

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF JUANXIN LIN AND	*	
HE GUI OUYANG ON BEHALF OF	*	BEVERAGE
KOTO SAKE, INC. T/A KOTO SAKE	*	FOR
JAPANESE STEAK HOUSE AND SUSHI	*	HOWARD COUNTY, MARYLAND
FOR A TRANSFER OF A CLASS B	*	
BEER, WINE & LIQUOR 7-DAY	*	Case No.: 21-31
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 July 6, 2021, the Hearing Board heard the application of Juanxin Lin and He Gui Ouyang (the “Applicants”) on behalf of Koto Sake, Inc. t/a Koto Sake Japanese Steak House and Sushi (“Koto Sake Japanese Steak House and Sushi”) for a transfer of a Class B, Beer, Wine and Liquor, 7-day on sale license from Derek Parker and Yen-His Miao on behalf of M & Ou Brothers Plus DP, LLC t/a Koto Sake Japanese Steak House and Sushi for a 6,049 square foot restaurant located at 6410 Freetown Road, Columbia, MD 21044

Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicants were represented by Jay Yoo, Esq. and 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

He Gui Ouyang was sworn and testified as follows:

Mr. Ouyang testified that he is a 50% owner and President of Koto Sake, Inc. Mr. Ouyang stated that he has worked at Koto Sake as a chef and manager since 2011. Mr. Ouyang testified that he is a Howard County resident and has no criminal history.

Mr. Ouyang testified that he held a liquor license for two years in another county and never had a violation. Mr. Ouyang testified he is familiar with the Board's Rules and Regulations and will abide by them.

Juanxin Lin, 50% owner of Koto Sake, Inc. and proposed resident agent, was sworn and testified as follows:

Ms. Lin testified that she and her husband (Mr. Ouyang) live in Howard County and own and manage Koto Sake along with 8 other employees. Ms. Lin testified that she is Alcohol Awareness certified and that the other servers will also be certified soon. Ms. Lin testified that she is familiar with the Board's Rules and Regulations and will abide by them. Ms. Lin stated she has worked at the Koto Sake since 2013 and has experience ordering alcohol and keeping the appropriate records. Ms. Lin testified that alcohol sales are approximately 10% of overall sales.

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 Juanxin Lin and He Gui Ouyang on behalf of Koto Sake, Inc. t/a Koto Sake Japanese Steak House and Sushi have applied for a transfer of a Class B, Beer, Wine and Liquor, 7-day on sale license from Derek Parker and Yen-His

Miao on behalf of M & Ou Brothers Plus DP, LLC t/a Koto Sake Japanese Steak House and Sushi for a 6,049 square foot restaurant located at 6410 Freetown Road, Columbia, MD 21044.

2. The Hearing Board finds that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board finds Juanxin Lin is a Howard County resident.

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 Juanxin Lin and He Gui Ouyang on behalf of Koto Sake, Inc. t/a Koto Sake Japanese Steak House and Sushi have applied for a transfer of a Class B, Beer, Wine and Liquor, 7-day on sale license from Derek Parker and Yen-His Miao on behalf of M & Ou Brothers Plus DP, LLC t/a Koto Sake Japanese Steak House and Sushi for a 6,049 square foot restaurant located at 6410 Freetown Road, Columbia, MD 21044.

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 Juanxin Lin meets the requirements 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 28 day of Sept., 2021, by the Alcoholic Beverage Hearing Board of Howard County, **ORDERED** that the application of Juanxin Lin and He Gui Ouyang on behalf of Koto Sake, Inc. t/a Koto Sake Japanese Steak House and Sushi for a transfer of a Class B, Beer, Wine and Liquor, 7-day on sale license from Derek Parker and Yen-His Miao on behalf of M & Ou Brothers Plus DP, LLC t/a Koto Sake Japanese Steak House and Sushi for a 6,049 square foot restaurant located at 6410 Freetown Road, Columbia, MD 21044, 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 satisfy any requirements necessary to obtain the license by December 5, 2021, 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.

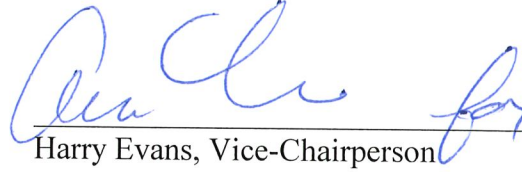
ATTEST:

**ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND**



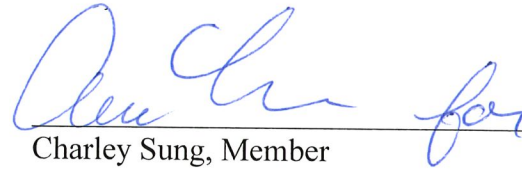
Ashley Aguilar
Board Administrator



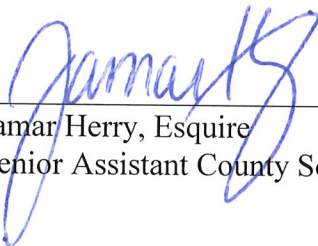
Mary Bird, Chairperson

Harry Evans, Vice-Chairperson

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



Charley Sung, Member

Steven Chen, Member

Jamar Herry, Esquire
Senior Assistant County Solicitor

ABSENT
Claire Kim, Member