

PETITION TO FINE, SUSPEND, OR	*	BEFORE THE ALCOHOLIC
REVOKE THE ALCOHOLIC	*	
BEVERAGE LICENSE OF SUGU	*	BEVERAGE HEARING BOARD
MORGAN ON BEHALF OF MORGAN	*	
& RAJ, INC., t/a ELKRIDGE DISCOUNT	*	FOR
LIQUORS	*	
	*	HOWARD COUNTY, MARYLAND
	*	
	*	Case No.: 17- 7-V

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### **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”). This Proposed Decision and Order shall take effect immediately in accord with Rule 7.05(C), and shall become Final, as provided in Rule 6.13.

On January 24, 2017, the Hearing Board heard the Petition of Howard County, Maryland and Detective Mark Baxter, the Alcoholic Beverage Inspector (collectively “Petitioners”), to Fine, Suspend, or Revoke the Class A-1 Beer, Wine, and Liquor 7-day off-sale license of Sugu Morgan (“Licensee”), held on behalf of Morgan & Raj, Inc., t/a Elkridge Discount Liquors, located at 5827 Washington Boulevard, Elkridge, Maryland 21075. The Licensee was represented by Gary Maslan, Esquire.

All of the documents on file were incorporated into the record by reference, including: the Petition to Fine, Suspend, or Revoke the alcoholic beverage license for Morgan & Raj, Inc., t/a Elkridge Discount Liquors; a letter dated November 14, 2016, from the Liquor Board Administrator to the Licensee, advising of the hearing date of January 24,

2017, and enclosing the Petition to Fine, Suspend, or Revoke the alcoholic beverage license for Morgan & Raj, Inc., t/a Elkridge Discount Liquors, and an email from the Alcoholic Beverage Inspector dated January 12, 2017, stating the property had been posted.

### **STIPULATIONS**

The attorney for the Licensee agreed to stipulate to the allegations of the Petition, including the following:

1. On or before May 1, 2016, the Licensee applied for and received a Class A-1 Beer, Wine, and Liquor 7-day off-sale license for Morgan & Raj, Inc., t/a Elkridge Discount Liquors, 5827 Washington Boulevard, Elkridge, Maryland 21075. Elkridge Discount Liquors is located in Howard County, and is subject to the jurisdiction of the Board of License Commissioners for Howard County.
2. At all times relevant to these proceedings, the Licensee was responsible for the operation of Elkridge Discount Liquors, and was responsible for ensuring compliance with all local and State laws concerning the distribution, sale, and transfer of alcoholic beverages to members of the public.
3. Howard County Police Officer, PFC Sean Kent, conducted an underage alcohol compliance test at Elkridge Discount Liquors on August 2, 2016.
4. A sixteen year old volunteer approached the cashier, Chantal Louis Crozier, with a bottle of Burnett's Pink Lemonade Vodka, an alcoholic beverage.
5. Ms. Crozier, asked the volunteer for identification to which the volunteer responded that she did not have any identification. Ms. Crozier then asked the volunteer if she was going to be drinking and driving to which the volunteer responded that her friend in the car was driving.

6. Ms. Crozier then asked the volunteer for her date of birth and she responded her date of birth was February 1, 1995, at which point the cashier asked the volunteer if she was a “plant” to get her in trouble. After the volunteer respond, “no”, Ms. Crozier rang up the sale and sold the alcoholic beverage to the volunteer.
7. PFC Kent entered the establishment and identified himself as a Howard County Police Officer. After advising Ms. Crozier that she just sold an alcoholic beverage to a juvenile, PFC Kent asked the cashier how old she thought the volunteer was, and she responded that she thought she was 18 years old. She stated she was trying to “help her out”.
8. The Licensee committed the following violations:
  - a. Liquor Board Rule 4.04 – Compliance with Laws and Regulations;
  - b. Liquor Board Rule 5.01 – Sales to Minors; and
  - c. Liquor Board Rule 5.07 – Acts Contrary to Law
9. The Licensee and her agents have allowed Elkridge Discount Liquors to be used for acts which are contrary to local ordinances and against the public peace, safety, health or welfare.

### **SUMMARY OF TESTIMONY**

Gary Maslan, Esquire, attorney for Morgan & Raj, Inc., t/a Elkridge Discount Liquors, responded to the Petition to Fine, Suspend, or Revoke the alcoholic beverage license. Mr. Maslan proffered that Sugu Morgan has been a licensee for ten years, and in 2010, received a certificate of compliance for not allowing a sale to an underage person. Mr. Maslan stated that Ms. Morgan takes her obligations very seriously. She has all employees alcohol awareness certified, and has certificates for them. Mr. Maslan stated that

there are notifications everywhere inside of the store about not being served alcoholic beverages without proper identification.

Mr. Maslan stated that the owner was very upset about the violation. Mr. Maslan stated that the employee was not feeling well, on the day of the sale, and that she was on medication. Mr. Maslan stated that Ms. Morgan terminated the employee who sold to the underage volunteer.

Mr. Maslan submitted the following Exhibits:

- Exhibit#1 – a notification of compliance to Elkridge Discount Liquors from the Howard County Police Department
- Exhibit #2 – copies of 3 alcohol awareness certificates
- Exhibit #3 – 2 color photographs of signs placed inside the store of Elkridge Discount Liquors

Based on the evidence presented at the hearing, the Hearing Board makes the following Findings of Fact and Conclusions of Law:

#### **FINDINGS OF FACT**

1. The Hearing Board finds that Sugu Morgan is a Licensee on behalf of Morgan & Raj, Inc., t/a Elkridge Discount Liquors, a Class A-1 Beer, Wine, and Liquor 7-day off-sale license located at 5827 Washington Boulevard, Elkridge, Maryland 21075.
2. The Hearing Board finds that the Licensee has admitted to violating Liquor Board Rule 4.04 – Compliance with Laws and Regulations, Liquor Board Rule 5.01 – Sales to Minors, and Liquor Board Rule 5.07 – Acts Contrary to Law.
3. The Hearing Board finds that the Licensee has violated Liquor Board Rule 4.04 – Compliance with Laws and Regulations, Liquor Board Rule 5.01 – Sales to Minors, and Liquor Board Rule 5.07 – Acts Contrary to Law.
4. The Hearing Board finds that it is not necessary to revoke the License, but in order to ensure compliance with the law and Rules and Regulations, it is necessary to impose



a fine in the amount of Seven Hundred Fifty Dollars, (\$750.00), and a fee of Two Hundred Sixty Dollars (\$260.00), for the cost of the hearing as provided by Rule 7.05(B), for a total of One Thousand Ten Dollars (\$1,010.00).

### **CONCLUSIONS OF LAW**

1. The Hearing Board concludes that Sugu Morgan is a Licensee on behalf of Morgan & Raj, Inc., t/a Elkridge Discount Liquors, a Class A-1 Beer, Wine, and Liquor 7-day off-sale license located at 5827 Washington Boulevard, Elkridge, Maryland 21075.
2. The Hearing Board concludes that the Licensee has violated Liquor Board Rule 4.04 – Compliance with Laws and Regulations, Liquor Board Rule 5.01 – Sales to Minors, and Liquor Board Rule 5.07 – Acts Contrary to Law.
3. The Hearing Board concludes that it is not necessary to revoke the License, but in order to ensure compliance with the law and Rules and Regulations, it is necessary to impose a fine in the amount of Seven Hundred Fifty Dollars, (\$750.00), and a fee of Two Hundred Sixty Dollars (\$260.00), for the cost of the hearing as provided by Rule 7.05(B), for a total of One Thousand Ten Dollars (\$1,010.00).

## **ORDER**

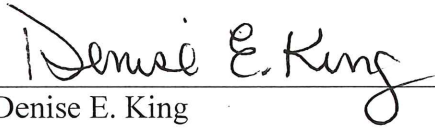
For the foregoing reasons, and upon finding a violation of Rule 4.04, Rule 5.01, and Rule 5.07 of the Liquor Board's Rules and Regulations, it is this 14 February day of 2017, by the Alcoholic Beverage Hearing Board for Howard County, Maryland, **ORDERED:**

1. That a **FINE** in the amount of **Seven Hundred Fifty Dollars, (\$750.00)**, for violation of Rule 4.04, Rule 5.01, and Rule 5.07 of the Liquor Board's Rules and Regulations, and a **Fee of Two Hundred Sixty Dollars (\$260.00)**, for a total of **One Thousand Ten Dollars (\$1,010.00)**, is **HEREBY IMPOSED** upon Sugu Morgan, Licensee on behalf of Morgan & Raj, Inc., t/a Elkridge Discount Liquors, a Class A-1 Beer, Wine, and Liquor 7-day off-sale license located at 5827 Washington Boulevard, Elkridge, Maryland 21075, and **SHALL BE PAID NO LATER THAN MARCH 31, 2017.**

ATTEST:

ALCOHOLIC BEVERAGE HEARING

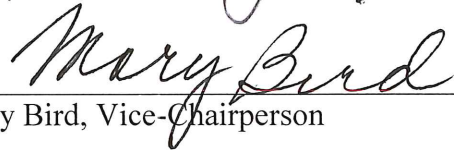
BOARD OF HOWARD COUNTY,  
MARYLAND



Denise E. King  
Administrator

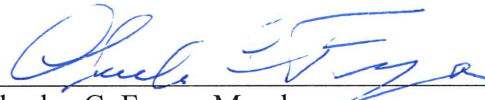


Heather Gaetano, Chairperson



Mary Bird, Vice-Chairperson

REVIEWED BY HOWARD COUNTY  
OFFICE OF LAW  
GARY W. KUC  
COUNTY SOLICITOR



Charles C. Feaga, Member



Lewis Taylor, Esquire  
Assistant County Solicitor

ABSENT

Gene Ryan, Member



Charley C. Sung, Member

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER MAY APPEAL THE  
DECISION TO THE LIQUOR BOARD WITHIN TEN DAYS OF THE DATE OF THE  
DECISION, IN ACCORD WITH RULE 6.14 OF THE RULES AND REGULATIONS OF  
THE LIQUOR BOARD.