

BALTIMORE CITY BOARD OF LIQUOR LICENSE COMMISSIONERS

HEARING DISPOSITIONS

**TUESDAY, AUGUST 4, 2020
WEBEX VIRTUAL HEARING
BALTIMORE, MARYLAND**

**Albert Matricciani, Jr., Chairperson
Aaron Greenfield, Commissioner
Robert E. Guye, Commissioner**

Violations Docket – Violation of Alc. Bev. Art. 12-2005(c)(3), Alc. Bev. Art. 12-905(d)(3), and Rule 4.05(b) 11:00 AM

Young's II, Inc., t/a Young's License # LBD7 109
2401 E. Chase Street, Baltimore MD 21213 13th Councilmanic District (Sneed)

Attorney for Applicant: N/A

Alleged violation of Alc. Bev. Art. 12-2005(c)(3) when at approximately 12:15 a.m. on July 11, 2020 members of the BLLC visited the location to conduct a business check to determine if the establishment was in compliance with the limited hours of operation proscribed by HB954 that went into effect July 1, 2020 (9:00 a.m. – 10:00 p.m.). Upon arrival, the BLLC staff observed that the location was open and operating past 10:00 p.m.

Alleged violation of Alc. Bev. Art. 12-905(d)(3) when at approximately 12:15 a.m. on July 11, 2020 members of the BLLC visited the location to conduct a business check to determine if the establishment was in compliance with the limited hours of operation proscribed by HB954 that went into effect July 1, 2020 (9:00 a.m. – 10:00 p.m.). Upon arrival, the BLLC staff observed that the location was open and operating past 10:00 p.m.

Alleged violation of Rule 4.05(b) (Prohibited Hours) when at approximately 12:15 a.m. on July 11, 2020 members of the BLLC visited the location to conduct a business check to determine if the establishment was in compliance with the limited hours of operation proscribed by HB954 that went into effect July 1, 2020 (9:00 a.m. – 10:00 p.m.). Upon arrival, the BLLC staff observed that the location was open and operating past 10:00 p.m.

Corporate Standing: Young's II, Inc. is an active Maryland corporation in good standing as of July 17, 2020.

Location Violation History: None since 2016.

Witnesses: Davon Thrasher – Manager, John Chrissomallis – BLLC Chief Inspector, Andy Perez – BLLC Agent Inspector, Darryl Clark – BLLC Agent Inspector, Terri Chase – BLLC Inspector, Rosalba Jordan – BLLC Inspector

Disposition: On August 4, 2020 Mr. Davon Thrasher, who stated he was the bar manager of Young's II, Inc. t/a Young's ("Young's") and was authorized to appear on behalf of Young's before the Board of Liquor License Commissioners for Baltimore City ("Board") at a virtual public hearing for violations of Alc. Bev. Art. 12-2005(c), Alc. Bev. Art. 12-905(d)(3), and

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Board Rule and Regulation 4.05(b). After the Board read the charges into the record, Mr. Thrasher admitted to all three violations. Upon review of Mr. Thrasher's admission, the Board dismissed the violation of Alc. Bev. Art 12-2005(c) and held sub curia violations of Alc. Bev. Art. 12-905(d)(3) and Board Rule and Regulation 4.05(b) pending a review of the Memorandum of Law that was submitted to the Board in the Myongnam, Inc., t/a M&M Lounge case heard on August 4, 2020 because the Board determined that it was equally applicable to this case. On August 13, 2020, The Board has ordered that the licensee violated Alc. Bev. Art. 12-905(d)(3) and Rule 4.05(b) on July 11, 2020 and imposed a fine of \$300 and an administrative fee of \$125, both payable within 30 days.

Violations Docket – Violation of Alc. Bev. Art. 12-2005(c)(3), Alc. Bev. Art. 12-905(d)(3), and Rule 4.05(b) 11:00 AM

Myongnam, Inc., t/a M & M Lounge License # LBD7 398
2500 E. Biddle Street, Baltimore MD 21213 13th Councilmanic District (Sneed)
Attorney for Applicant: Peter Prevas

Alleged violation of Alc. Bev. Art. 12-2005(c)(3) when at approximately 12:15 a.m. on July 11, 2020 members of the BLLC visited the location to conduct a business check to determine if the establishment was in compliance with the limited hours of operation proscribed by HB954 that went into effect July 1, 2020 (9:00 a.m. – 10:00 p.m.). Upon arrival, the BLLC staff observed that the location was open and operating past 10:00 p.m.

Alleged violation of Alc. Bev. Art. 12-905(d)(3) when at approximately 12:15 a.m. on July 11, 2020 members of the BLLC visited the location to conduct a business check to determine if the establishment was in compliance with the limited hours of operation proscribed by HB954 that went into effect July 1, 2020 (9:00 a.m. – 10:00 p.m.). Upon arrival, the BLLC staff observed that the location was open and operating past 10:00 p.m.

Alleged violation of Rule 4.05(b) (Prohibited Hours) when at approximately 12:15 a.m. on July 11, 2020 members of the BLLC visited the location to conduct a business check to determine if the establishment was in compliance with the limited hours of operation proscribed by HB954 that went into effect July 1, 2020 (9:00 a.m. – 10:00 p.m.). Upon arrival, the BLLC staff observed that the location was open and operating past 10:00 p.m.

Corporate Standing: Myongnam, Inc. is an active Maryland corporation in good standing as of July 17, 2020.

Location Violation History: None since 2015.

Witnesses: John Chrissomallis – Chief Inspector, Andy Perez – BLLC Agent Inspector, Darryl Clark – BLLC Agent Inspector, Terri Chase – BLLC Inspector, Rosalba Jordan – BLLC Inspector

Disposition: On August 4, 2020 Myong Kim and Yong Doo Park by and through their attorney, Mr. Peter Prevas Esq., (“M&M”) appeared before the Board of Liquor License Commissioners for Baltimore City (“Board”) at a virtual public hearing for violations of Alc. Bev. Art. 12-2005(c), Alc. Bev. Art. 12-905(d)(3), and Board Rule and Regulation 4.05(b). After holding a

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hearing wherein evidence was presented by the BLLC and M&M and taking testimony from members of the public, the Board dismissed the violation of Alc. Bev. Art 12-2005(c) and held sub curia violations of Alc. Bev. Art. 12-905(d)(3) and Board Rule and Regulation 4.05(b) pending a review of M&M's Memorandum of Law ("Memorandum") which was submitted to the Board on August 4, 2020. On August 13, 2020, The Board has ordered that the licensee violated Alc. Bev. Art. 12-905(d)(3) and Rule 4.05(b) on July 11, 2020 and imposed a fine of \$650 and an administrative fee of \$125, both payable within 30 days.

Violations Docket – Violation of Alc. Bev. Art. 12-2005(c)(3), Alc. Bev. Art. 12-905(d)(3), and Rule 4.05(b) 11:00 AM

New Q's Liquors and Tavern, Inc. t/a Q's Liquors License # LBD7 133
2521 E. Monument Street, Baltimore MD 21205 13th Councilmanic District (Sneed)

Attorney for Applicant: Peter Prevas

Alleged violation of Alc. Bev. Art. 12-2005(c)(3) when at approximately 11:11 p.m. on July 10, 2020 members of the BLLC visited the location to conduct a business check to determine if the establishment was in compliance with the limited hours of operation proscribed by HB954 that went into effect July 1, 2020 (9:00 a.m. – 10:00 p.m.). Upon arrival, the BLLC staff observed that the location was open and operating past 10:00 p.m.

Alleged violation of Alc. Bev. Art. 12-905(d)(3) when at approximately 11:11 p.m. on July 10, 2020 members of the BLLC visited the location to conduct a business check to determine if the establishment was in compliance with the limited hours of operation proscribed by HB954 that went into effect July 1, 2020 (9:00 a.m. – 10:00 p.m.). Upon arrival, the BLLC staff observed that the location was open and operating past 10:00 p.m.

Alleged violation of Rule 4.05(b) (Prohibited Hours) when at approximately 11:11 p.m. on July 10, 2020 members of the BLLC visited the location to conduct a business check to determine if the establishment was in compliance with the limited hours of operation proscribed by HB954 that went into effect July 1, 2020 (9:00 a.m. – 10:00 p.m.). Upon arrival, the BLLC staff observed that the location was open and operating past 10:00 p.m.

Corporate Standing: New Q's Liquors and Tavern, Inc. is an active Maryland corporation in good standing as of July 17, 2020.

Location Violation History: December 5, 2019 – Violation of Rule 4.01(a) (Sales to Minors) – Fined \$1,625
March 1, 2018 – Violation of Rule 4.01(a) (Sales to Minors) – Fined \$625

Witnesses: Miae Han – Licensee, Terri Chase – BLLC Inspector, Rosalba Jordan – BLLC Inspector, Andy Perez – BLLC Agent Inspector, Darryl Clark – BLLC Agent Inspector, John Chrissomallis – BLLC Chief Inspector, Senator Cory McCray – 45th Legislative District

Disposition: On August 4, 2020 Ms. Miae Han by and through her attorney, Mr. Peter Prevas Esq., ("Q's Liquor") appeared before the Board of Liquor License Commissioners for Baltimore City ("Board") at a virtual public hearing for violations of Alc. Bev. Art. 12-2005(c), Alc. Bev.

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Art. 12-905(d)(3), and Board Rule and Regulation 4.05(b). After reading the charges into the record, Mr. Prevas, on behalf of Q's Liquors, agreed to adopt the testimony, evidence, and arguments submitted to the Board (which included a Memorandum of Law) wherein the same charges were filed against another client of his - Myongnam, Inc., t/a M&M Lounge – whose hearing was also held on August 4, 2020. Upon receiving the consent of Mr. Prevas, the Board then dismissed the violation of Alc. Bev. Art 12-2005(c) and held sub curia violations of Alc. Bev. Art. 12-905(d)(3) and Board Rule and Regulation 4.05(b) pending a review of the Memorandum of Law which was submitted to the Board in the Myongnam, Inc., t/a M&M Lounge and was stipulated to be equally applicable to this case. On August 13, 2020, The Board has ordered that the licensee violated Alc. Bev. Art. 12-905(d)(3) and Rule 4.05(b) on July 11, 2020 and imposed a fine of \$650 and an administrative fee of \$125, both payable within 30 days.

Violations Docket – Violation of Rule 3.12

11:00 AM

Havana Management, Inc., t/a Little Havana
1325 Key Highway, Baltimore MD 21230

License # LBD7 107
11th Councilmanic District (Costello)

Attorney for Applicant: N/A

Alleged violation of Rule 3.12 (General Welfare) when at approximately 10:28 p.m. on May 29, 2020 members of the BLLC responded to a 311 complaint about loud music at the establishment. Upon arrival, the BLLC staff confirmed that there were mounted speakers on the exterior of the establishment and that loud music was playing, but there was no staff on the premises at the time the music continued to play and the violation could not be abated.

Corporate Standing: Havana Management, Inc. is an active Maryland corporation in good standing as of July 17, 2020.

Location Violation History:

Witnesses: Marc Gentile – Licensee, Andy Perez – BLLC Agent Inspector, Darryl Clark – BLLC Agent Inspector, John Chrissomallis – BLLC Chief Inspector

Disposition: The Board has found that the licensee violated Rule 3.12 on May 29, 2020 and imposed a fine of \$250 and an administrative fee of \$125, both payable within 30 days.

Violations Docket – Violation of Rule 3.12, Rule 4.14, Rule 3.12, Rule 4.14, Rule 3.12, Rule 4.14, and Rule 4.16

11:00 AM

El Rincon Toncaleno, t/a El Rincon Toncaleno
422-26 S. Macon Street, Baltimore MD 21224

License #
1st Councilmanic District (Cohen)

Attorney for Applicant: Peter Prevas

Alleged violation of Rule 3.12 (General Welfare) when at approximately 11:05 p.m. on February 13, 2020 members of the BLLC responded to a 311 complaint alleging loud music at the establishment. Upon inspection, the inspector observed the licensee singing into a microphone performing karaoke, which is a form of live entertainment, which is not stated on the establishment's license.

Alleged violation of Rule 4.14 (Live Entertainment without Authorization) when at approximately 11:05 p.m. on February 13, 2020 members of the BLLC responded to a 311 complaint alleging loud music at the establishment. Upon inspection, the inspector observed the licensee singing into a microphone performing karaoke, which is a form of live entertainment, which is not stated on the establishment's license.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 1:10 a.m. on February 15, 2020 members of the BLLC responded to a 311 complaint alleging loud music at the establishment. Upon inspection, the inspector observed loud music emanating from the establishment, which they believed to be a male speaking on the microphone to a cheering crowd. When asked for the manager, the inspector noticed the music was lowered, but the establishment did not have live entertainment on their license.

Alleged violation of Rule 4.14 (Live Entertainment without Authorization) when at approximately 1:10 a.m. on February 15, 2020 members of the BLLC responded to a 311 complaint alleging loud music at the establishment. Upon inspection, the inspector observed loud music emanating from the establishment, which they believed to be a male speaking on the microphone to a cheering crowd. When asked for the manager, the inspector noticed the music was lowered, but the establishment did not have live entertainment on their license.

Alleged violation of Rule 3.12 (General Welfare) when at approximately 11:47 p.m. on February 28, 2020 members of the BLLC responded to a 311 complaint alleging loud music at the establishment. Upon arrival, the inspector could hear excessively loud music emanating from the establishment. When the inspector entered the establishment, they observed a disc jockey that was spinning records and providing live entertainment, which is not stated on the establishment's license.

Alleged violation of Rule 4.14 (Live Entertainment without Authorization) when at approximately 11:47 p.m. on February 28, 2020 members of the BLLC responded to a 311 complaint alleging loud music at the establishment. Upon arrival, the inspector could hear excessively loud music emanating from the establishment. When the inspector entered the establishment, they observed a disc jockey that was spinning records and providing live entertainment, which is not stated on the establishment's license.

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 12:54 a.m. on July 11, 2020 members of the BLLC responded to a 311 complaint alleging loud music and littering on the exterior of the establishment. Upon inspection, the BLLC inspectors could not substantiate any of the allegations made on the exterior of the property. However, upon entering the establishment to complete an inspection, the inspectors observed several COVID-19 infractions, including a patron population that exceeded 50% of the establishment's maximum capacity.

Corporate Standing: El Rincon T is an active Maryland corporation in good standing as of July 17, 2020.

Location Violation History: April 18, 2019 – Protest of Renewal – Board voted to renew

December 6, 2018 – Violation of Rule 3.12 (General Welfare) and Rule 4.16 (Illegal Conduct) – Fined \$2,125

October 11, 2018 – Violation of Rule 4.01(a) (Sales to Minors) and Rule 3.03(c) (Employee Records) – Fined \$1,325

May 24, 2018 – Violation of Rule 4.01(a) (Sales to Minors) – Fined \$375

Witnesses: Marilyn Munoz – Licensee, Darryl Clark – BLLC Agent Inspector, Andy Perez – BLLC Agent Inspector, John Chrissomallis – BLLC Chief Inspector, Rosalba Jordan – BLLC Inspector, Terri Chase – BLLC Inspector

Disposition: The Board dismissed Rule 3.12 and Rule 4.14 on February 13, 2020 and has found that the licensee violated Rule 3.12 and Rule 4.14 on February 13, 2020, Rule 3.12 3.12 and Rule 4.14 on February 28, 2020, and Rule 4.16 on July 11, 2020 and imposed a fine of \$660 and an administrative fee of \$125, both payable within 30 days.