

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF JAE YOON LEE AND	*	BEVERAGE HEARING BOARD
KWANG HEE LEE ON BEHALF OF	*	FOR
KHL & SON, LLC T/A RAINPIA CAFÉ	*	HOWARD COUNTY
FOR A TRANSFER OF A CLASS B	*	
BEER, WINE AND LIQUOR 7-DAY	*	CASE NO. 19-38
ON-SALE LICENSE	*	

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 August 13, 2019, the Hearing Board heard the application of Jae Yoon Lee and Kwang Hee Lee (the “Applicants”), on behalf of KHL & Son, LLC t/a Rainpia Café (“Rainpia Café”), for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license from Sang H. Kang and Jung Sook Suh on behalf of Rainpia, LLC t/a Rainpia Café for a 1,500-square foot restaurant located at 10194 Baltimore National Pike, #103, Ellicott City, Maryland 21042.

The hearing was properly advertised and the property posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicants were represented by Jay 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.

SUMMARY OF TESTIMONY

Young Moo Kim, a court certified interpreter, was sworn in and agreed to assist the

parties with testimony at this hearing.

Kwang Lee, managing member and 50% owner of the company, was sworn and testified that he has lived in Howard County for 15 years, is a registered voter and a taxpayer. Mr. Lee testified that he has had prior experience working at a restaurant that served alcohol and has managed Rainpia Café since June 1, 2019 pursuant to a management agreement.

Mr. Lee testified that he owned and operated Nick's Seafood at Cross Market for 10 years and had twenty employees. Mr. Lee indicated that he was only cited for one violation in 2009 when an employee sold to a minor; however, since that time no other violations occurred at this location. After this violation, he called employees into a meeting and stressed the importance of checking identification.

Mr. Lee testified that both he and his son Jae Yoon Lee, the proposed resident agent, are alcohol awareness certified, have no criminal or serious traffic violations, are of good moral character and will be equal partners in this business.

Mr. Lee testified that there is a policy concerning checking of identification at Rainpia Café and that any customer that appears younger than the age of 35 must present identification in order to be served alcohol. Mr. Lee stated that he will post the date and year that a customer can legally be served at the cash register.

Mr. Lee testified that he has read the Liquor Board Rules and will abide by them. He stated that even though there is no written alcohol policy for employees, he often reads the booklets provided at the alcohol awareness course and shares that information with his employees. Mr. Lee testified that he plans to have five to six employees with three other employees who are alcohol awareness certified. He stated that someone who is certified will

be on premises at all times.

Jae Yoon Lee, proposed resident agent and 50% owner of the company, was sworn and testified that he is alcohol awareness certified and has no criminal convictions or serious traffic violations. He stated that he is a taxpayer, property owner, and a registered voter. Mr. Lee testified that he has experience in the restaurant business as he helped his father at Nick's Seafood Restaurant for 10 years. At Nick's he served beer and seafood/sushi and helped to manage the restaurant, including hiring employees.

Mr. Lee testified that he is familiar with the Liquor Board Rules and will abide by them. He testified that he understands that alcohol needs to be purchased from a wholesaler and that he is responsible should any violations occur at this restaurant. Mr. Lee testified that he will be responsible for maintaining employee records, logs, and invoices and that this information will be kept available for an inspection if necessary.

Mr. Lee testified that the hours of operation will be every day from 5 p.m. to 2 a.m. and that he will work approximately four days per week. Mr. Lee started working at Rainpia in June of 2019 and is learning the menus and helping out with serving and talking with customers.

Mr. Lee explained that his home address is 4940 Ellis Lane in Ellicott City, however, his driver's license and the liquor license application show his address as 3102 Priscillas View in Ellicott City. He stated that he has never lived at the Priscillas View location but has owned the residence since 2015. Mr. Lee agreed to amend the liquor license application to correct his home address to indicate 4940 Ellis Lane, Ellicott City, Maryland 21043.

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicants waived their 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 Jae Yoon Lee and Kwang Hee Lee, on behalf of KHL & Son, LLC t/a Rainpia Café, have applied for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license from Sang H. Kang and Jung Sook Suh on behalf of Rainpia, LLC t/a Rainpia Café for a 1,500-square foot restaurant located at 10194 Baltimore National Pike, #103, 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 Jae Yoon Lee has been a Howard County resident for more than two years, is a registered voter, and has a 50% interest in Rainpia Café.

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 the application will not unduly disturb the peace and safety of the residents of the neighborhood.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Jae Yoon Lee and Kwang Hee Lee, on behalf of KHL & Son, LLC t/a Rainpia Café, have applied for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license from Sang H. Kang and Jung Sook Suh on behalf of Rainpia, LLC t/a Rainpia Café for a 1,500-square foot restaurant located at 10194 Baltimore National Pike, #103, 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 Jae Yoon Lee meets the requirements of Rules 1.10(S), 1.10(T), and 2.06 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 would not unduly disturb the peace and safety of the neighborhood.

ORDER

For the foregoing reasons, it is this 22ND day of October, 2019, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Jae Yoon Lee and Kwang Hee Lee, on behalf of KHL & Son, LLC t/a Rainpia Café, for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license from Sang H. Kang and Jung Sook Suh on behalf of Rainpia, LLC t/a Rainpia Café for a 1,500-square foot restaurant located at 10194 Baltimore National Pike, #103, Ellicott City, Maryland 21042, be and the same is hereby **GRANTED**, subject to the following conditions:

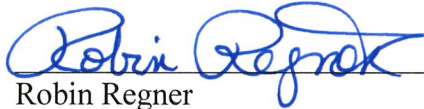
- (a) That the Applicants comply with all State and County Rules and Regulations; and
- (b) That the Applicants submit an amended application to the Liquor Board office showing the resident's correct address of 4940 Ellis Lane, Ellicott City, Maryland 21043 on all documents; and
- (c) That the Applicants satisfy any requirements necessary to obtain the

license by December 26, 2019, unless that deadline is extended by the Board upon good cause shown; and

- (d) Failure to comply with these conditions shall render this Proposed Decision and Order null and void.

ATTEST:

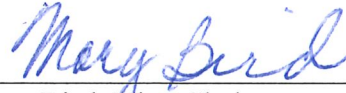
ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



Robin Regner
Board Administrator

ABSENT

Gene Ryan, Chairperson

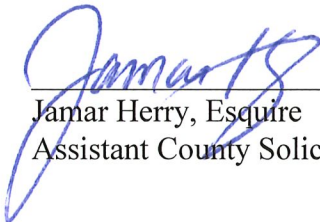


Mary Bird, Vice Chairperson

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



Harry Evans, Member



Jamar Herry, Esquire
Assistant County Solicitor



Heather Gaetano, Member

ABSENT

Charley C. Sung, Member