

PETITION TO FINE, SUSPEND, OR	*	BEFORE THE ALCOHOLIC
REVOKE THE ALCOHOLIC	*	
BEVERAGE LICENSE OF HARPER'S	*	BEVERAGE HEARING BOARD
SPIRITS, LLC T/A HARPER'S CHOICE	*	
LIQUORS IN THE NAMES OF SUNG	*	FOR
JIN KIM AND AARON IDDINGS FUNK	*	
FOR A CLASS A BEER, WINE AND	*	HOWARD COUNTY, MARYLAND
LIQUOR 7-DAY OFF SALE LICENSE	*	
	*	Case No.: 25-19
	*	

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 22, 2025, the Hearing Board heard the Petition of Howard County, Maryland and Detective Mark Baxter, the Alcoholic Beverage Inspector (collectively "Petitioners"), to Fine, Suspend or Revoke the Class A Beer, Wine and Liquor 7-day off-sale License of Sung Jin Kim and Aaron Iddings Funk (the "Licensees" or "Respondents"), held on behalf of Harper's Spirits, LLC t/a Harper's Choice Liquors ("Harper's Choice Liquors"), located at 5485 Harper's Farm Road, Columbia, MD 21044.

The hearing was properly advertised, and the property posted pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Licensees were represented by Mr. Thomas Maronick, Jr., Esquire. The Alcoholic Beverage Inspector was represented by Tsega Girma, Esquire.

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

STIPULATIONS

The parties agreed to stipulate to the allegations of the Petition set forth below:

- On July 11, 2024, an underaged male cadet was sent into Harper's Choice Liquors to purchase alcoholic beverages.
- The male cadet was able to purchase a 750 mL bottle of Sandeman Fine Tawny Port Wine, an alcoholic beverage, from the cashier.
- The cashier, Josephine Kim, conducted the transaction without asking for the cadet's identification, which would have shown that he was under the age of twenty-one.
- Detective Baxter notified Ms. Kim of the illegal sale upon entering the store and the owner and licensee, Sung Kim, was contacted and advised of what occurred.
- Detective Baxter was advised by Mr. Kim that Josephine Kim was his daughter and that she did not work at the store, and that she was only visiting. Ms. Kim stated that she was helping her father by conducting the sale with the cadet. Mr. Kim did not have any employment records for her.
- Upon asking for his Alcohol Awareness Certificate, Mr. Kim provided a copy, which was expired with an expiration date of July 24, 2021. Mr. Kim advised that it was the most current one he had, and that no one else at the store was certified. Detective Baxter, pursuant to law, advised Mr. Kim that the store could not sell any additional alcoholic beverages until he, or another employee that was certified in alcohol awareness, was on-site.
- All evidence and interactions were captured on Detective Baxter's body worn camera and the alcoholic beverage purchased by the cadet was returned to the store. The money paid was refunded.

- The Respondents have committed the following violations:
 1. Liquor Board Rule 4.01(D) – Records;
 2. Liquor Board Rule 4.04 – Compliance with Laws and Regulations;
 3. Liquor Board Rule 4.10(A) – Alcohol Awareness Program;
 4. Liquor Board Rule 4.10(B) – Alcohol Awareness Program;
 5. Liquor Board Rule 4.10(C) – Alcohol Awareness Program;
 6. Liquor Board Rule 5.02 – Sales to Minors; and
 7. Liquor Board Rule 5.08 – Acts Contrary to Law.

SUMMARY OF TESTIMONY

Mr. Maronick spoke on the licensees' behalf and stated that they have held the license for 10 years, and this is the first violation that has ever occurred. Mr. Maronick stated that Mr. Kim is aware that he needs to have an updated Alcohol Awareness certificate and that the establishment has always been vigorous in checking IDs. Mr. Maronick stated that he believed ID scanners were not effective, that every customer's age needs to be verified before the purchase of alcohol, and that a family member of a licensee will not be working in the store, and he requests a fine be administered by the Hearing Board.

Sung Jin Kim, licensee, was sworn in and testified before the Hearing Board.

Mr. Kim testified that this is the first time someone at the liquor store has not checked an ID and served someone underage. Mr. Kim stated that he has been working at the business since 2001 without any incidents, and that he became aware of his Alcohol Awareness Certificate expiration when the Liquor Inspector visited. Mr. Kim stated that he shut down the business during the inspection as directed by the Liquor Inspector, and that during that time he completed an online alcohol training class. Mr. Kim stated that while he does not currently have any employees, he

will ensure anyone working at the liquor store will have an Alcohol Awareness Certificate and that they will be checking IDs properly. Mr. Kim stated that his Alcohol Awareness Certificate was issued by Training for Intervention Procedures (TiPS) 360 Training, that he believed it was an approved course, and that he would email his certificate to the Liquor Board. Mr. Kim stated that he searched online for approved training courses but that he did not know that he had to attend the in-person training session and not the online course. Mr. Kim stated that he does not have an ID scanner at the premises and that he took a Techniques of Alcohol Management (TAM) course in 2017 or 2018. Mr. Kim stated that his daughter, Josephine Kim, visits the store about 5 times a year. Mr. Kim stated that he does not need to hire employees because he is able to handle the long hours by himself.

Aaron Iddings Funk, licensee, was sworn in and testified before the Hearing Board.

Mr. Funk testified that he was not present when the incident occurred, that Mr. Kim is his brother-in-law, and that this is the first time that they have received violations. Mr. Funk stated that Mr. Kim was speaking with a vendor in the back of the store, that Ms. Kim was trying to assist Mr. Kim, and that going forward she will no longer be working at the business without an Alcohol Awareness Certificate. Mr. Funk stated that he is Alcohol Awareness Certified, but that he let his certificate lapse because he does not go to the liquor store as often as he used to. Mr. Funk stated that Mr. Kim attended a TAM class in 2022 and that a book is kept at the store to refer to valid ID types. Mr. Funk stated that he is at the premises about one hour per week and that he has a full-time job in Virginia. Mr. Funk stated that he took a training to identify fake IDs longer than 5 years ago and that he was not sure when Mr. Kim last took that training. Mr. Funk stated that there is no log-in needed to activate the cash register at the liquor store.

Josephine Kim, daughter of Mr. Kim, was sworn in and testified before the Hearing Board.

Ms. Kim stated that in 2018 her mother had a stroke and that it has been a hectic few years for her family. Ms. Kim stated that she wanted to help her father and that she was remorseful over the incident. Ms. Kim stated that she works as a waitress, that she did not sell alcoholic beverages when she was underage, and that she takes the incident seriously.

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 Sung Jin Kim and Aaron Iddings Funk are Licensees on behalf of Harper's Spirits, LLC t/a Harper's Choice Liquors ("Harper's Choice Liquors"), for a Class A Beer, Wine and Liquor 7-day off-sale License located at 5485 Harper's Farm Road, Columbia, MD 21044.

2. Detective Mark Baxter, Petitioner, at the time of the Petition, was a sworn Howard County Police Officer, specially assigned and designated, pursuant to the applicable laws, as the Alcoholic Beverage Inspector for Howard County. In this capacity he has the obligation, duty and responsibility to investigate any licenses liquor establishment for any violations of the applicable liquor or other laws which may occur in the licensed establishment.

3. Howard County, Maryland is a chartered county, organized pursuant to law, and the authority, through the exercise of its police power, to enforce all of the laws relating to alcoholic beverages.

4. On or before May 1, 2024, Respondents applied for and received a Class A Beer, Wine and Liquor 7-day off-sale License for Harper's Spirits, LLC t/a Harper's Choice Liquors, 5485 Harper's Farm Road, Columbia, MD 21044. Harper's Choice Liquors is located in Howard County and is subject to the jurisdiction of the Board of License Commissioners for Howard

County.

5. At all times relevant to these proceedings, Respondents were responsible for the operation of Harper's Choice Liquors and were responsible for ensuring compliance with all local and State laws concerning the distribution, sale, and transfer of alcoholic beverages to members of the public.

6. On July 11, 2024, an underaged male cadet was sent into Sandy Spirits to purchase alcoholic beverages.

7. The male cadet was able to purchase a 750 mL bottle of Sandeman Fine Tawny Port Wine, an alcoholic beverage, from the cashier.

8. The cashier, Josephine Kim, conducted the transaction without asking for the cadet's identification, which would have shown that he was under the age of twenty-one.

9. Detective Baxter notified Ms. Kim of the illegal sale upon entering the store and the owner and licensee, Sung Kim, was contacted and advised of what occurred.

10. Detective Baxter was advised by Mr. Kim that Josephine Kim was his daughter and that she did not work at the store, and that she was only visiting. Ms. Kim stated that she was helping her father by conducting the sale with the cadet. Mr. Kim did not have any employment records for her.

11. Upon asking for his Alcohol Awareness Certificate, Mr. Kim provided a copy, which was expired with an expiration date of July 24, 2021. Mr. Kim advised that it was the most current one he had, and that no one else at the store was certified. Detective Baxter, pursuant to law, advised Mr. Kim that the store could not sell any additional alcoholic beverages until he, or another employee that was certified in alcohol awareness, was on-site.

12. All evidence and interactions were captured on Detective Baxter's body worn

camera and the alcoholic beverage purchased by the cadet was returned to the store. The money paid was refunded.

13. The Respondents have committed the following violations:

- a. Liquor Board Rule 4.01(D) – Records;
- b. Liquor Board Rule 4.04 – Compliance with Laws and Regulations;
- c. Liquor Board Rule 4.10(A) – Alcohol Awareness Program;
- d. Liquor Board Rule 4.10(B) – Alcohol Awareness Program;
- e. Liquor Board Rule 4.10(C) – Alcohol Awareness Program;
- f. Liquor Board Rule 5.02 – Sales to Minors; and
- g. Liquor Board Rule 5.08 – Acts Contrary to Law.

14. The Hearing Board finds that it is necessary to impose a one-day suspension, a fine of One Hundred and 00/100 Dollars (\$100) and a fee of Two Hundred Seventy and 00/100 Dollars (\$270) for the cost of the hearing as provide by Rule 7.05(B). The Hearing Board also requires that Sung Jin Kim and Aaron Iddings Funk (the “Licensees” or “Respondents”), each complete an in-person accredited alcohol awareness course and to provide proof of completion to the Board.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Sung Jin Kim and Aaron Iddings Funk are Licensees on behalf of Harper’s Spirits, LLC t/a Harper’s Choice Liquors (“Harper’s Choice Liquors”), for a Class A Beer, Wine and Liquor 7-day off-sale License located at 5485 Harper’s Farm Road, Columbia, MD 21044.

2. The Hearing Board concludes that the Respondents have committed the following violations:

- a. Liquor Board Rule 4.01(D) – Records;

- b. Liquor Board Rule 4.04 – Compliance with Laws and Regulations;
- c. Liquor Board Rule 4.10(A) – Alcohol Awareness Program;
- d. Liquor Board Rule 4.10(B) – Alcohol Awareness Program;
- e. Liquor Board Rule 4.10(C) – Alcohol Awareness Program;
- f. Liquor Board Rule 5.02 – Sales to Minors; and
- g. Liquor Board Rule 5.08 – Acts Contrary to Law.

3. The Hearing Board concludes that it is necessary to impose a one-day suspension, a fine of One Hundred and 00/100 Dollars (\$100) and a fee of Two Hundred Seventy and 00/100 Dollars (\$270) for the cost of the hearing as provide by Rule 7.05(B). The Hearing Board also requires that Sung Jin Kim and Aaron Iddings Funk (the “Licensees” or “Respondents”), each complete an in-person accredited alcohol awareness course and provide proof of completion to the Board.

ORDER

For the foregoing reasons, and upon finding a violation of Liquor Board Rules 4.01(D), 4.04, 4.10(A), 4.10(B), 4.10(C), 5.02, and 5.08, it is this 27th day of August, 2025, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED:**

1. That the Class A Beer, Wine and Liquor 7-day off-sale License held by Sung Jin Kim and Aaron Iddings Funk (the “Licensees” or “Respondents”), on behalf of Harper’s Spirits, LLC t/a Harper’s Choice Liquors (“Harper’s Choice Liquors”), located at 5485 Harper’s Farm Road, Columbia, MD 21044, be and hereby is **SUSPENDED beginning at 6 a.m. on Saturday, August 30, 2025 through 2 a.m. on Sunday, August 31, 2025; and**

2. That the Licensees shall **DISPLAY the attached SIGN** in color and in a prominent and clear manner, on the front door of the licensed premises beginning at the close of business the

day prior to the suspension and continuing until reopening for business the day after the suspension; and

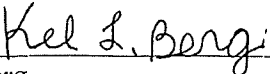
3. That a **FINE of One Hundred and 00/100 Dollars (\$00) and a fee of Two Hundred Seventy and 00/100 Dollars (\$270) is HEREBY IMPOSED** upon Sung Jin Kim and Aaron Iddings Funk (the “Licensees” or “Respondents”), on behalf of Harper’s Spirits, LLC t/a Harper’s Choice Liquors (“Harper’s Choice Liquors”), located at 5485 Harper’s Farm Road, Columbia, MD 21044 and **SHALL BE PAID NO LATER THAN September 30, 2025; and**

4. That Sung Jin Kim and Aaron Iddings Funk (the “Licensees” or “Respondents”), each complete an in-person accredited alcohol awareness course and provide proof of completion to the Board.

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER MAY APPEAL THE DECISION TO THE LIQUOR BOARD WITHIN 10 DAYS OF THE DATE OF THE DECISION, IN ACCORD WITH RULE 6.14 OF THE HOWARD COUNTY LIQUOR BOARD RULES AND REGULATIONS.

ATTEST:

ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



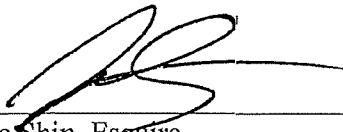
Kel L. Berg
Board Administrator

/S/
Steven Chen, Chairperson

/S/
Steve Hunt, Vice-Chairperson

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

/S/
Ed Coleman, Member



Hyunjae Shin, Esquire
Senior Assistant County Solicitor

/S/
Beth Johnson, Member

/S/
Claire Kim, Member