

BALTIMORE CITY BOARD OF LIQUOR LICENSE COMMISSIONERS

HEARING DISPOSITIONS

**THURSDAY, OCTOBER 19, 2017
100 N. HOLLIDAY STREET, ROOM 215
BALTIMORE, MD 21202**

**Albert Matricciani, Jr., Chairperson
Aaron Greenfield, Commissioner
Dana P. Moore, Commissioner**

Regular Item – Application for New Class “B” License 11:00 AM

The Barbecue, LLC, t/a The BBQ Baltimore License # N/A (new)
2602 Greenmount Avenue, Baltimore MD 21218 12th Councilmanic District (Stokes)

Attorney for Applicant: N/A

Application for a new Class “B” Beer, Wine & Liquor restaurant license with outdoor table service and off-premise catering to Maurice Bradford, Sr. and Arielle Landrum.

Public Notice of Transfer: Establishment was posted on September 18, 2017 and checked on September 27, 2017 thus meeting the 10-day posting rule. No letters of opposition or support were received by the Board at this time.

Corporate Standing: The Barbecue, LLC is an active Maryland corporation in good standing as of September 27, 2017.

Violations History: N/A; new license.

Witnesses: Maurice Bradford, Sr. – Applicant, Rev. Eric Lee – Strong City Baltimore Director, Robert Stokes – 12th District Councilman (in support), Mark Fosler – BLLC Chief Inspector

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

Regular Item – Application to Transfer Ownership 11:00 AM

Joey Bee, LLC, t/a Ebony Towne Store License # LA 192
1801 W. North Avenue, Baltimore MD 21217 7th Councilmanic District (Pinkett)

Attorney for Applicant: Gary Maslan

Application to transfer ownership of a Class “A” Beer, Wine & Liquor License to Dana Evans, Jacqueline Patterson, and Sang M. Pak.

Public Notice of Transfer: Establishment was posted on September 11, 2017 and checked on September 18, 2017 thus meeting the 10-day posting rule. No letters of opposition or support were received by the Board at this time.

Corporate Standing: Joey Bee, LLC is an active Maryland corporation in good standing as of September 27, 2017.

Violations History: August 7, 2014 – Violation of Rule 4.01(a) (Sales to Minors) – Fined \$625

Witnesses: Gary Maslan – Attorney, Timothy Sutton – Co-Council, Dana Evans – Applicant, Jacqueline Patterson – Applicant, Sang M. Pak – Applicant, Rev. Keith Bailey – President of Fulton Heights Association

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

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 was received.

Corporate Standing: Higgy’s, LLC is an active Maryland corporation in good standing as of July 20, 2017.

Violations History: None since 2006.

Witnesses: Peter Prevas – Attorney, Donald Higdon – Applicant, Anthony Scardina, Jr. – Applicant, Anthony Scardina, III – Applicant, Mark Fosler – BLLC Chief Inspector, Sherry Scible – Citizens of Pigtown Member/Neighbor

Disposition: The Board has postponed this matter until November 2, 2017 to determine validity of the license.

Regular Item – Application to Transfer Ownership

11:00 AM

Gay Holdings, LLC, t/a GAY

License # LB 136

518 N. Charles Street, Baltimore MD 21201

11th Councilmanic District (Costello)

Attorney for Applicant: Abraham Hurdle

Application to transfer ownership of a Class “B” Beer, Wine & Liquor License with continuation of live entertainment and requesting outdoor table service to Joshua Persing and Scott Farrell.

Public Notice of Transfer: Establishment was posted on August 7, 2017 and checked on August 16, 2017 thus meeting the 10-day posting rule. One letter of opposition was received. There were no letters of communication supporting the transfer.

Corporate Standing: Gay Holdings, LLC is an active Maryland corporation in good standing as of September 13, 2017.

Violations History: None.

Witnesses: Abraham Hurdle – Attorney

Disposition: The applicants have withdrawn their application for transfer.

Regular Item – Request to Add Off-Sale Privilege of Beer, Wine & Liquor

11:00 AM

Management, Inc., t/a Patapsco Flea Market

License # LBAL 003

3301 Annapolis Road, Baltimore MD 21230

10th Councilmanic District (Reisinger)

Attorney for Applicant: Steven Greenwald

Request to add off-sale privilege of beer, wine & liquor by Joseph Brzuchalski.

Public Notice of Transfer: Establishment was posted on August 21, 2017 and checked on September 5, 2017 thus meeting the 10-day posting rule. Two letters of support was received. There were no letters of communication opposing the transfer.

Corporate Standing: Management, Inc. is an active Maryland corporation in good standing as of August 29, 2017.

Violations History: None.

Witnesses: Steven Greenwald – Attorney, Karrie Campbell-Garrett – Co-Council, Joseph Brzuchalski – Licensee, Abraham Hurdle – Attorney for Lakewood Community Association, Frank Shaulis – Co-Council, Pamela Oliver – Lakeland Community Association Member – Edward Reisinger – 10th District Councilman

Disposition: The Board has approved the request to add off-sale privilege of beer, wine & liquor to the license to the applicant(s) by a 3-0 vote.

Regular Item – Request for a 180 Day Hardship Extension

1:00 PM

Juan Portillo, LLC, t/a Santa Clara

License # LBD7 380

529 S. Bond Street, Baltimore MD 21231

1st Councilmanic District (Cohen)

Attorney for Applicant: Melvin Kodenski

Request for 180 day hardship extension by Juan Portillo.

Public Notice of Transfer: N/A

Corporate Standing: Juan Portillo is an active Maryland corporation not in good standing as of October 4, 2017.

Violations History: March 3, 2016 – Violation of Rule 3.12 (Public Welfare) and Rule 4.16 (Illegal Conduct) – Fined \$375

Witnesses: Melvin Kodenski – Attorney

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

Violations Docket – Violation of Rule 4.20(c)(ii)

1:00 PM

542 N. Luzerne, Inc., t/a Club Luzerne

License # LBD7 217

542 N. Luzerne Avenue, Baltimore MD 21205

13th Councilmanic District (Sneed)

Attorney for Applicant: Melvin Kodenski

Alleged violation of Rule 4.20(c)(ii) (Class BD7 Licenses: Open and Operating at all Times) when at approximately 9:25 p.m. on June 29, 2017 members of the BLLC and Baltimore City Police Department's Vice Unit conducted an undercover investigation when members of the BCPD were denied access to the tavern portion of the premise.

Corporate Standing: 542 N. Luzerne, Inc. is an active Maryland corporation in good standing as of September 29, 2017.

Violations History: None since 2011.

Witnesses: Melvin Kodenski – Attorney, Michael Baldwin – Licensee, Mehari Mengistab – Licensee, John Chrissomallis – BLLC Agent Inspector, Andy Perez – BLLC Inspector, Detective Gatto – Baltimore City Police Officer

Disposition: The Board has found that the licensee violated Rule 4.20(c)(ii) on June 29, 2017 and imposed a fine of \$250 and an administrative fee of \$125, both payable within 30 days.

Violations Docket – Violation of Rule 4.20(c)(ii)

1:00 PM

Wehazit, Inc., t/a Opposite Sidewalk Saloon
132 S. Carey Street, Baltimore MD 21223

License # LBD7 068
9th Councilmanic District (Bullock)

Attorney for Applicant: Peter Prevas

Alleged violation of Rule 4.20(c)(ii) (Class BD7 Licensees: Open and Operating Tavern at all Times) when at approximately 12:15 a.m. on May 18, 2017 members of the BLLC and Baltimore City Police Department conducted an undercover investigation to see if they could gain access to the tavern portion of the establishment. When officers went into the establishment, they could not enter the tavern portion, that is was currently closed.

Corporate Standing: Wehazit, Inc. is an active Maryland corporation in good standing as of September 18, 2017.

Violations History: February 26, 2015 – Violation of Rule 5.03 (BD7) and Rule 3.06 (Sanitation and Safety) – Fined \$1,375

Witnesses: Peter Prevas – Attorney, Aklilu Gebre – Licensee, Yosief Tesfazion – Licensee, Efrem Gebreyesus – Cashier, Andy Perez – BLLC Inspector, Detective Greenhill – Baltimore City Police Officer

Disposition: The Board has found that the licensee violated Rule 4.20(c)(ii) on May 18, 2017 and imposed a fine of \$250 and an administrative fee of \$125, both payable within 30 days.

Violations Docket – Violation of Rule 4.14(a)

1:00 PM

Sole Proprietorship, t/a Dimitri's Tavern
3820 Falls Road, Baltimore MD 21211

License # LBD7 081
7th Councilmanic District (Pinkett)

Attorney for Applicant: N/A

Alleged violation of Rule 4.14(a) (Live Entertainment without Authorization) when at approximately 9:38 p.m. on June 2, 2017 members of the Department of Housing, Community Development, and the BLLC conducted an investigation of this establishment when they observed a live DJ on the premises playing music over an amplified system with speakers.

Corporate Standing: N/A

Violations History: None since 1998.

Witnesses: Licensees – FTA, John Chrissomallis – BLLC Agent Inspector, Detective Greenhill – Baltimore City Police Officer

Disposition: The Board has found that the licensee violated Rule 4.14(a) on June 2, 2017 and imposed a fine of \$150 and an administrative fee of \$125, both payable within 30 days. Licensees must apply to add live entertainment on their license.

Violations Docket – Violation of Rule 4.08(a)

1:00 PM

La Rumba, LLC, t/a La Rumba

License #

1650-54 E. Pratt Street, Baltimore MD 21231

12th Councilmanic District (Stokes)

Attorney for Applicant:

Alleged violation of Rule 4.08(a) (Relations with Wholesalers) when at approximately 10:30 p.m. on July 8, 2017 members of the BLLC were on duty when they observed individuals loading cases of beer into the establishment from a private car. Upon entering the establishment, the BLLC Inspector asked for a copy of the invoice for the purchase of the beer, which was from a local retail establishment and not a wholesaler.

Corporate Standing: La Rumba, LLC is an active Maryland corporation not in good standing as of September 29, 2017.

Violations History: August 11, 2016 – Violation of Rule 3.12 (General Welfare) – Fined \$1,625 and suspended 10 days.

July 14, 2016 – Violation of Rule 3.15 (General Welfare) – Fined \$625 and suspended 5 days.

March 10, 2016 – Violation of 3.09(b) (Rest Room Facilities and Health Regulations), Rule 3.02 (Cooperation), Rule 3.12 (Public Welfare), and Rule 4.16 (Illegal Conduct) – Fined \$2,125 and suspended 60 days.

September 24, 2015 – Violation of Rule 3.05 (Lighting), Rule 3.06 (Sanitation and Safety), Rule 3.07, (Restroom Facilities) and Rule 4.18 (Illegal Conduct) – Fined \$750

Witnesses: Richard Hackerman – Attorney, Nicholas Ramos – Manager, John Chrissomallis – BLLC Agent Inspector

Disposition: The Board has found that the licensee violated Rule 4.08(a) on July 8, 2017 and imposed a fine of \$3,000 and an administrative fee of \$125, both payable within 30 days. The Board also voted to suspend the license for 14 days, commencing immediately.

Violations Docket – Violation of Alc. Bev. Art § 12-1604(c)(3) and Rule 4.16

1:00 PM

Pull The Trigger, LLC, t/a Wayward Southern Bar and Kitchen

License # LB 223

1117-21 S. Charles Street, Baltimore MD 21230

11th Councilmanic District (Costello)

Attorney for Applicant: N/A

Alleged violation of Alc. Bev. Art § 12-1604(c)(3) (51% Food Receipts Requirement for Class B Licensees in the 46th Legislative District) when at approximately 4:00 p.m. on September 29, 2017 members of the BLLC conducted a review of the 46th District Annual

Food Sales affidavit and observed that average food receipts for the 2016-2017 license year were approximately 20%.

Alleged violation of Rule 4.16 (Illegal Conduct) when at approximately 4:00 p.m. on September 29, 2017 members of the BLLC conducted a review of the 46th District Annual Food Sales affidavit and observed that average food receipts for the 2016-2017 license year were approximately 20%.

Corporate Standing: Pull The Trigger, LLC is an active Maryland corporation in good standing as of September 29, 2017.

Violations History: None since 2009.

Witnesses: N/A

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