

PETITION TO FINE, SUSPEND, OR \* BEFORE THE ALCOHOLIC  
 REVOKE THE ALCOHOLIC \*  
 BEVERAGE LICENSE OF ANNIE \* BEVERAGE HEARING BOARD  
 MINJI LEE ON BEHALF OF THE 2nd \*  
 PAGE, INC., t/a BEAN AND \* FOR  
 BURGUNDY BREAD \*  
 \* HOWARD COUNTY, MARYLAND  
 \*  
 \* Case No.: 16-25-V

\*\*\*\*\*

**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 May 24, 2016, the Hearing Board heard the Petition of Howard County, Maryland and Detective Mark Baxter, Alcoholic Beverage Inspector (collectively “Petitioners”), to Fine, Suspend, or Revoke the Class B Beer, Wine, and Liquor 7-day on-sale license of Annie Minji Lee (“Licensee”), held on behalf of The 2<sup>nd</sup> Page, Inc., t/a Bean and Burgundy Bread located at 9469 Baltimore National Pike, Suite G, Ellicott City, Maryland 21043. The Petitioners were represented by David Moore, Senior Assistant County Solicitor. The Licensee was represented by Jay Yoo, Esquire.

The following documents were presented to the Hearing Board and entered into record: the Petition, a letter dated April 20, 2016, to the Licensee from the Liquor Board Administrator, advising her of the hearing date and enclosing the Petition to Fine, Suspend,

or Revoke the alcoholic beverage license for The 2<sup>nd</sup> Page, Inc., t/a Bean and Burgundy Bread; two photographs of signage for The 2<sup>nd</sup> Page, Inc.; and an email dated May 9, 2016, from the Alcoholic Beverage Inspector stating that the property had been posted.

### STIPULATIONS

The Licensee agreed to stipulate to the allegations of the Petition which include the following:

1. On or before May 1, 2015, the Licensee applied for and received a Class B Beer, Wine, and Liquor 7-day on-sale license for The 2<sup>nd</sup> Page, Inc., t/a Bean and Burgundy Bread located at 9469 Baltimore National Pike, Suite G, Ellicott City, Maryland 21043. Bean and Burgundy Bread 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 Bean and Burgundy Bread, and 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. On March 2, 2016, Detective Mark Baxter, while conducting an area check at the Valley Meade Shopping Center, observed that Bean and Burgundy Bread, had a new sign on its façade, and on the display sign near the roadway.
4. On March 3, 2016, Detective Baxter observed another sign on the fence on the west side of the Valley Meade Shopping Center that stated “Under New Management, Kogiyaki Korean BBQ.”

5. Subsequent to these observations, Detective Baxter contacted the Liquor Board Administrator, to inquire as to whether she had received notification of a trade name change from Bean and Burgundy Bread.
6. Ms. King advised that she had never received a transfer application, management agreement, or notification of a trade name change from Bean and Burgundy Bread to Kogiyaki Korean BBQ.
7. On March 9, 2016, Detective Baxter walked into the establishment, and spoke with an unidentified male employee who advised that Mr. Lee and Annie were still the owners, but that they were bringing on a new partner for a new BBQ concept.

#### **SUMMARY OF TESTIMONY**

Annie Minji Lee, Licensee for The 2<sup>nd</sup> Page, Inc., t/a Bean and Burgundy Bread, was sworn and testified that she is the 100% owner of Bean and Burgundy Bread, and that the only change they have made is to hire a new chef. Ms. Lee testified that she sent a memo to the Liquor Board Administrator advising that she was going to change the trade name. Ms. Lee testified that they made the name change on February 28<sup>th</sup>. Detective Baxter came to the restaurant March 2<sup>nd</sup>, and that she sent the email to the Liquor Board Administrator on March 7<sup>th</sup>. Ms. Lee testified that the sign was changed on February 28<sup>th</sup>.

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

#### **FINDINGS OF FACT**

1. The Hearing Board finds that Annie Minji Lee is a Licensee on behalf of The 2<sup>nd</sup> Page, Inc., t/a Bean and Burgundy Bread, a Class B Beer, Wine, and Liquor 7-day on-sale license located at 9469 Baltimore National Pike, Suite G, Ellicott City, Maryland 21042.

2. The Hearing Board finds that the Licensee has violated the following provisions of the Rules and Regulations of the Liquor Board:
  - a. Liquor Board Rule 2.03 – Updating Application
  - b. Liquor Board Rule 4.04 – Compliance with Laws and Regulations
  - c. Liquor Board Rule 4.07 – Trade Name
  - d. Liquor Board Rule 4.08 – Licensee’s Responsibility; and
  - e. Liquor Board Rule 5.07 – Acts Contrary to Law
3. The Hearing Board finds that it is not necessary to revoke the liquor 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 One Hundred Dollars, (\$100.00), 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 Three Hundred Sixty Dollars (\$360.00).

**CONCLUSIONS OF LAW**

1. The Hearing Board concludes that Annie Minji Lee is a Licensee on behalf of The 2<sup>nd</sup> Page, Inc., t/a Bean and Burgundy Bread, a Class B Beer, Wine, and Liquor 7-day on-sale license located at 9469 Baltimore National Pike, Suite G, Ellicott City, Maryland 21042.
2. The Hearing Board concludes that the Licensee has violated the following provisions of the Rules and Regulations of the Liquor Board:
  - a. Liquor Board Rule 2.03 – Updating Application
  - b. Liquor Board Rule 4.04 – Compliance with Laws and Regulations
  - c. Liquor Board Rule 4.07 – Trade Name
  - d. Liquor Board Rule 4.08 – Licensee’s Responsibility; and
  - e. Liquor Board Rule 5.07 – Acts Contrary to Law

3. The Hearing Board concludes that it is not necessary to revoke the liquor 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 One Hundred Dollars, (\$100.00), 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 Three Hundred Sixty Dollars (\$360.00).

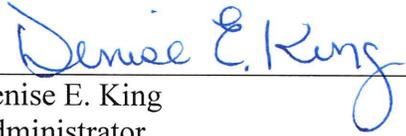
**ORDER**

For the foregoing reasons, and upon finding a violation of Rules 2.03, 4.04, 4.07, 4.08, 5.07 of the Liquor Board's Rules and Regulations, it is this 14<sup>th</sup> day of June, 2016, by the Alcoholic Beverage Hearing Board for Howard County, Maryland, **ORDERED:**

1. That a **FINE** in the amount of **One Hundred Dollars, (\$100.00)**, for violation of Rules 2.03, 4.04, 4.07, 4.08, 5.07 of the Liquor Board's Rules and Regulations, and a **Fee of Two Hundred Sixty Dollars (\$260.00)**, for a total of **Three Hundred Sixty Dollars (\$360.00)**, is **HEREBY IMPOSED** upon Annie Minji Lee, Licensee on behalf of The 2<sup>nd</sup> Page, Inc., t/a Bean and Burgundy Bread, a Class B Beer, Wine, and Liquor 7-day on-sale license located at 9469 Baltimore National Pike, Suite G, Ellicott City, Maryland 21042, and **SHALL BE PAID NO LATER THAN JULY 31, 2016.**

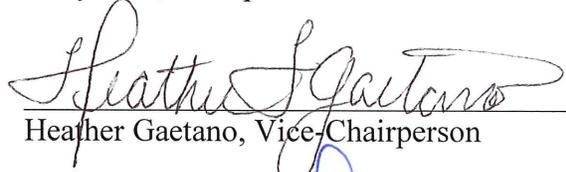
ATTEST:

ALCOHOLIC BEVERAGE HEARING  
BOARD OF HOWARD COUNTY,  
MARYLAND



Denise E. King  
Administrator

Mary Bird, Chairperson



Heather Gaetano, Vice-Chairperson

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



Harry Evans, III, Member



Lewis Taylor, Esquire  
Assistant County Solicitor



Charles C. Feaga, 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.