

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF SALLY HOANG,	*	BEVERAGE HEARING BOARD
HOA TRUNG HOANG, AND FANNY XIE*	*	FOR
ON BEHALF OF SHKENJI, INC. T/A	*	HOWARD COUNTY
MANDARIN HOUSE FOR A TRANSFER	*	
OF A CLASS B, BEER, WINE, AND	*	CASE NO. 19-37
LIQUOR 7-DAY ON-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 August 13, 2019, the Hearing Board heard the application of Sally Hoang, Hoa Trung Hoang, and Fanny Xie (“Applicants”), on behalf of Shkenji, Inc. t/a Mandarin House (“Mandarin House”), for a transfer of a Class B, Beer, Wine, and Liquor 7-day on-sale license from Phyllis May Albert, Gia Tai Ha, and Boon Wai Lee on behalf of Fu Sahn Enterprise, Inc. t/a Mandarin House for a 2,700-square foot restaurant located at 9105 All Saints Road, Suite C, Laurel, Maryland 20723.

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 Thomas Meachum, 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

Sally Hoang, proposed resident agent and full-time manager of Mandarin House, was sworn and testified that she has lived in Howard County for 21 years and is a registered voter. She testified that this restaurant has been operating for 30 years serving Chinese-American food and they have been operating under a management agreement since May 1, 2019. Ms. Hoang testified that there have been no problems with alcohol service since she has worked at this restaurant. She testified that she has had prior experience with serving alcohol at a restaurant and has never received any liquor violations.

Ms. Hoang testified that she has taken the alcohol awareness course, plans to work 50-60 hours per week, and will supervise between 5 to 12 employees depending on the day. Ms. Hoang testified that the servers at Mandarin House have also taken the alcohol awareness course. She stated that the hours of operation will be Monday through Thursday from 11 a.m. to 10 p.m.; Friday and Saturday from 11 a.m. to 10:30 p.m.; and Sunday from noon until 9:30 p.m.

Ms. Hoang testified that she has read the Liquor Board rules and regulations and will abide by them. She stated that the other applicants on the liquor license are her parents who will work at the restaurant as a hostess/cashier and work in the kitchen and that they have also taken the alcohol awareness course.

Ms. Hoang testified that there have only been minor remodeling changes made to the existing restaurant such as fresh plants, new booth cushions, and furniture rearranged. She stated that the existing in-house and take-out menus have also been updated.

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 of Sally Hoang, Hoa Trung Hoang, and Fanny Xie on behalf of Shkenji, Inc. t/a Mandarin House have applied for a transfer of a Class B, Beer, Wine, and Liquor 7-day on-sale license from Phyllis May Albert, Gia Tai Ha, and Boon Wai Lee on behalf of Fu Sahn Enterprise, Inc. t/a Mandarin House for a 2,700-square foot restaurant located at 9105 All Saints Road, Suite C, Laurel, Maryland 20723.

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 Sally Hoang has been a Howard County resident for more than two years, is a registered voter, and will be the full-time manager of Mandarin House.

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 the Sally Hoang, Hoa Trung Hoang, and Fanny Xie on behalf of Shkenji, Inc. t/a Mandarin House have applied for a transfer of a Class B, Beer, Wine, and Liquor 7-day on-sale license from Phyllis May Albert, Gia Tai Ha, and

Boon Wai Lee on behalf of Fu Sahn Enterprise, Inc. t/a Mandarin House for a 2,700-square foot restaurant located at 9105 All Saints Road, Suite C, Laurel, Maryland 20723.

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 Sally Hoang meets the requirements of Rules 1.10(S), 1.10(T), 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 would not unduly disturb the peace and safety of the neighborhood.

**ORDER**

For the foregoing reasons, it is this 24<sup>th</sup> day of September 2019, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Sally Hoang, Hoa Trung Hoang, and Fanny Xie on behalf of Shkenji, Inc. t/a Mandarin House for a transfer of a Class B, Beer, Wine, and Liquor 7-day on-sale license from Phyllis May Albert, Gia Tai Ha, and Boon Wai Lee on behalf of Fu Sahn Enterprise, Inc. t/a Mandarin House for a 2,700-square foot restaurant located at 9105 All Saints Road, Suite C, Laurel, Maryland, 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 25, 2019, 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:

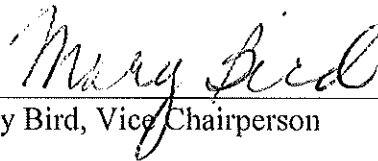
ALCOHOLIC BEVERAGE HEARING  
BOARD OF HOWARD COUNTY,  
MARYLAND



Robin Regner  
Board Administrator

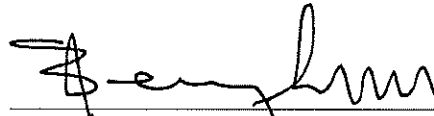
ABSENT

Gene Ryan, Chairperson

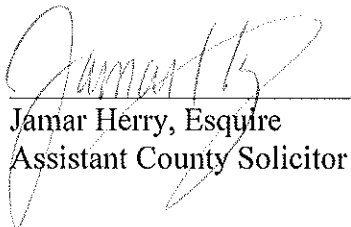


Mary Bird, Vice Chairperson

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