

Board of Liquor License Commissioners for Baltimore City: Presentation on 12/9/2021 Virtual Hearing

Douglas K. Paige, Executive Secretary
Nicholas T.R. Blandy, Deputy Executive Secretary
Staci Russell, Assistant Executive Secretary
December 9, 2021

Outline of Packet

- Introduction to Webex Platform
- Materials, Evidence, and Related Items for 12/9/2021 Docket
- Procedures to be followed for 12/9/2021 Docket
- General Ground Rules and Helpful Information for 12/9/2021 Docket
- 12/9/2021 Short Docket
- 12/9/2021 Long Docket
- Adjournment

Introduction to the Webex Platform

- **Cisco Webex is the on-line meeting platform that the City of Baltimore uses to conduct all of its virtual meetings**
 - The Board of Estimates, City Council, and Planning Department have used Webex to hold virtual meetings since the outbreak of COVID-19
- **Cisco Webex Basics**
 - To fully utilize the Webex system, members of the general public should have access to a laptop, Ipad, smartphone or similar device with camera and microphone capabilities.
 - If your electronic device does not have microphone capabilities then you will need to utilize the phone number provided to dial in.
 - To participate in the Webex meeting, members of the public will have to download the Webex app to through their smartphones or click on the following link to access the hearing on-line:
 - <https://bmore.webex.com/bmore/onstage/g.php?MTID=ec02616876ab9f21a918f6a29e0741c30>
 - Access Code: 2345 639 6787
 - Password: BLLC1234
 - The BLLC suggests that if you are going to use your smartphone, Ipad, or similar device that you download the application at least one day before the date of the 12/9/2021 hearing to ensure you have access to the program.
 - If a member of the general public does not have access to a computer, smartphone or similar device they can call the following number and enter the following access code to LISTEN ONLY to the hearing:
 - Phone Number - 1-408-418-9388
 - Access Code – 2345 639 6787

Materials, Evidence and Related Items – 12/9/2021 Docket

- **Materials**

- Copies of the short docket, which provide a brief description of the cases before the Board, and long docket, which include all application materials can be found on the BLLC’s website under hyperlinks for “December 9, 2021”:
 - <https://llb.baltimorecity.gov/hearings-schedule>

- **Evidence – 48 Hour Rule for On-line Hearings**

- All of the evidence to be considered by the Board can be found in the long docket. The Board will be accepting evidence from any party to the hearing up until 48 hours before 11am on Thursday, December 9, 2021.
 - **This means that all evidence for the hearing must be submitted NO LATER THAN 11am on Tuesday December 7, 2021.**
 - If any evidence is submitted to the Board later than this date and time it will not be considered by the Board during the hearing.
 - **All evidence should be submitted via email to Assistant Executive Secretary Ms. Staci Russell: Staci.Russell@baltimorecity.gov**
 - The Board will NOT BE ACCEPTING documents in-person

- **Related Items**

- Amendments to applications made by applicants or their representatives will not be accepted after November 25, 2021 for all cases to be heard on December 9, 2021
 - If an applicant or their representative attempts to amend an application to be heard on December 9, 2021 after November 25, 2021, the case will automatically be postponed.
- In addition to the posting of the 12/9/2021 docket on-line, licensees and applicants will be mailed a letter instructing them of the date and time of their virtual hearing.

Violation Case Procedures for the 12/9/2021 Docket

- **Preliminary Reading of the Instructions and Calling of the Cases**
 - The Deputy Executive Secretary (DES) will read the preliminary instructions and general ground rules for the hearing process
 - The DES shall call each case in the order as listed on the short docket. The Chairman will then ask for the licensee, his or her representative, and all BLLC and Police Department personnel to identify themselves and be sworn in by the Court Reporter.
- **Evidentiary Hearing**
 - The DES will call the case and the Board will conduct an evidentiary hearing, which will include the calling of witnesses, hearing testimony, and reviewing documents entered into the record to determine whether or not a violation occurred.
 - Upon conclusion of the hearing, which may include closing arguments by licensee an/or his representative, the Board will vote to determine whether or not a violation occurred. If the Board finds that a violation occurred, the Board may hear testimony or review evidence before imposing a sentence.
 - The Board will provide an opportunity to the general public to present testimony at the mitigation phase of the hearing
 - If an individual would like to testify, then he or she will have use the “raise your hand feature” within Webex, be recognized, identify yourself, be sworn in, and then testify.
 - All individuals who testify are subject to questioning by the Board and cross examination by the attorney or applicant.
 - REMEMBER – If you only have access to a phone you will not have the opportunity to testify.
- **Sentencing**
 - Once the Board hears all of the evidence and testimony from the mitigation phase, the Board will then make a sentencing determination, which could include a fine, suspension, and/or revocation.

Regular Case Procedures for the 12/9/2021 Docket

- **Preliminary Reading of the Instructions**
 - The Deputy Executive Secretary will read the preliminary instructions and general ground rules for the hearing process
- **Calling of the Cases**
 - The Deputy Executive Secretary shall call each case in the order as listed on the short docket
 - The Deputy Executive Secretary will then ask for the applicant and his or her representative to identify themselves and if applicable have the applicant and/or any supporting witnesses be sworn in.
- **Case Hearing**
 - The Board will provide an opportunity for the applicant and his or her representative to present to the case to the Board. The Board may ask questions of the attorney or the applicant.
 - Upon the conclusion of the case, the Chairman asks individuals who are on the call (and who have access to the necessary computer, smartphone, iPad, or similar device) if they would like to testify in support or opposition to the application.
 - If an individual would like to testify, then he or she will have to use the “raise your hand feature” and be recognized, identify themselves, be sworn in, and then testify.
 - All individuals who testify are subject to questioning by the Board and cross examination by the attorney or applicant.
 - REMEMBER – If you only have access to a phone you will not have the opportunity to testify
 - After all testimony and evidence is presented to the Board, the Board will vote on the application before them. The Assistant Executive Secretary shall then read the exhibits into the record.
- **Board is NOT authorized to discuss Non-case related matters**
 - While serving in its quasi-judicial capacity the Board is authorized only to hear testimony and evidence related to cases that are before it. The Board is NOT authorized to discuss any other cases or policy related matters during these virtual hearings.

General Ground Rules and Helpful Information for 12/9/2021 Hearing

Ground Rules for Hearing Process

- Please mute yourself when you are not speaking. This will minimize feedback and extra noise.
- Please identify yourself and state the spelling of your name, before you speak.
- Please speak slowly and in a clear voice so that the Court Reporter understands exactly what is being said and who is saying it.
- Please note that this event will run live on Charm TV and a Court reporter will be present.
- Individuals who use profanity, are disrespectful, or unruly may be expelled from the virtual hearing.
- All attendees – applicants, licensees, and members of the public – that wish to provide testimony during the hearings must be sworn in prior to giving testimony.
- There will be no physical evidence taken at these proceedings.
- **Absolutely no amendments to the application may be made at the time of the hearing!**

Helpful Reminders to improve Webex Experience

- Be prepared - Read materials ahead of time, test the video conferencing platform ahead of time
- Location matters - Try to find a quiet space with good light and a strong internet connection so you can be seen and heard clearly
- Be present - don't multitask
- Be patient with yourself and others .

BLLC Short Docket – 12/9/2021

BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY DOCKET – THURSDAY, DECEMBER 9, 2021 – 11:00 a.m. WEBEX VIRTUAL MEETING

Please note: If you are interested in a particular case, please call (410) 396-4380 the day before these hearings to verify that a particular case is still scheduled for this date.

11:00 a.m.

I. Violations:

- 1. Mrigendra Homagain and Steven Morgan, Kantha, Inc., T/a Garden Hub, 5511 Belair Road – Class "BD7" Beer, Wine & Liquor License – Violation of Rule 4.01(a) Sales to Minors – July 28, 2021** – On July 28, 2021 Board of Liquor License Commissioners (BLLC) Inspector Rosalba Jordan, Inspector Cindy Tudhope, Chief Inspector John Chrissomallis along with Baltimore Police Department Vice Unit (BPD Vice) Detectives Leisher, Gatto and Lebrun and Police Cadets J. Thomas and Jackson conducted random, joint investigations of establishments to determine if licensees would sell alcoholic beverages to minors. At the time of the incident, Cadets J. Thomas and Jackson were under the age of 21; cadets were given a departmental \$20 bill that was marked by photograph prior to any investigations commencing. At approximately 9:30pm, the joint agency task force entered the establishment. Cadets J. Thomas and Jackson ordered a single bottle of Bud Ice beer from the server, later identified as Tika Thupa, for a total of \$1.95, which they purchased with the departmental \$20 bill. After the purchase, Cadets J. Thomas and Jackson exited the establishment carrying the alcoholic beverage. Moments later, Inspector Jordan and members of the joint agency taskforce entered the establishment and contacted the server, Mr. Thupa, who did not have any identification on him; he did provide his name and date of birth to the task force, however. Inspector Jordan and the task force informed Mr. Thupa that he had just sold alcohol to an underage police cadet. The alcoholic beverage and the change from the sale were returned to the establishment; the task force recovered the departmental \$20 bill. Mr. Thupa was advised that he would not be charged criminally, but that a BLLC violation would be written up for the establishment. BLLC Inspectors and BPD Vice left without further incident.
- 2. Sudesh Dhall and George Greason, Sr., 6200 Reist, Inc., T/a Joe's Place, 6200 Reisterstown Road – Class "BD7" Beer, Wine & Liquor License – Violation of Rule 4.01(a) Sales to Minors – August 26, 2021** – On August 26, 2021, Board of Liquor License Commissioners (BLLC) Agent Terri Chase, Agent Steven Han, Chief Inspector John Chrissomallis along with Baltimore Police Department Vice Unit (BPD Vice) Detectives Leisher, Gatto, Greenhill and Lebrun and Police Cadet Jackson conducted random, joint investigations of establishments to determine if licensees would sell alcoholic beverages to minors. At the time of the incident, Cadet Jackson was under the age of 21; the cadet was given a departmental \$20 bill that was marked by photograph prior to any investigations commencing. At approximately 9:45pm, the joint agency task force entered the establishment. Cadet Jackson ordered a single 22oz. bottle of Heineken beer from the server, later identified as Balwinder Singh, for a total of \$3.50, which the cadet purchased with the departmental \$20 bill. The server never asked for proof of Cadet Jackson's age. After the purchase, Cadet Jackson exited the establishment carrying the alcoholic beverage. Moments later, Agent Chase and members of the joint agency taskforce entered the establishment and contacted the server, Mr. Singh, who they then identified. Detective Gatto informed Mr. Singh that he had just sold alcohol to an underage police cadet. The alcoholic beverage and the change from the sale were returned to the establishment; the task force recovered the departmental \$20 bill. Mr. Singh was advised that he would not be charged criminally, but that a BLLC violation would be written up for the establishment. BLLC Inspectors and BPD Vice left without further incident. Mr. Singh was cooperative throughout.

II. Regular Items:

- 1. Jayce Anthony Flickinger and Brian S. London, Market Bar, LLC, T/a Grand Cru, 5911 York Road – Class "BD7" Beer, Wine & Liquor License – Request to expand premises an additional 600 square feet.**
- 2. Shrijana Khanal and Dhaman B. Shah, Uprety, LLC, T/a The Point, 525-29 E. Patapsco Avenue – Class "BD7" Beer, Wine & Liquor License – Request for a transfer hardship extension under the provisions of the Alcoholic Beverages Article §12-1705(b) and a hardship extension under the provisions of the Alcoholic Beverages Article § 12-2202.**
- 3. Bradley K. Byrnes, Redwood South, LLC, T/a Werner's Restaurant, 219-31 E. Redwood Street – Class "B" Beer, Wine & Liquor License – Amended application for a new Class "B" Beer, Wine and Liquor restaurant license under the provisions of Alcoholic Beverages Article §12-1604(c)(2)(ii) requiring \$700,000 in capital investment in restaurant fixtures and facilities, 65% of food sales, and seating capacity for a minimum of 75 people, requesting live entertainment, outdoor table service, off-premise catering and delivery of alcoholic beverages.**
- 4. Bijou Penland, Lindsay Perez, and Blanca Pesquera, Ecstasy Bar and Restaurant, LLC, T/a My Cousin's Place, 3925-27 E. Lombard Street – Class "BD7" Beer, Wine & Liquor License – Request for a hardship extension under the provisions of the Alcoholic Beverages Article § 12-2202.**
- 5. Douglas Lancaster Atwell, New Make Hay, LLC, T/a Trade Name Pending, 529 S. Bond Street – Class "BD7" Beer, Wine & Liquor License – Request for a transfer hardship extension under the provisions of the Alcoholic Beverages Article §12-1705(b).**
- 6. Richard Nelson and Kevia Beard Moore, Richie's Entertainment, LLC, T/a Good Times Liquor & Bar Lounge, 1600 W. Baltimore Street – Class "BD7" Beer, Wine & Liquor License – Request for a transfer hardship extension under the provisions of the Alcoholic Beverages Article §12-1705(b).**
- 7. Sam Yong Lee, Sue Hee Suk Lee, and Beth Ann Thomas, S and H Liquors, Inc., T/a Village Liquors, 4220 Edmondson Avenue – Class "A-2" Beer, Wine & Liquor License – Request to reopen under the provisions of the Alcoholic Beverages Article § 12-2203, wherein a licensed premise has been closed for at least three (3) consecutive months.**
- 8. Abebech Kumbi, Chala K. Teressa, and Beredu Teressa, Guder, LLC, T/a The Avenue Bar and Liquors, 1238 Greenmount Avenue – Class "BD7" Beer, Wine & Liquor License – Application to transfer ownership.**

Licensee(s): Mrigendra Homagain and Steven Morgan
Kantha, Inc., T/a Garden Hub
5511 Belair Road 21206

Class: "BD7" Beer, Wine & Liquor License

Violation of Rule 4.01(a) Sales to Minors – July 28, 2021 – On July 28, 2021 Board of Liquor License Commissioners (BLLC) Inspector Rosalba Jordan, Inspector Cindy Tudhope, Chief Inspector John Chrissomallis along with Baltimore Police Department Vice Unit (BPD Vice) Detectives Leisher, Gatto and Lebrun and Police Cadets J. Thomas and Jackson conducted random, joint investigations of establishments to determine if licensees would sell alcoholic beverages to minors. At the time of the incident, Cadets J. Thomas and Jackson were under the age of 21; cadets were given a departmental \$20 bill that was marked by photograph prior to any investigations commencing. At approximately 9:30pm, the joint agency task force entered the establishment. Cadets J. Thomas and Jackson ordered a single bottle of Bud Ice beer from the server, later identified as Tika Thupa, for a total of \$1.95, which they purchased with the departmental \$20 bill. After the purchase, Cadets J. Thomas and Jackson exited the establishment carrying the alcoholic beverage. Moments later, Inspector Jordan and members of the joint agency taskforce entered the establishment and contacted the server, Mr. Thupa, who did not have any identification on him; he did provide his name and date of birth to the task force, however, Inspector Jordan and the task force informed Mr. Thupa that he had just sold alcohol to an underage police cadet. The alcoholic beverage and the change from the sale were returned to the establishment; the task force recovered the departmental \$20 bill. Mr. Thupa was advised that he would not be charged criminally, but that a BLLC violation would be written up for the establishment. BLLC Inspectors and BPD Vice left without further incident.

(a) **Service on Licensee(s):** Summons issued to the licensee(s) on 9/28/2021.

(b) **Witnesses Summoned:** Summons issued to Inspector Tudhope, Inspector Jordan, and Chief Chrissomallis on 9/28/2021. Summons issued to Baltimore City Police Dept.: Detective Leisher, Detective Gatto, Detective Greenhill, Detective Lebrun, Cadet J. Thomas, and Cadet Jackson on 9/28/2021.

(c) **Violation History of Current Licensee:** Licensee(s) appeared before the Board on 3/18/2021 in reference to:

- Violation of Rule 3.08(b) – Sanitation and Safety
- Violation of Rule 4.16 – Illegal Conduct - Dismissed
- \$50 fine + \$125 admin fee
- \$175 total fine

Licensee(s) appeared before the Board on 6/11/2020 in reference to:

- Violation of Rule 4.01(a) - Sales to Minors
- \$750 + \$125 admin fee
- \$875 total fine

Licensee(s) appeared before the Board on 11/21/2019 in reference to:

- Violation of Rule 4.01(a) - Sales to Minors
- \$1,000 + \$125 admin fee
- \$1,125 total fine

Licensee(s) appeared before the Board on 3/1/2018 in reference to:

- Violation of Rule 4.01(a) - Sales to Minors
- Violation of Rule 4.20(c)(ii) - Class BD7 Licensees: Open and Operating Tavern at all Times
- \$500 + \$125 admin fee
- \$625 total fine

(d) **License Transfer Date:** The license transferred to the above named entity on 11/14/2016.

Board's Decision:

December 9, 2021

Licensee(s): Sudesh Dhall and George Greason, Sr
6200 Reist, Inc., T/a Joe's Place
6200 Reisterstown Road 21215

Class: "BD7" Beer, Wine & Liquor License

Violation of Rule 4.01(a) Sales to Minors – August 26, 2021 – On August 26, 2021, Board of Liquor License Commissioners (BLLC) Agent Terri Chase, Agent Steven Han, Chief Inspector John Chrissomallis along with Baltimore Police Department Vice Unit (BPD Vice) Detectives Leisher, Gatto, Greenhill and Lebrun and Police Cadet Jackson conducted random, joint investigations of establishments to determine if licensees would sell alcoholic beverages to minors. At the time of the incident, Cadet Jackson was under the age of 21; the cadet was given a departmental \$20 bill that was marked by photograph prior to any investigations commencing. At approximately 9:45pm, the joint agency task force entered the establishment. Cadet Jackson ordered a single 22oz. bottle of Heineken beer from the server, later identified as Balwinder Singh, for a total of \$3.50, which the cadet purchased with the departmental \$20 bill. The server never asked for proof of Cadet Jackson's age. After the purchase, Cadet Jackson exited the establishment carrying the alcoholic beverage. Moments later, Agent Chase and members of the joint agency taskforce entered the establishment and contacted the server, Mr. Singh, who they then identified. Detective Gatto informed Mr. Singh that he had just sold alcohol to an underage police cadet. The alcoholic beverage and the change from the sale were returned to the establishment; the task force recovered the departmental \$20 bill. Mr. Singh was advised that he would not be charged criminally, but that a BLLC violation would be written up for the establishment. BLLC Inspectors and BPD Vice left without further incident. Mr. Singh was cooperative throughout.

(a) **Service on Licensee(s):** Summons issued to the licensee(s) on 10/21/2021.

(b) **Witnesses Summoned:** Summons issued to Agent Chase, Agent Han, and Chief Chrissomallis on 10/21/2021. Summons issued to Baltimore City Police Dept.: Detective Gatto, Detective Greenhill, and Cadet Jackson on 10/21/2021.

(c) **Violation History of Current Licensee:** Licensee appeared before the Board on 5/3/2018 in reference to:

- Violation of Rule 4.01(a) - Sale to Minors
- Violation of Rule 4.01(a) - Sale to Minors
- Rule 4.01(a) – Fined \$350
- Rule 4.01(a) – Fined \$350
- \$700 fine + \$125 admin fee
- \$875 total fine

(d) **License Transfer Date:** The license transferred to the above named corporation on 2/22/2017.

Board's Decision:

December 9, 2021

Applicant(s): Jayce Anthony Flickinger and Brian S. London
Market Bar, LLC, T/a Grand Cru
5911 York Road 21212

Class: "BD7" Beer, Wine & Liquor License

Request to expand premises an additional 600 square feet.

(a) **Applicant(s) Information:** (1) Jayce Flickinger was born in Maryland in January of 1986. He lives in Baltimore, MD; and (2) Brian London was born in Baltimore, MD in January of 1984. He lives in Baltimore, MD.

(b) **Ownership Breakdown:** (1) Jayce Anthony Flickinger (81.34%); and (2) Brian London (3.36%)

(c) **Purchase Price of Business:** N/A

(d) **Qualified Voters:** N/A

(e) **Zoning:** Applicant has applied for a USE permit, for the use of the property as a restaurant with outdoor table service.

(f) **Corporate Standing:** Market Bar, LLC is a MD LLC and as of 11/23/2021 is active and in good standing.

(g) **Posting Report:** The location was posted on 11/10/2021, and checked on 11/19/2021. This meets the 10-day rule. There are 8 licensed liquor establishment(s) in the 2x2 area: "B" BW-1; "A" BWL-1; "B" BWL-4; and "BD7"- 2.

(h) **Timeline:** Last inspection by BLLC was performed 1/15/2021. At that time, the establishment was open and operating.

(i) **Letters of Support/Opposition:** At this time the Board has no letter(s) of opposition or support.

In considering this request, under the provisions of Alcohol Beverages Article 4-210(A) the Board must consider the following factors: 1. The public need and desire for the license; 2. The number and location of existing license holders; 3. The potential effect on existing license holders of the license for which application is made; 4. The potential commonality or uniqueness of the services and products to be offered by the business of the applicant; 5. The impact of the license for which application is made on the health, safety, and welfare of the community, including issues relating to crime, traffic conditions, parking, or convenience; and 6. Any other factor that the local licensing Board considers necessary.

Board's Decision:

December 9, 2021

Applicant(s): Shrijana Khanal and Dhaman B. Shah
Uprety, LLC, T/a The Point
525-529 E. Patapsco Avenue 21225

Class: "BD7" Beer, Wine & Liquor License

Request for a transfer hardship extension and a hardship extension

Board's Information:

(a) **Ownership Breakdown:** (1) Shrijana Khanal (100%); and (2) Dhaman B. Shah (0%).

(b) **Corporate Standing:** Uprety, LLC is a MD LLC and as of 11/23/2021 is in good standing.

(c) **Timeline of request under 12-2202:** On 11/1/2021 staff received a request to grant a 180-day hardship extension under Alcoholic Beverages Article 12-2202. On 2/19/2020, a BLLC inspector conducted an inspection and posted notice that a Secured Creditor had exercised their right and taken ownership of the license. Twenty-two (22) calendar days ran between date of closure and 3/12/2020. Due to the Governor's Executive Order, all timelines were tolled from 3/20/2020 until 6/30/2021. Therefore, the legal days under the statutory requirement to not cease operations selling alcoholic beverages under Alcoholic Beverages Article 12-2202(A) runs until 12/6/2021. This hardship letter was filed within 180 legal days of the closure (on or before December 6, 2021), thus the hardship extension request meets the requirements -of Alcohol Beverage Article 12-2202(B).

(d) **Timeline of request under 12-1705:** On 11/1/2021 staff received a request to grant a 90-day transfer hardship extension under Alcoholic Beverages Article 12-1705(B). On 3/25/2021 the Board approved a transfer of ownership application for the licensed premises. Due to the Governor's Executive Order, all timelines were tolled from 3/20/2020 until 6/30/2021. Therefore, the statutory requirement to complete a transfer under Alcohol Beverage Article 12-1705(A) runs until 12/28/2021. This hardship letter was filed within 180 legal days after approval by the Board (on or before December 28, 2021), thus the transfer hardship extension request meets the requirements of Alcohol Beverage Article 12-1705(B).

Board's Decision:

December 9, 2021

Licensee(s): Bradley K. Byrnes
Redwood South, LLC, T/a Werner's Restaurant
219-31 E. Redwood Street 21202

Class: "B" Beer, Wine & Liquor License

Amended application for a new Class "B" Beer, Wine and Liquor restaurant license requesting live entertainment, outdoor table service, off-premises catering, and delivery of alcoholic beverages

(a) **Applicant(s) Information:** (1) Bradley K. Byrnes was born in Baltimore, MD in October of 1973. He lives in Baltimore, MD.

(b) **Ownership Breakdown:** (1) Bradley K. Byrnes (75%); and (2) Ignatius K. Byrnes (25%).

(c) **Purchase Price of Business:** N/A

(d) **Qualified Voters:** Gregory Bader, John Jackowski and Keith Fritz are qualified Baltimore City voters.

(e) **Zoning:** Applicant has applied for a USE permit, for the use of the property 1st floor and partial basement of premise known as 219-231 E. Redwood Street as a restaurant with a Class "B" Beer, Wine, and Liquor license with outdoor table service, live entertainment, off premise catering and delivery of food and alcohol.

(f) **Corporate Standing:** Redwood South, LLC is a MD LLC and as of 11/23/2021 is active and in good standing.

(g) **Posting Report:** The location was posted on 5/25/2021, and checked on 6/3/2021. This meets the 10-day rule. There are 14 licensed liquor establishment(s) in the 2x2 area "B" BWL-7; "BD7" BWL-5; and "Hotel/Motel"-2.

(h) **Timeline:** N/A

(i) **Letters of Support/Opposition:** At this time the Board has no letter(s) of opposition or support.

In considering this request, under the provisions of Alcoholic Beverages Article 4-210(A) the Board must consider the following factors: 1. The public need and desire for the license; 2. The number and location of existing license holders; 3. The potential effect on existing license holders of the license for which application is made; 4. The potential commonality or uniqueness of the services and products to be offered by the business of the applicant; 5. The impact of the license for which application is made on the health, safety, and welfare of the community, including issues relating to crime, traffic conditions, parking, or convenience; and 6. Any other factor that the local licensing Board considers necessary.

Board's Decision:

December 9, 2021

Applicant(s): Bijou Penland, Lindsay Perez, and Blanca Pesquera
Ecstasy Bar & Restaurant, LLC t/a My Cousin's Place
3925-27 East Lombard Street 21224

Class: "BD7" Beer, Wine & Liquor License

Request for a hardship extension.

(a) **Ownership Breakdown:** (1) Bijou Penland (25%); (2) Lindsay Perez (25%); and (3) Blanca Pesquera (50%).

(b) **Corporate Standing:** Ecstasy Bar & Restaurant, LLC is a MD LLC and as of 11/23/2021 is in good standing.

(c) **Timeline of request:** On 11/12/2021 staff received a request to grant a 180-day hardship extension under Alcoholic Beverages Article 12-2202. On or about 5/18/2021, the premises caught fire and the building was burned completely, as noted by a BLLC inspection dated 5/31/2021. Due to the Governor's Executive Order, all timelines were tolled from 3/20/2020 until 6/30/2021. Therefore, the statutory requirement to not cease operations selling alcoholic beverages under Alcoholic Beverages Article 12-2202(A) runs until 12/28/2021. This hardship letter was filed within 180 legal days of the closure (on or before December 28, 2021), thus the hardship extension request meets the requirements of Alcohol Beverage Article 12-2202(B).

Board's Decision:

December 9, 2021

Applicant(s): Douglas Lancaster Atwell
New Make Hay, LLC, T/a Trade Name Pending
529 S. Bond Street 21230

Class: "BD7" Beer, Wine & Liquor License

Request for a transfer hardship extension.

Board's Information:

(a) **Ownership Breakdown:** (1) Douglas Lancaster Atwell (80%); (2) Charles Jefferson (10%); (3) Jeffrey Atwell (5%); and (4) Bret Matthew Holmes (5%).

(b) **Corporate Standing:** New Make Hay, LLC is a MD LLC and as of 11/23/2021 is not in good standing.

(c) **Timeline of request:** On 10/21/2021 staff received a request to grant a 90-day transfer hardship extension under Alcoholic Beverages Article 12-1705(B). On 2/25/2021, the Board approved a transfer of ownership application for the licensed premises. Due to the Governor's Executive Order, all timelines were tolled from 3/20/2020 until 6/30/2021. Therefore, the statutory requirement to complete a transfer under Alcohol Beverage Article 12-1705(A) runs until 12/28/2021. This hardship letter was filed within 180 legal days after approval by the Board (on or before December 28, 2021), thus the transfer hardship extension request meets the requirements of Alcohol Beverage Article 12-1705(B).

Board's Decision:

December 9, 2021

Applicant(s): Richard Nelson and Kevia Beard Moore
Richie's Entertainment, LLC, T/a Good Times Liquor & Bar Lounge
1600 W. Baltimore Street 21223

Class: "BD7" Beer, Wine & Liquor License

Request for a transfer hardship extension.

Board's Information:

(a) **Ownership Breakdown:** (1) Richard Nelson (100%); and (2) Kevia Beard Moore (0%).

(b) **Corporate Standing:** Richie's Entertainment, LLC is a MD LLC and as of 11/23/2021 is in good standing.

(c) **Timeline of request:** On 11/1/2021 staff received a request to grant a 90-day transfer hardship extension under Alcoholic Beverages Article 12-1705(B). On 6/25/2020, the Board approved a transfer of ownership application for the licensed premises. Due to the Governor's Executive Order, all timelines were tolled from 3/20/2020 until 6/30/2021. Therefore, the statutory requirement to complete a transfer under Alcohol Beverage Article 12-1705(A) runs until 12/28/2021. This hardship letter was filed within 180 legal days after approval by the Board (on or before December 28, 2021), thus the transfer hardship extension request meets the requirements of Alcohol Beverage Article 12-1705(B).

Board's Decision:

December 9, 2021

Licensee(s): Sam Yong Lee, Sue Hee Suk Lee, and Beth Ann Thomas
S and H Liquors, Inc. t/a Village Liquors
4220 Edmonson Avenue 21229

Class: "A-2" Beer, Wine & Liquor License

Request to reopen.

Board's Information:

(a) **Ownership Breakdown:** (1) Sam Yong Lee (50%) ;(2) Sue Hee Suk Lee (50%); and (3) Beth Ann Thomas (0%).

(b) **Corporate Standing:** S and H Liquors, Inc. is a MD Corporation and as of 11/23/2021 is active and in good standing.

(c) **Timeline of request:** On 11/2/2021 staff received a request to reopen under Alcoholic Beverages Article 12-2203 from licensee. The establishment was closed on 4/4/2020 due to an emergency condemnation and demolition order from the Department of Housing and Community Development (HCD) Code Enforcement Division. Due to the Governor's Executive Order, all timelines were tolled from 3/20/2020 until 6/30/2021. The request to reopen letter was received more than 90 days but fewer than 180 legal days from the date of closure (on or before December 28, 2021), thus the request to reopen meets the requirements of Alcohol Beverage Article 12-2202 and 12-2203.

Board's Decision:

Applicant(s): Abebech Kumbi, Chala K. Teressa, and Beredu Teressa
Guder, LLC, T/a The Avenue Bar and Liquors
1238 Greenmount Avenue 21202

Class: "BD7" Beer, Wine & Liquor License

Application to transfer ownership.

(a) **Applicant(s) Information:** (1) Abebech Kumbi was born in Ethiopia in April of 1969. She lives in Baltimore, MD; (2) Chala K. Teressa was born in Ethiopia in December of 1984. He lives in Suffolk, VA; and (3) Beredu Teressa was born in Ethiopia in September of 1962. She lives in Rosedale, MD. Ms. Kumbi was a licensee at 2448 N. Charles Street t/a Seena Liquors from 2001 to 2017.

(b) **Ownership Breakdown:** (1) Abebech Kumbi (10%); (2) Chala K. Teressa (50%); and (3) Beredu Teressa 4(0%).

(c) **Purchase Price of Business:** The purchase price of the business is \$450,000 to be paid at closing.

(d) **Qualified Voters:** Nkiambi Jean Lema, Terence J. Dickson, and Abiot Gebremariam are qualified Baltimore City voters.

(e) **Zoning:** Applicant has applied for a USE permit, for the use of the property 1st floor as a tavern and liquor store, with no live entertainment, 2nd floor as office and storage and the basement for storage.

(f) **Corporate Standing:** Guder, LLC is a MD LLC and as of 11/23/2021 is active and in good standing.

(g) **Posting Report:** The location was posted on 8/5/2021, and checked on 8/16/2021. This meets the 10-day rule. There are 2 licensed liquor establishment(s) in the 2x2 area "D" BWL-1; and "BD7" BWL-1.

(h) **Timeline:** Last Inspection by BLLC was performed 8/9/2021. At that time, the establishment was open and operating.

(j) **Letters of Support/Opposition:** At this time the Board has one letter of opposition from community.

In considering this request, under the provisions of Alcoholic Beverages Article 4-210(A) the Board must consider the following factors: 1. The public need and desire for the license; 2. The number and location of existing license holders; 3. The potential effect on existing license holders of the license for which application is made; 4. The potential commonality or uniqueness of the services and products to be offered by the business of the applicant; 5. The impact of the license for which application is made on the health, safety, and welfare of the community, including issues relating to crime, traffic conditions, parking, or convenience; and 6. Any other factor that the local licensing Board considers necessary.

Board's Decision:

Adjournment

- **The Board will be in recess until Thursday, December 16, 2021. The Board shall post on its website, provide notice to applicants and/or attorneys, and conduct a virtual hearing on this date.**
- Please call our office at 410-396-4377 between 8:30 am and 4:30 pm with any questions or concerns that you have concerning this matter or any other!