

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF HYUN SOOK CHO	*	BEVERAGE HEARING BOARD
ON BEHALF OF HANGARI, INC.,	*	FOR
T/A HANGARI, FOR A TRANSFER	*	HOWARD COUNTY, MARYLAND
OF A CLASS B, BEER, WINE, AND	*	
LIQUOR 7-DAY ON SALE LICENSE	*	Case No.: 18-26
	*	

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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 May 8, 2018, the Hearing Board heard the application of Hyun Sook Cho (“Applicant”), on behalf of Hangari, Inc., t/a Hangari (“Hangari”), for a transfer of a Class B, Beer, Wine, and Liquor, 7-day on-sale license held by Soo Kyung Yoon, on behalf of Ky Food, Inc., t/a Myeong Dong, for a 3,710-square foot restaurant located at 9380 Baltimore National Pike, Suites 105-106, Ellicott City, MD 21042.

The hearing was properly advertised and the property posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicant was represented by Thomas Coale, Esquire. There were no protestants who appeared in opposition to the application.

### **PRELIMINARY MATTERS**

Board Member Charlie Sung stated that he would recuse himself from participating in this case as he has a financial interest in the building where the restaurant is located.

Mr. Coale clarified that the application erroneously listed the trade name as

“Myeongdong Restaurant” but it is actually “Hangari.” He stated that the application was erroneously filed and advertised as a New application rather than as a Transfer application. The Board agreed to hear the application as a transfer and concluded that there was substantial compliance with advertising requirements that identified the licensees and Hangari as a proposed Class B licensee. Mr. Coale also clarified that the application misidentified Han Chul Chung, who owns 50% of Hangari. As an officer of the corporation. It was clarified that Hyun Sook Cho is the sole officer of the corporation.

All the documents on file were incorporated into the record by reference.

### **SUMMARY OF TESTIMONY**

Hyun Sook Cho was sworn and testified that she is a 50% owner of Hangari, Inc., and has been operating this restaurant under a management agreement since January 2018. She testified that the sale of the restaurant is conditioned upon the approval of the transfer application.

Ms. Cho testified that she works as a para-educator in the Howard County school system and plans to be at the restaurant every day after working at school. Ms. Cho testified that she has no felony convictions or traffic violations. She testified that she has past experience in the food industry, however, she has no experience with selling alcohol.

Ms. Cho testified that she has been trained in alcohol compliance and is alcohol awareness certified. She stated that the restaurant staff will also be alcohol awareness certified. Ms. Cho testified that the floorplan, menu and staff will remain the same as the Myeong Dong restaurant and the hours of operation at the restaurant will be 11 a.m. to 10 p.m., six days per weeks. Ms. Cho testified that she is comfortable with the responsibilities of being the resident agent and has read and understand the Liquor Board’s Rules and

Regulations and will abide by them.

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicant waived her 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 Hyun Sook Cho, on behalf of Hangari, Inc., t/a Hangari, has applied for a transfer of a Class B, Beer, Wine, and Liquor, 7-day on-sale license held by Soo Kyung Yoon, on behalf of Ky Food, Inc., t/a Myeong Dong, for a 3,710-square foot restaurant located at 9380 Baltimore National Pike, Suites 105-106, Ellicott City, MD 21042.

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 Hyun Sook Cho has been a Howard County resident for more than two years, is a registered voter, and a 50% shareholder of Hangari.

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 Hyun Sook Cho, on behalf of Hangari, Inc., t/a Hangari, has applied for a transfer of a Class B, Beer, Wine, and Liquor, 7-day on-sale license held by Soo Kyung Yoon, on behalf of Ky Food, Inc., t/a Myeong Dong, for a

3,710-square foot restaurant located at 9380 Baltimore National Pike, Suites 105-106, Ellicott City, MD 21042.

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 Hyun Sook Cho 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 this application will not unduly disturb the peace and safety of the neighborhood.

#### **ORDER**

For the foregoing reasons, it is this 24<sup>th</sup> day of July, 2018, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Hyun Sook Cho, on behalf of Hangari, Inc., t/a Hangari, for a transfer of a Class B, Beer, Wine, and Liquor, 7-day on-sale license held by Soo Kyung Yoon, on behalf of Ky Food, Inc., t/a Myeong Dong, for a 3,710-square foot restaurant located at 9380 Baltimore National Pike, Suites 105-106, Ellicott City, MD 21042, be and the same is hereby **GRANTED**, subject to the following conditions:

- (a) That the Applicant complies with all State and County laws and regulations; and
- (b) That the Applicant satisfies any requirements necessary to obtain the license by October 10, 2018, unless that deadline is extended by the Board upon good cause shown; and

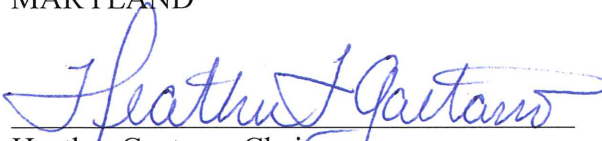


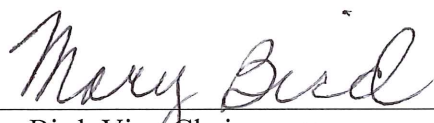
(c) Failure to comply with these conditions shall render this Proposed Decision and  
Order null and void.

ATTEST:

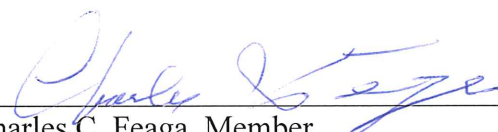
ALCOHOLIC BEVERAGE HEARING  
BOARD OF HOWARD COUNTY,  
MARYLAND

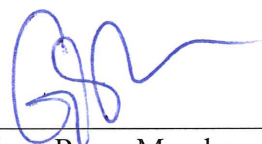
  
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Robin Regner  
Board Administrator


  
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Heather Gaetano, Chairperson

  
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Mary Bird, Vice-Chairperson

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

  
\_\_\_\_\_  
Charles C. Feaga, Member

  
\_\_\_\_\_  
Gene Ryan, Member

  
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Lewis Taylor, Esquire  
Senior Assistant County Solicitor

RECUSED  
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Charley C. Sung, Member