

IN THE MATTER OF THE * BEFORE THE ALCOHOLIC
APPLICATION OF KATHERINE DIANE *
SOROTA AND KUM CHA LEE ON * BEVERAGE HEARING BOARD
BEHALF OF YETNAL HOUSE, LLC, t/a *
YETNAL H AGAIN, FOR A RESIDENT * FOR
AGENT CHANGE ON THE CLASS B *
BEER, WINE, AND LIQUOR 7-DAY ON- * HOWARD COUNTY, MARYLAND
SALE LICENSE *
* Case No.:15-16

DECISION AND ORDER

The Board of License Commissioners for Howard County, Maryland (the “Liquor Board”), pursuant to Rule 1.02(A) of the Liquor Board Rules and Regulations, has delegated the authority to hear and decide cases to the Alcoholic Beverage Hearing Board for Howard County, Maryland (the “Hearing Board”).

On April 14, 2015, the Hearing Board heard the application of Katherine Diane Sorota and Kum Cha Lee (“Applicants”), on behalf of Yetnal House, LLC, t/a Yetnal H Again, (“Yetnal House, LLC”), for a resident agent change from Woo Chang Lee to Katherine Diane Sorota, on the Class B Beer, Wine, and Liquor 7-day on-sale license, currently held by Woo Chang Lee and Kum Cha Lee, for a 2,400 square foot restaurant located at 10194 Baltimore National Pike, Suites 5 and 6, Ellicott City, Maryland 21042. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicants were represented by Sang W. Oh, Esquire. There were no Protestants who appeared in opposition to the application.

All the documents on file were incorporated into the record by reference. These include the following: a letter dated January 23, 2015, from the Applicants’ attorney enclosing the application; an Adopted Resolution for Yetnal House, LLC; a copy of the background

investigation questionnaire from Katherine Diane Sorota; a receipt for the fingerprinting of Katherine Diane Sorota from the Criminal Justice Information System – Central Repository; a copy of the background investigation questionnaire from Kum Cha Lee, and a copy of her United States Passport; a copy of the certification of the A.C.E. Alcohol Awareness Program for Kum Cha Lee; a memorandum dated March 18, 2015, from the Liquor Board to the Alcoholic Beverage Inspector, the Department of Inspections, Licenses, and Permits, the Bureau of Environmental Health, and the Department of Planning and Zoning; the background investigations of the Applicants by the Alcoholic Beverage Inspector dated April 1, 2015; a memorandum dated March 18, 2015, from the Department of Planning and Zoning; a memorandum dated April 9, 2015, from the Bureau of Environmental Health; a letter dated April 7, 2015, from the Howard County Department of Fire and Rescue Services; a letter dated March 18, 2015, to the Department of Finance; a letter dated April 2, 2015, from the Department of Finance; a letter dated March 18, 2015, to the Comptroller of Maryland; a letter dated April 14, 2015, from the Comptroller of Maryland; a fax to the Applicants’ attorney enclosing a letter dated March 18, 2015, with notification of the hearing date and the necessity to advertise; an email dated March 30, 2015, from the Alcoholic Beverage Inspector stating the premises had been posted; and certification of advertisement from Patuxent Publishing and The Washington Post.

SUMMARY OF TESTIMONY

Sang Oh, Applicants’ attorney, stated that there was a discrepancy regarding taxes. Mr. Oh stated that all taxes have been paid, and that they are attempting to resolve the discrepancy.

Katherine Diane Sorota, 10% shareholder of Yetnal House, LLC, was sworn and testified that she has lived in Howard County since 2003, that she is a registered voter, and that

she is alcohol awareness certified. Ms. Sorota testified that she has also been the resident agent for Bippy's, the restaurant next door to Yetnal House, since 2006. Ms. Sorota testified that the owner of Bippy's and Yetnal H Again asked her to also be the resident agent for Yetnal H Again. Ms. Sorota testified that while she has been the resident agent for Bippy's, there have not been any violations.

Ms. Sorota testified that she is familiar with the Rules and Regulations governing the sale of alcoholic beverages, and that she understands her responsibility as a resident agent. Ms. Sorota testified that she will stop in at the restaurant approximately one time per week, unannounced, and will ask to see their records. Ms. Sorota testified that she and the owner of Yetnal H Again have a good working relationship.

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicants waived the right to request the Liquor Board to hear the case.

FINDINGS OF FACT

1. The Hearing Board finds that Katherine Diane Sorota and Kum Cha Lee on behalf of Yetnal House, LLC, t/a Yetnal H Again, have applied for a resident agent change from Woo Chang Lee to Katherine Diane Sorota, on the Class B Beer, Wine, and Liquor 7-day on-sale license currently held by Woo Chang Lee and Kum Cha Lee, for a 2,400 square foot restaurant located at 10194 Baltimore National Pike, Suites 5 and 6, Ellicott City, Maryland 21042.

2. The Hearing Board finds that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board finds that Katherine Diane Sorota has been a Howard County resident for more than two years, is a registered voter, and a 10% shareholder of Yetnal House, LLC, t/a Yetnal H Again.

4. The Hearing Board finds that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board finds that the granting of this application will not unduly disturb the peace and safety of the residents in the neighborhood.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Katherine Diane Sorota and Kum Cha Lee on behalf of Yetnal House, LLC, t/a Yetnal H Again, have applied for a resident agent change from Woo Chang Lee to Katherine Diane Sorota, on the Class B Beer, Wine, and Liquor 7-day on-sale license currently held by Woo Chang Lee and Kum Cha Lee, for a 2,400 square foot restaurant located at 10194 Baltimore National Pike, Suites 5 and 6, Ellicott City, Maryland 21042.

2. The Hearing Board concludes that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board concludes that Katherine Diane Sorota meets the requirements of Rules 1.09(T), 1.09(U), 2.06, and 2.10 of the Liquor Board Rules and Regulations concerning resident agent qualifications.

4. The Hearing Board concludes that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board concludes that the granting of the application will not unduly disturb the peace and safety of the residents in the neighborhood.

ORDER

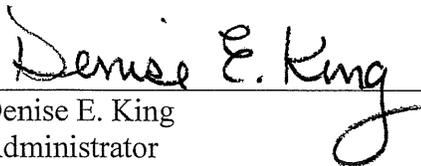
For the foregoing reasons, it is this 19th day of May, 2015, by the Alcoholic Beverage Hearing Board of Howard County, Maryland **ORDERED** that the application of Katherine Diane Sorota and Kum Cha Lee on behalf of Yetnal House, LLC, t/a Yetnal H Again, for a resident agent change from Woo Chang Lee to Katherine Diane Sorota, on the Class B Beer, Wine, and Liquor 7-day on-sale license currently held by Woo Chang Lee and Kum Cha Lee, for a 2,400 square foot restaurant located at 10194 Baltimore National Pike, Ellicott City, Suites 5 and 6, Maryland 21042, be and the same is hereby **GRANTED** subject to the following conditions:

1. That this **PROPOSED DECISION AND ORDER** shall become final when the Applicants obtain the license and comply with the following conditions:

- (a) That the Applicants provide documentary evidence of the payment of all outstanding State and local taxes; and
- (b) Comply with all State and County rules and regulations; and
- (c) Failure to comply with these conditions and obtain the license by May 30, 2015, shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



Denise E. King
Administrator



Mary Bird, Chairperson



Harry Evans, III, Vice-Chairperson

REVIEWED BY HOWARD COUNTY
OFFICE OF LAW
MARGARET ANN NOLAN
COUNTY SOLICITOR

Charles C. Feaga, Member

ABSENT
Heather Gaetano, Member



Lewis Taylor, Esquire
Assistant County Solicitor



Charley C. Sung, Member