

BALTIMORE CITY BOARD OF LIQUOR LICENSE COMMISSIONERS

HEARING DISPOSITIONS

**THURSDAY, DECEMBER 6, 2018
100 N. HOLLIDAY STREET, ROOM 215
BALTIMORE, MD 21202**

**Albert Matricciani, Jr., Chairperson
Aaron Greenfield, Commissioner
Elizabeth A. Hafey, Commissioner**

Protest of Renewal – Remanded back to BLLC 11:00 AM

Fireball Entertainment, Inc., t/a The Big Easy Cabaret License # LD 022 (2014)
2000 Eastern Avenue, Baltimore MD 21231 1st Councilmanic District (Cohen)

Attorney for Applicant: Peter Prevas

Remanded to the Circuit Court of Baltimore City as per an order by the Court of Special Appeals, dated September 27, 2017 with instructions to vacate the order of the Board of Liquor License Commissioners for Baltimore City and to remand to the Board of Liquor License Commissioners for Baltimore City to make specific findings of facts and a decision regarding the protest of renewal of the establishment’s Class “D” Beer, Wine & Liquor License.

Corporate Standing: Fireball Entertainment, Inc. is an active Maryland corporation not in good standing as of October 18, 2018.

Location Violation History: April 30, 2015 – Protest of Renewal – Voted not to renew (Appeal filed; Circuit court affirmed Board’s decision regarding the Class “AE” Adult Entertainment License)
November 20, 2014 – Violation of Rule 3.12 (Public Welfare) and Rule 3.02 (Cooperation) – Fined \$2,125 and suspended 2 months (Appeal filed; fine reduced to \$625)

Witnesses: Peter Prevas – Attorney, Becky Witt – Attorney for Community

Disposition: The Board has decided to not confirm the decision that was previously decided by the Board in 2015 by a 2-1 vote. (Matricciani & Hafey – not to confirm, Greenfield – to confirm) The Class “D” Beer, Wine & Liquor License may be renewed to be transferred and moved to a different location.

Violations Docket – Remanded back to BLLC 11:00 AM

The Sobo Taco Spot, LLC, t/a Banditos License # LBD7 086
1118 S. Charles Street, Unit 101, Baltimore MD 21230 11th Councilmanic District (Costello)

Attorney for Applicant: Peter Prevas

Reversed and remanded to the Board of Liquor License Commissioners of Baltimore City for further findings of fact and conclusions of law and for further articulation of the

evidence it relied upon to support its finding that petitioners “failed to control the incident” and thus violated Liquor Board Rules 3.14 (General Welfare), and 4.16 (Illegal Conduct).

Corporate Standing: The Sobo Taco Spot, LLC is an active Maryland corporation in good standing as of October 18, 2018.

Location Violation History: July 20, 2017 – Violation of Rule 3.12 (General Welfare), Rule 4.16 (Illegal Conduct), and Rule 3.02 (Cooperation – Dismissed) – Fined \$6,000 and suspended 14 days (Reconsideration filed – Fined reduced to \$1,125, suspension held; Appeal filed)
August 7, 2014 – Violation of Rule 4.05(a) (Prohibited Hours) – Fined \$625

Witnesses: Peter Prevas – Attorney, Andrew Dunlap – Licensee, Michael White – Licensee

Disposition: The Board has decided to confirm the decision that was previously decided by the Board in 2017 by a 3-0 vote. The remaining 6 days of the suspension was dismissed, but the fine previously assessed of \$1,125 is to be paid.

Regular Item – Application to Transfer Ownership

11:00 AM

Higgy’s, LLC, t/a Higgy’s

License # LBD7 417

1184 Cleveland Street, Baltimore MD 21230

10th Councilmanic District (Reisinger)

Attorney for Applicant: Peter Prevas

Application to transfer ownership of a Class “BD7” Beer, Wine & Liquor License to Donald Higdon, Anthony Scardina, Jr., and Anthony Scardina, III.

Public Notice of Transfer: Establishment was posted on June 26, 2017 and checked on July 6, 2017 thus meeting the 10-day posting rule. Two letters of support and three letters of opposition were received.

Corporate Standing: Higgy’s, LLC is an active Maryland corporation in good standing as of November 20, 2018.

Violations History: None since 2006.

Witnesses: N/A

Disposition: This matter has been postponed for a future hearing date.

Regular Item – Application for New Class “B” License

11:00 AM

Olivia, Inc., t/a Los Amigos Restaurant

License # N/A (new)

5506 Harford Road, Baltimore MD 21214

3rd Councilmanic District (Dorsey)

Attorney for Applicant: Melvin Kodenski

Application for a new Class “B” Beer, Wine & Liquor restaurant license requesting live entertainment and outdoor table service to Rosa Feria and Silvia Garcia.

Public Notice of Transfer: Establishment was posted on August 24, 2018 and checked on September 4, 2018 thus meeting the 10-day posting rule. No letters of opposition or support were received by the Board at this time.

Corporate Standing: Olivia, Inc. is an active Maryland corporation in good standing as of November 20, 2018.

Location Violation History: N/A; new license.

Witnesses: N/A

Disposition: This matter has been postponed for a future hearing date.

Regular Item – Application to Transfer Ownership

11:00 AM

D's Sport Bar, LLC, t/a Doug's Sport Bar
45 N. Kresson Street, Baltimore MD 21224

License # LD 048
2nd Councilmanic District (Scott)

Attorney for Applicant: David Mister

Application to transfer ownership of a Class "D" Beer, Wine & Liquor License to Derek Young and Cheryl Hicks.

Public Notice of Transfer: Establishment was posted on October 31, 2018 and checked on November 9, 2018 thus meeting the 10-day posting rule. No letters of opposition or support were received by the Board at this time.

Corporate Standing: D's Sport Bar, LLC is an active Maryland corporation in good standing as of November 20, 2018.

Location Violation History: July 13, 2017 – Violation of Rule 4.05(a) (Prohibited Hours), Rule 4.05(b) (Prohibited Hours), and Rule 3.03(c) (Records) – Fined \$2,125 and suspended 14 days.
September 1, 2016 - Violation of Rule 4.05(a) (Prohibited Hours), Rule 4.05(b) (Prohibited Hours), Rule 3.03(c) (Records), and Rule 3.01 (Ownership and Operation) – Fined \$1,125 and suspended 4 days

Witnesses: David Mister – Attorney, Derek Young – Applicant, Cheryl Hicks – Applicant

Disposition: The Board has approved the transfer of the license to the applicant(s) by a 3-0 vote.

Regular Item – Request for a 180 Day Hardship Extension

11:00 AM

Life of Reilly, Inc., t/a Life of Reilly Irish Pub & Restaurant
2031 E. Fairmount Avenue, Baltimore MD 21231

License # LB 098
13th Councilmanic District (Sneed)

Attorney for Applicant: N/A

Request for a 180 day hardship extension by Joseph Healy and Niall O'Donnell.

Public Notice of Transfer: N/A

Corporate Standing: Life of Reilly, Inc. is an active Maryland corporation not in good standing as of November 20, 2018.

Location Violation History: None since 2008.

Witnesses: Joseph Healy – Licensee, Councilwoman Shannon Sneed – 13th District (in support)

Disposition: The Board has approved the request of a 180 day hardship extension to the licensee(s) by a 3-0 vote.

Violations Docket – Violation of Labor and Employment Article §9-1012 1:00 PM

Anyado Group, LLC, t/a Oxygen Lounge
10 S. Calvert Street, Baltimore MD 21202

License # LB 035
11th Councilmanic District (Costello)

Attorney for Applicant: Melvin Kodenski

Alleged violation of Labor and Employment Article §9-1012 (Suspension of License or Permit) when on April 26, 2018 members of the Workers Compensation Commissioner found that “Anyado Group, LLC” t/a Oxygen Lounge was liable for payment that arose due to an employee’s work related injury that incurred on January 28, 2017 while employed at the establishment. As a result of this finding, the licensee was ordered to make payment to reimburse the Uninsured Employer’s Fund in a timely manner. Failure to pay a penalty under §9-407 of the Labor and Employment Article requires the local licensing authority to automatically suspend the establishment’s license under the Code before the Board.

Corporate Standing: Anyado Group, LLC is an active Maryland corporation in good standing as of September 18, 2018.

Location Violation History: None since 2015.

Witnesses: Melvin Kodenski – Attorney, Maria Nacos-Saxon – Maryland Uninsured Employee Fund, Christopher Nwaeze – Licensee

Disposition: The Board has found that the licensee violated Labor and Employment Article §9-1012 on April 26, 2018. Due to an agreement between the Licensee and Maryland Uninsured Employee Fund, the case was dismissed with no fine assessed.

**Violations Docket – Violation of Rule AB Rule 4.07(a), AB Rule 3.12, 1:00 PM
AE Rule 3.05(a), and AE Rule 3.18**

Chez Joey, LLC, t/a Chez Joey
415 E. Baltimore Street, Baltimore MD 21202

License # LBD7 039/AE 019
11th Councilmanic District (Costello)

Attorney for Applicant: Melvin Kodenski

Alleged violation of AB Rule 4.07(a) (Open Containers and Illegal Possession and Consumption of Alcoholic Beverages Illegal Conduct) when at approximately 1:50 a.m. on November 3, 2018 a member of the Baltimore City Police Department was conducting patrol when the officer witnessed an incident occur in front of the establishment. When the officer approached the establishment, a patron was exiting the establishment with a bottle in his hand, and attach another patron with the bottle causing a laceration on their forehead.

Alleged violation of AB Rule 3.12 (General Welfare) when at approximately 1:50 a.m. on November 3, 2018 a member of the Baltimore City Police Department was conducting patrol when the officer witnessed an incident occur in front of the establishment. When the officer approached the establishment, a patron was exiting the establishment with a bottle in his hand, and attach another patron with the bottle causing a laceration on their forehead.

Alleged violation of AE Rule 3.05(a) (Incorporation of Liquor License Rules and Regulations to Applicable Licensees) when at approximately 1:50 a.m. on November 3, 2018 a member of the Baltimore City Police Department was conducting patrol when the officer witnessed an incident occur in front of the establishment. When the officer approached the establishment, a patron was exiting the establishment with a bottle in his hand, and attach another patron with the bottle causing a laceration on their forehead.

Alleged violation of AE Rule 3.18 (Illegal Conduct and Codes Compliance) when at approximately 1:50 a.m. on November 3, 2018 a member of the Baltimore City Police Department was conducting patrol when the officer witnessed an incident occur in front of the establishment. When the officer approached the establishment, a patron was exiting the establishment with a bottle in his hand, and attach another patron with the bottle causing a laceration on their forehead.

Corporate Standing: Chez Joey, LLC is an active Maryland corporation in good standing as of November 18, 2018.

Location Violation History: June 23, 2016 – Violation of AB Rule 4.01(a) (Sales to Minor) and AE Rule 3.05(a) (Incorporation of Liquor License Rules & Regulations to Applicable Licensees) – Fined \$275

Witnesses: N/A

Disposition: This matter has been postponed for a future hearing date.

Violations Docket – Violation of Rule 4.01(a)

1:00 PM

Saruni, Inc., t/a Fireside North

License # LBD7 424

2201 W. North Avenue, Baltimore MD 21216

7th Councilmanic District (Pinkett)

Attorney for Applicant: Peter Prevas

Alleged violation of Rule 4.01(a) (Sales to Minor) when at approximately 10:15 p.m. on September 25, 2018 members of the Baltimore City Police Department & BLLC Inspectors conducted a random, joint investigation of selling alcohol to minors. An undercover, underage Baltimore City Police Cadet entered the establishment and was served the alcoholic beverages they ordered.

Corporate Standing: Saruni, Inc. is an active Maryland corporation in good standing as of November 18, 2018.

Location Violation History: November 8, 2018 – Violation of Rule 4.20(c)(ii) (Class BD7 Licensees: Open and Operating at all Times) – Fined \$625

Witnesses: Peter Prevas – Attorney, Ruchirabahen Parikh – Licensee, Detective Greenhill – Baltimore City Police Officer, Cadet Dickerson – Baltimore City Police Cadet, John Chrissomallis – BLLC Agent Inspector, Steven Han – BLLC Inspector, Andy Perez – BLLC Inspector, Dr. Marvin “Doc” Cheatham – President of Matthew Henson Community Association

Disposition: The Board has found that the licensee violated Rule 4.01(a) on September 25, 2018 and imposed a fine of \$1,500 and an administrative fee of \$125, both payable within 30 days.

**Violations Docket – Violation of Alc. Bev. Art. § 12-2102(c),
Rule 4.15(b), and Rule 4.10**

1:00 PM

Island House, Inc., t/a Island House Bar & Grill
4330 E. Lombard Street, Baltimore MD 21224

License # LBD7 345
2nd Councilmanic District (Scott)

Attorney for Applicant: Peter Prevas

Alleged violation of Alc. Bev. Art. § 12-2102(c) (Nudity and Sexual Displays) when at approximately 9:45 p.m. on November 11, 2018 members of the Baltimore City Police Department & BLLC Inspectors conducted a joint investigation due to a complaint regarding adult male strippers were providing adult entertainment at this location. Upon arrival, an undercover BLLC Inspector made their way inside the establishment after paying the cover charge. Once inside, they observed male dancers performing simulated sexual acts on female patrons. The manager on duty was informed that they could not provide adult entertainment without a proper license.

Alleged violation of Rule 4.15(b) (Sexual Practices and Obscenity) when at approximately 9:45 p.m. on November 11, 2018 members of the Baltimore City Police Department & BLLC Inspectors conducted a joint investigation due to a complaint regarding adult male strippers were providing adult entertainment at this location. Upon arrival, an undercover BLLC Inspector made their way inside the establishment after paying the cover charge. Once inside, they observed male dancers performing simulated sexual acts on female patrons. The manager on duty was informed that they could not provide adult entertainment without a proper license.

Alleged violation of Rule 4.10 (False Statements) when at approximately 9:45 p.m. on November 11, 2018 members of the Baltimore City Police Department & BLLC Inspectors conducted a joint investigation due to a complaint regarding adult male strippers were providing adult entertainment at this location. Upon arrival, an undercover BLLC Inspector made their way inside the establishment after paying the cover charge. Once inside, they observed male dancers performing simulated sexual acts on female patrons. The manager on duty was informed that they could not provide adult entertainment without a proper license. When questioned if this event was a private or public event, the manager stated it was private, that patrons were invited or had a pre-paid ticket in advance. However, the undercover inspector was neither invited or had purchased a pre-paid ticket in advance.

Corporate Standing: Island House, Inc. is an active Maryland corporation not in good standing as of November 18, 2018.

Location Violation History: August 30, 2018 – Violation of Rule 4.01(a) (Sales to Minors – Dismissed) and Rule 4.16 (Illegal Conduct) – Fined \$225

Witnesses: Peter Prevas – Attorney, Clint Spencer – Manager (Applicant for Transfer), Detective Gatto – Baltimore City Police Officer, Terri Chase – BLLC Inspector, John Chrissomallis – BLLC Agent Inspector

Disposition: The Board has found that the licensee violated Alc. Bev. Art. § 12-2102(c), Rule 4.15(b), and Rule 4.10 on November 11, 2018 and imposed a fine of \$1,500 and an administrative fee of \$125, both payable within 30 days.

Violations Docket – Violation of Rule 3.12 and Rule 4.16

1:00 PM

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

License # LB 161
1st Councilmanic District (Cohen)

Attorney for Applicant: N/A

Alleged violation of Rule 3.12 (General Welfare) when at approximately 11:00 p.m. on October 27, 2018 members of the BLLC responded to a 311 Complaint alleging loud music at the establishment. The Inspector observed the establishment in a covert location and could hear loud music emanating from the establishment for several minutes. After discussing the matter with the manager on duty, the volume of the music was lowered.

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 11:00 p.m. on October 27, 2018 members of the BLLC responded to a 311 Complaint alleging loud music at the establishment. The Inspector observed the establishment in a covert location and could hear loud music emanating from the establishment for several minutes. After discussing the matter with the manager on duty, the volume of the music was lowered.

Corporate Standing: El Rincon Troncaleno, LLC is an active Maryland corporation in good standing as of November 19, 2018.

Location Violation History: October 11, 2018 – Violation of Rule 4.01(a) (Sales to Minor) and Rule 3.03(c) (Records) – Fined \$3,125
May 24, 2018 – Violation of Rule 4.01(a) (Sales to Minor) – Fined \$375
June 23, 2016 – Violation of Rule 4.01(a) (Sales to Minors) – Fined \$625

Witnesses: Jacson Munoz – Licensee, Mark Fosler – BLLC Chief Inspector

Disposition: The Board has found that the licensee violated Rule 3.12 and Rule 4.16 on October 27, 2018 and imposed a fine of \$2,000 and an administrative fee of \$125, both payable within 30 days.