

Commissioner Forbes: Music and no dancing until you get that Dancehall Permit which is not the same as the Special Entertainment Permit. Are we all on the same page?

Ms. Vasquez: Yes, ma'am.

Commissioner Camacho makes a motion to grant the Special Entertainment Permit to Emily's Restaurant, seconded by **Commissioner Norman**.

After Board vote, the motion carries.

4. t/a Nipsey's Restaurant & Grill: Request for a Special Entertainment Permit.

Licensee does not have an attorney, acknowledge his right to an attorney, and agree to move forward without representation.

Mr. Lonnie Moses, Jr. is sworn in.

Corporal Hunt is still under oath.

Commissioner Forbes: I don't see the complete paperwork for Mr. Moses' establishment. Did we miss something in the file?

Corporal Hunt: At this point, we had a couple corrections that needed to be made with the paperwork. We couldn't complete the paperwork; Mr. Moses was ill on yesterday. I'm just waiting for us to set another time for me to go out and complete the site inspection. I did go out, but I wasn't able to view the camera system and complete the needed corrections in time for the hearing.

Commissioner Forbes: Mr. Moses before we proceed, I'm going to need you to complete your application, and make sure that you meet with Corporal Hunt so that we can zoom in on the security plan. It must be deemed adequate for us to move forward.

Commissioner Forbes: I suggest if the Commissioners are aligned, that we postpone this part of the hearing on your Special Entertainment Permit until we get the complete application as well as the security plan inspection.

No objections to the desired action to postpone the request for Special Entertainment Permit for licensee trading as Nipsey's Restaurant & Grill.

5. Baldevbhai M. Patel, President/Secretary/Treasurer, Allentown Liquors 1, Inc., t/a **Allentown Liquors**, 6321 Allentown Road, Camp Springs, 20748, Class A, Beer, Wine and Liquor is summonsed to show cause for an alleged violation of Section 6-304, Selling alcoholic beverages to an individual under the age of twenty-one of the Alcoholic Beverage Article of the Annotated Code R.R. No. 1 Sales to a Minor of the Rules and Regulations for Prince George's County, to wit; that on Tuesday January 25, 2022, at approximately 6:45 pm one (1) underage male operative (20 yr. old) Preston, of the Prince George's County Cadet Program and one (1) undercover police officer from the Prince George's County Police Department entered Allentown Liquors located at 6321 Allentown Road, Camp Springs, MD 20748. The operative retrieved one (1) 18 oz bottle of Icehouse beer from the standing refrigerator and then took the item to the cashier for payment The cashier without asking for ID and accepted the payment (money exchange).

Robert Kim, Esquire is representing.

Mr. Nitin Patel (Interpreter) is sworn in.

Mr. Baldevbhai Patel is sworn in.

Inspectors Caraway and Patterson of the BOLC are sworn in.

Inspector Caraway testifies about the incident that occurred on January 25, 2022, at approximately 6:45 p.m., an 18 oz Icehouse beer was sold to a minor. The beer was confiscated, the evidence was labeled and secured by BOLC personnel. All members of Allentown Liquors were cooperative with the investigative team.

Mr. Kim: The allegations contained in the violation report are not disputed. We expect to have Mr. Patel Alcohol Awareness certified relatively soon. Mr. Patel was suspended for a week. He was warned, he understands he made a mistake, they installed an I.D. scanner and are one hundred percent checking I.D.'s. Mr. Patel has been a licensee since 2014, this is the only violation since then.

No questions from Commissioners.

Commissioner Camacho makes a motion to fine the licensee for t/a Allentown Liquors in violation as charged with a fine of \$1,500, seconded by **Commissioner Norman**.

After Board vote, the motion carries.

6. Tesfa Negash, President, Tiruwork Gebremichael, Secretary, Base Liquors T&T Endeavor, Inc., t/a **Base Liquors**, 4805 Allentown Road, Suitland, 20746, Class A, Beer, Wine and Liquor is summonsed to show cause for an alleged violation of Section 6-304, Selling alcoholic beverages to an individual under the age of twenty-one of the Alcoholic Beverage Article of the Annotated Code R.R. No. 1 Sales to a Minor of the Rules and Regulations for Prince George's County, to wit; that on Tuesday January 25, 2022, at approximately 8:05 pm one (1) underage male operative (20 yr. old) Preston, of the Prince George's County Cadet Program and one (1) undercover police officer from the Prince George's County Police Department entered Base Liquors located at 4805 Allentown Road, Suitland, MD 20746. The operative retrieved one (1) 24 oz bottle of Coors Light beer from the standing refrigerator and then took the item to the cashier (Mr. Tesfa Nagesh) for payment. The cashier without asking for ID and accepted the payment (money exchange).

Licensee does not have an attorney, acknowledge his right to an attorney, and agree to move forward without representation.

Mr. Tesfa Negash is sworn in.

Inspectors Caraway and **Patterson** are reminded they're still under oath.

Inspector Patterson testifies about the incident that occurred on January 25, 2022, at approximately 8:05 p.m., a 24 oz Coors light beer was sold to a minor. The alcohol was confiscated, the evidence was labeled and secured by the BOLC personnel. All members of Base Liquors were cooperative with the investigative team.

Mr. Tesfa Negash: I don't dispute the charges; I made a big mistake. I apologize for what happened. Unfortunately, there was something on my mind at that time. I fully cooperated with the inspectors they informed me of the situation. This is the only violation since we started the business four years ago. We respectfully ask the Board for forgiveness.

No questions from Commissioners.

Commissioner Camacho makes a motion to fine the licensee for t/a Base Liquors in violation as charged with a fine of \$1,500, seconded by **Commissioner Norman**.

After Board vote, the motion carries.

7. Youn Sook Kim, President, Youn's Corp., t/a **New Vision Seoulia Restaurant & Liquors**, 10820J Rhode Island Avenue, Beltsville, 20705, Class B, BL+, Beer, Wine and Liquor is summonsed to show cause for an alleged violation of R.R No. 60 of the Rules and Regulations of Prince George's County, Meals must be available when alcohol is being served in the restaurant facility or sold from the off-sale portion of

the premises on all Class B+, Beer, Wine and Liquor Licensed premises and R.R. 58 of the Rules and Regulations of Prince George's County, "Any interruption in the operation of the restaurant facilities for any reason must be reported to the Board promptly. Failure to immediately report an interruption is a violation, to wit; that on Monday January 24, 2022, at approximately 1 :55 pm Inspectors Tredway entered New Vision Seouila Restaurant & Liquors located at 10820J Rhode Island Avenue, Beltsville, MD 20705 while on a routine inspection. The Liquor Store portion was open while the restaurant portion was found to be closed, the manager Ms. Kim stated that the restaurant portion Is closed on Sundays and Mondays. The licensee did not make notification to the Board that the restaurant would be closed Sundays and Mondays.

Licensee does not have an attorney, acknowledge his right to an attorney, and agree to move forward without representation.

Ms. Youn Sook Kim is sworn in.

Mr. Kim (Interpreter) is sworn in.

Inspector Treadway of the BOLC is sworn in.

Inspector Treadway: On January 24, 2022, at 1:55 p.m. I arrived at New Vision Seouila Restaurant to complete an assigned routine inspection. This establishment consists of three separate parts, the liquor store, the restaurant portion in the middle, and the stockroom section. As I concluded with the liquor store, it was evident the restaurant was closed, no lights on, no employees, no food available and no kitchen in operation. I informed Mrs. Kim the conditions of a BL+ license permits a separate portion of the restaurant to be utilized for off sale, but only when meals are served in the restaurant. She stated the restaurant is closed on Sundays and Mondays. The rest of the inspection was completed with no further violations. I took pictures inside of the closed restaurant and a sign of the operating hours. Mrs. Kim and all employees were cooperative.

Mr. Kim: The restaurant owner they have a contract to be open seven days, but the owner hasn't paid rent. They don't open on Sunday and Monday, so I sued them, and the city called me on November 16, 2021. I got a decision; they must pay or leave. I sent a letter to the Liquor Board.

Commissioner Forbes: Mr. DeLoach and Mr. Sheppard there's a reference to a district court decision that he sent to the Liquor Board and I'm not sure how to handle that. I haven't had a chance to review the documents.

Director Sheppard: I don't believe that the Board was aware there was an agreement between our licensee and a restaurant to operate the restaurant portion of their establishment. We would need to do a little bit of research to figure that out.

Mr. DeLoach: I think the Board needs more information but it's up to the licensee to make sure they're complying with the law. The Board can take it under advisement and review the information he claims he sent to the Board. Also, to scrutinize the agreement between the licensee and the restaurant, but if it's a requirement of their license that's incumbent upon them to notify the Board when that portion of their establishment is shut down. We haven't been able to review the decision and the agreement between the two parties. It's up to the Board to postpone this matter until we get all the information or to move forward on the evidence before you.

Commissioner Forbes: Mr. Kim, you operate a liquor store, and you have a restaurant that is leased by someone other than yourself?

Mr. Kim confirms that is correct.

Commissioner Forbes: As a licensee you must make sure when you're selling alcohol that you have meals available. If you're having some challenges adhering to that rule, then you have a responsibility to let the Board know that you're not able to fulfill the obligations. Since there's a dispute with whomever owns that restaurant, we hadn't heard from you all about that problem.

Commissioner Camacho: Mr. Kim, do you own the entire business the liquor store and the restaurant? Then you're leasing the restaurant to someone else?

Mr. Kim: Yes, we are tenants of the building. We gave management the restaurant.

Mr. DeLoach asked the following questions. Do you own the restaurant? Who manages the restaurant? Do you have paperwork to show that you're the owner of the liquor store and restaurant? Are the people operating the restaurant your employees? Did they purchase an interests in the restaurant? You own everything but you retained a company to manage the restaurant and operate the restaurant? You have a written agreement with them? Are they compensated through the operation of the restaurant?

Mr. Kim: We own the liquor store and restaurant. Management runs the restaurant; the other owner is management. We have paperwork to show we're the owners. The person who operates the restaurant is not our employee. Management is compensated through the operation of the restaurant.

It was determined through testimony the licensee owns the restaurant and liquor store; the licensee has a tenant to run the restaurant. The management agreement is not on file at the BOLC. They changed the mode of operations on the weekend without notifying the Board.

Commissioner Camacho makes a motion to fine the licensee t/a New Vision Seoulia Restaurant in violation as charged with a fine of \$4,500, seconded by **Commissioner Norman**.

The fine can be paid over three months, \$1,500 per month.

After Board vote, the motion carries.

8. Catherine F. Okoloise, President/Secretary/Treasurer, Affordable Services, Inc., t/a **Joyful Heart African Cuisine**, 10631 Greenbelt Road, Suite 101, Lanham, 20706, Class B, Beer and Wine is summonsed to show cause for an alleged violation of Section 6-311, Purchase Alcoholic Beverages from other than a Wholesaler, of the Annotated Code of Maryland and R.R. No. 11 of the Rules and Regulations for Prince George's County and R.R. No. 32 (Inspections: Uncooperative), to wit; that on Wednesday, January 19, 2022, at approximately 5:20 p.m., Inspector Bowden entered Joyful Heart African Cuisine located at 10631 Greenbelt Road, Suite 101, Lanham, MD to conduct a routine inspection. While checking inventory boxes, Inspector Bowden came across (1) 750ml, San Antonio Winery Cardinale, (1) Sweet Bitch Moscato, (1) Barbentura Moscata, (1) Menage a Trois Sweet Red, (2) bottles of Sweet Red, also (1) 1.75 ml of Sutter Home Chardonnay, (1) Sutter Home Sangria

and (1) Modgen David Concord. The establishment could not produce invoices to show that the alcohol belonged to Joyful Heart African Cuisine. The cashier refused to sign the report and the cashier and owner refused to provide their names to the inspector.

Mr. Azeez Famuditimi (HR Director) states he'd like to testify on Ms. Okoloise's behalf due to her being ill.

Commissioner Forbes: Ms. Okoloise is the licensee we need to speak with her. We appreciate you trying to accommodate us, but she is the licensee, she is responsible for the rules and regulations that our agency dispenses and because we have a matter before us related to her entity. We need her to be on the phone. We're happy to postpone this matter. We can't move forward without her being on the phone and being available for questioning.

Commissioner Forbes: Mr. DeLoach, would it be a problem to postpone giving Ms. Okoloise, our licensee, isn't feeling well?

Mr. DeLoach: There is no issue with that, totally up to the discretion of the Board.

Commissioner Forbes: Is there any objection to postponing the matter before us today until the next available hearing date, regarding licensee trading as Joyful Heart African Cuisine because the licensee Ms. Okoloise isn't feeling well?

No objection. The desired action is approved, we will postpone licensee t/a Joyful Heart African Cuisine until our next available hearing.

Adjourned: 8:38 p.m.

Respectfully Submitted,

Alecia L. Hughes

Administrative Aide BOLC