

IN THE MATTER OF THE \* BEFORE THE ALCOHOLIC  
APPLICATION OF SOONG KYUN CHUN\*  
ON BEHALF OF U.S. 1 SPIRITS, LLC, t/a \* BEVERAGE HEARING BOARD  
U.S. 1 LIQUORS, FOR A TRANSFER OF \*  
A CLASS A-1 BEER, WINE, AND \* FOR  
LIQUOR 7-DAY OFF-SALE LICENSE \*  
\* HOWARD COUNTY, MARYLAND  
\*  
\* Case No. 16-45  
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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”).

On October 18, 2016, the Hearing Board heard the application of Soong Kyun Chun (the “Applicant”), on behalf of U.S. 1 Spirits, LLC, t/a U.S. 1 Liquors (“U.S. 1 Spirits, LLC”), for a transfer of a Class A-1 Beer, Wine, and Liquor 7-day off-sale license from Sue Hee Choe and Soo Kyong Choe on behalf of U.S. 1 Liquors, Inc., t/a U.S. 1 Liquors, for a 900 square foot package goods store located at 8167 Washington Boulevard, Jessup, Maryland 20794. The hearing was properly advertised pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicant was represented by Robert J. Kim, 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: an email from the assistant to the attorney for the Applicant attaching a new first

page of the application; a letter dated July 29, 2016, from the attorney for the Applicant, enclosing the alcoholic beverage management agreement between U.S. 1 Liquors, Inc., and U.S. 1 Spirits, LLC; a letter dated June 17, 2016, from the attorney for the Applicant enclosing the application; the background investigation questionnaire for the Applicant; a copy of the United States Passport for the Applicant; a copy of the Maryland Driver's License for the Applicant; a copy of the Alcohol Awareness Certification for the Applicant and Peter Chun; a copy of the Articles of Organization for U.S. 1 Spirits, LLC; a statement from the State of Maryland Department of Assessments and Taxation confirming that the Articles of Organization for U.S. 1 Spirits, LLC have been accepted; a copy of the floor plan; a copy of a memorandum dated September 1, 2016, from the Liquor Board to the Alcohol Beverage Inspector, the Department of Inspections, Licenses, and Permits, the Bureau of Environmental Health, the Department of Planning and Zoning, and the Office of the Fire Marshal; the background investigation of the Applicant by the Alcohol Beverage Inspector, dated October 3, 2016; a memorandum dated October 14, 2016, from the Department of Planning and Zoning; a letter dated September 20, 2016, from the Office of the Fire Marshal; a letter dated September 1, 2016, to the Department of Finance; a letter from the Department of Finance; a letter dated September 1, 2016, to the Comptroller of the Treasury; a letter dated September 14, 2016, from the Comptroller of the Treasury; a fax transmission attaching a letter dated September 1, 2016, from the Liquor Board Administrator to the attorney for the Applicant, advising notification of the hearing date, and enclosing the required advertisement; an email dated October 3, 2016, from the Alcoholic Beverage Inspector stating the premises had been posted; and the certificates of advertising from the Howard County Times and the Baltimore Sun.

## SUMMARY OF TESTIMONY

The attorney for the Applicant, Robert J. Kim, proffered that Soong Kyun Chun did not reveal all of his traffic citations because he thought he only had to list the violations if he had points on his driver's license, which he does not. Mr. Kim submitted the certified Maryland Driving Record of Mr. Chun to the Hearing Board. Mr. Kim stated that he has been in contact with the Comptroller of Maryland regarding the outstanding tax issues of U.S. 1 Liquors, Inc. and is attempting to clear up the outstanding issues. Mr. Kim stated that the outstanding taxes are from the previous licensees, and that one of the licensees has had health issues. Mr. Kim stated he will make sure the taxes are paid.

Soong Kyun Chun, Member and 100% shareholder of U.S. 1 Spirits, LLC, t/a U.S. 1 Liquors, was sworn and testified that he has been a resident of Howard County for 15 years, is a registered voter, and is alcohol awareness certified. Mr. Chun testified that he has experience in the alcoholic beverage business, as he and his wife previously owned a liquor store in College Park for 20 years. Mr. Chun testified that during that time, they never had any violations.

Mr. Chun testified that he will be at the store full time. Mr. Chun testified that either he or his son, who is also alcohol awareness certified, will be at the store at all times. Mr. Chun testified that he will also have two part-time employees who will become alcohol awareness certified.

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

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

### **FINDINGS OF FACT**

1. The Hearing Board finds that Soong Kyu Chun, on behalf of U.S. 1 Spirits, LLC, t/a U.S. 1 Liquors, has applied for a transfer of a Class A-1 Beer, Wine, and Liquor 7-day off-sale license from Sue Hee Choe and Soo Kyong Choe on behalf of U.S. 1 Liquors, Inc., t/a U.S. 1 Liquors, for a 900 square foot package goods store located at 8167 Washington Boulevard, Jessup, Maryland 20794.

2. The Hearing Board finds that the Applicant is a fit and proper person to hold an alcoholic beverage license.

3. The Hearing Board finds that Soong Kyu Chun has been a Howard County resident for more than two years, is a registered voter, and a 100% shareholder of U.S. 1 Spirits, LLC, t/a U.S. 1 Liquors.

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 of the neighborhood.

### **CONCLUSIONS OF LAW**

1. The Hearing Board concludes that Soong Kyu Chun, on behalf of U.S. 1 Spirits, LLC, t/a U.S. 1 Liquors, has applied for a transfer of a Class A-1 Beer, Wine, and Liquor 7-day off-sale license from Sue Hee Choe and Soo Kyong Choe on behalf of U.S. 1 Liquors, Inc., t/a U.S. 1 Liquors, for a 900 square foot package goods store located at 8167 Washington Boulevard, Jessup, Maryland 20794.

2. The Hearing Board concludes that the Applicant is a fit and proper person to hold

an alcoholic beverage license.

3. The Hearing Board concludes that Soong Kyu Chun 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 this application would not unduly disturb the peace and safety of the neighborhood.

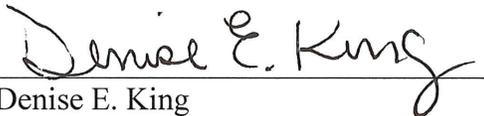
**ORDER**

For the foregoing reasons, it is this 8<sup>th</sup> day of November, 2016, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Soong Kyu Chun, on behalf of U.S. 1 Spirits, LLC, t/a U.S. 1 Liquors, for a transfer of a Class A-1 Beer, Wine, and Liquor 7-day off-sale license from Sue Hee Choe and Soo Kyong Choe on behalf of U.S. 1 Liquors, Inc., t/a U.S. 1 Liquors, for a 900 square foot package goods store located at 8167 Washington Boulevard, Jessup, Maryland 20794, be and the same is hereby **GRANTED**, subject to the following conditions:

- (a) That the Applicant complies with all State and County Rules and Regulations; and
- (b) That the all Maryland State taxes are paid; and
- (c) Failure to comply with these conditions and obtain the license by January 31, 2017, shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING  
BOARD OF HOWARD COUNTY,  
MARYLAND

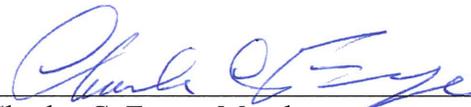
  
Denise E. King  
Administrator

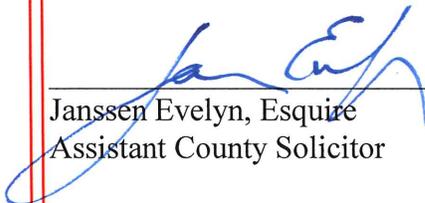
  
Mary Bird, Chairperson

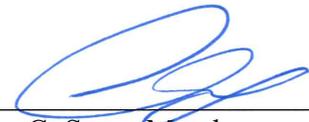
  
Heather Gaetano, Vice-Chairperson

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

\_\_\_\_\_  
Harry Evans, III, Member

  
Charles C. Feaga, Member

  
Janssen Evelyn, Esquire  
Assistant County Solicitor

  
Charley C. Sung, Member