

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF CASSEL OH, JUNG	*	
AE KIM YOO, AND SEUNG SIK KIM	*	BEVERAGE HEARING BOARD
ON BEHALF OF JJ CASTLE, INC., t/a	*	
HANSUNG RESTAURANT FOR A	*	
TRANSFER OF A CLASS A-1 BEER,	*	HOWARD COUNTY, MARYLAND
WINE, AND LIQUOR 7-DAY OFF-SALE	*	
LICENSE	*	
	*	

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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 July 8, 2014, the Hearing Board heard the application of Cassel Oh, Jung Ae Kim Yoo, and Seung Sik Kim ("Applicants"), on behalf of JJ Castle, Inc., t/a Hansung Restaurant, ("JJ Castle, Inc."), for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license currently held by Su Cha Kang and Choong M. Kang on behalf of Hansung Restaurant, Inc., t/a Hansung Restaurant, for a 1,575 square foot restaurant located at 3570 St. John's Lane, Ellicott City, Maryland 21043. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicants were represented by Jay S. Yoo, 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 April 18, 2014, from the Applicants' attorney, enclosing the application; a copy of the floor plan; the Articles of Incorporation for JJ Castle, Inc.; a letter from the State of Maryland Department of Assessment and Taxation confirming acceptance of the Articles of Incorporation for JJ Castle, Inc.; the Minutes of Organizational Meeting of JJ Castle, Inc.; a list of officers, directors, and stockholders for JJ Castle, Inc.; the Bulk Transfer Affidavit for Hansung Restaurant, Inc.; a Permanent Resident Card for Jung Ae Yoo; the background investigation questionnaire from Seung Sik Kim; a copy of the Maryland Driver's License for Seung Sik Kim; a copy of the Social Security card for Seung Sik Kim; the background investigation questionnaire from Cassel Oh; a Petition for Name Change from the

United States District Court, District of Maryland for Kwang Sung Oh to Cassel Oh; the Certificate of Naturalization for Cassel Oh; a copy of the Voter Notification Card for Cassel Oh; a copy of the Maryland Driver's License for Cassel Oh; a copy of real estate bills for Kwang Sung Oh from 2011 through 2013; a background investigation questionnaire from Jung Ae Kim Yoo; a copy of the Maryland Driver's License for Jung Ae Kim Yoo; a copy of the Social Security card for Jung Ae Kim Yoo; a memorandum dated May 28, 2014, 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 July 2, 2014; a memorandum dated May 28, 2014 from the Department of Planning and Zoning; a memorandum dated July 8, 2014, from the Office of the Fire Marshal; a memorandum dated July 8, 2014, from the Bureau of Environmental Health; a letter dated May 28, 2014, to the Department of Finance; a letter dated May 29, 2014, from the Department of Finance; a letter dated May 28, 2014, to the Comptroller of Maryland; a letter dated June 18, 2014, from the Comptroller of Maryland; a fax transmission to the Applicants' attorney enclosing a letter dated May 28, 2014, with notification of the hearing date and the necessity to advertise; and, a memorandum dated June 17, 2014, from the Alcoholic Beverage Inspector stating the premises had been posted.

#### SUMMARY OF TESTIMONY

Cassel Oh, Treasurer and 10% shareholder for JJ Castle, Inc., was sworn and testified that he has lived in Howard County since 1991, that he is a registered voter, and that he is alcohol awareness certified. Mr. Oh testified that he has prior experience, as he owned a liquor store for fifteen years. Mr. Oh testified that he retired in 2003, and became a Clerk in the Circuit Court in Baltimore City. Mr. Oh testified that he will work in the store on weekends, and will stop at the store in the afternoon. Mr. Oh testified that they will have a log book that they will use to keep track of activities in the store, and to record the times that he visits the store. Mr. Oh testified that he will be paid annually for the service of being the resident agent for JJ Castle, Inc.

With regards to failing to disclose that he had traffic violations in 2004 and 2008, Mr. Oh testified that it was an honest omission, and that he had forgotten about them.

Jung Ae Kim Yoo, President and 45% shareholder for JJ Castle, Inc., was sworn and testified that she will be the manager of the restaurant, and her husband, Seung Sik Kim, will be the chef. Ms. Yoo testified that she is alcohol awareness certified. Ms. Yoo testified that she has extensive experience in the alcoholic beverage business, and that she has been employed by multiple restaurants. Ms. Yoo testified that she has been a resident of Howard County for five years, and that she has applied for United States citizenship.

Ms. Yoo testified that the hours of operation of the restaurant will be Tuesday through Sunday, 10:00 A.M. until 11:00 P.M.

Seung Sik Kim, Secretary and 45% shareholder for JJ Castle, Inc., was sworn and testified he is alcohol awareness certified, and that his role at the restaurant will be chef. He stated that he has eight years experience as a chef.

The following exhibits were entered into the record:

Exhibit #1 – alcohol awareness certification for Cassel Oh

Exhibit #2 – alcohol awareness certification for Jung Ae Yoo

Exhibit #3 – alcohol awareness certification for Seung Sik Kim

Exhibit #4 – two sample menus

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 Cassel Oh, Jung Ae Kim Yoo, and Seung Sik Kim, on behalf of JJ Castle, Inc., t/a Hansung Restaurant have applied for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license currently held by Su Cha Kang and Choong M. Kang on behalf of Hansung Restaurant, Inc., t/a Hansung Restaurant, for a 1,575 square foot restaurant located at 3570 St. John's Lane, Ellicott City, Maryland 21043.

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 Cassel Oh has been a Howard County resident for more than two years, is a registered voter, and a 10% shareholder of JJ Castle, Inc.

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 Cassel Oh, Jung Ae Kim Yoo, and Seung Sik Kim, on behalf of JJ Castle, Inc., t/a Hansung Restaurant have applied for a transfer of a Class B1 Beer, Wine, and Liquor 7-day on-sale license currently held by Su Cha Kang and Choong M. Kang on behalf of Hansung Restaurant, Inc., t/a Hansung Restaurant, for a 1,575 square foot restaurant located at 3570 St. John's Lane, Ellicott City, Maryland 21043.

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 Cassel Oh 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.

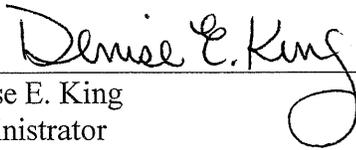
**ORDER**

For the foregoing reasons, it is this 21<sup>st</sup> day of July, 2014, by the Alcoholic Beverage Hearing Board of Howard County, Maryland **ORDERED** that the application of Cassel Oh, Jung Ae Kim Yoo, and Seung Sik Kim, on behalf of JJ Castle, Inc., t/a Hansung Restaurant for a transfer of a Class B Beer, Wine, and Liquor 7-day off-sale license currently held by Su Cha Kang and Choong M. Kang on behalf of Han Sung Restaurant, Inc., t/a Han Sung Restaurant, for a 1,575 square foot restaurant located at 3570 St. John's Lane, Ellicott City, Maryland, 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 comply with all State and County rules and regulations; and
  - (b) Failure to comply with these conditions and obtain the license by September 30, 2014, shall render this Proposed Decision and Order null and void.

ATTEST:

ALCOHOLIC BEVERAGE HEARING  
BOARD OF HOWARD COUNTY,  
MARYLAND



Denise E. King  
Administrator



Harry Evans, III, Chairperson

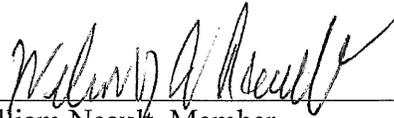


Charles C. Feaga, Vice-Chairperson

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



Mary Bird, Member



William Neault, Member



Lewis Taylor, Esquire  
Assistant County Solicitor