

PETITION TO FINE, SUSPEND, OR * BEFORE THE ALCOHOLIC
 REVOKE THE ALCOHOLIC *
 BEVERAGE LICENSE HELD BY * BEVERAGE HEARING BOARD
 RANJAN KHANNA ON BEHALF OF *
 ANGELS CUT WINE & SPIRITS, LLC, * FOR
 t/a ANGELS CUT WINE & SPIRITS *
 * HOWARD COUNTY, MARYLAND
 *
 * Case No. 15-35-V

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”). This Proposed Decision and Order shall take effect immediately in accord with Rule 7.05(C), and shall become Final, as provided in Rule 6.13.

On June 23, 2015, the Hearing Board heard the Petition of Howard County, Maryland and Detective Mark Baxter, Alcoholic Beverage Inspector (collectively “Petitioners”), to Fine, Suspend, or Revoke the Class A-1 Beer, Wine, and Liquor 7-day off-sale license held by Ranjan Khanna (“Licensee”), on behalf of Angels Cut Wine & Spirits, LLC, t/a Angels Cut Wine & Spirits, located at 5725 Richards Valley Road, Ellicott City, Maryland 21043. The Petitioners were represented by David Moore, Senior Assistant County Solicitor. The Licensee was not represented by an attorney.

All the documents on file were incorporated into the record by reference. These include the following: a letter dated March 20, 2015, to the Licensee from the Liquor Board Administrator, advising him of the hearing date of June 23, 2015, and enclosing the Petition to Fine, Suspend, or Revoke the alcoholic beverage license for Angels Cut Wine & Spirits, LLC, t/a Angels Cut Wine & Spirits; and an email dated June 12, 2015, from the Alcoholic Beverage Inspector stating that the property had been posted.

SUMMARY OF TESTIMONY

Ranjan Khanna, Licensee, was sworn and testified that on February 25, 2015, his wife, Neelam Khanna, was helping with a delivery at the store. Mr. Khanna testified that his wife asked the underage customer for identification, but because she did not have her glasses on, she misread the digits, and sold him beer. Mr. Khanna testified that his wife mistakenly read the underage customer's date of birth, and made an honest mistake.

Mr. Khanna testified that his wife is not an employee of the store, so there are no employee records for her, but that she helps out when necessary. Mr. Khanna testified that his wife is alcohol awareness certified.

Mr. Khanna testified that he has a very strict policy in his store that requires employees to check identification of all customers. Mr. Khanna testified that he was given a letter of commendation regarding a refusal to sell cigarettes to a minor.

Based on the evidence presented at the hearing, the Board of License Commissioners makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Hearing Board finds that Ranjan Khanna is the Licensee on behalf of Angels Cut Wine & Spirits, LLC, t/a Angels Cut Wine & Spirits, a Class A-1 Beer, Wine, and Liquor 7-day off-sale license located at 5725 Richards Valley Road, Ellicott City, Maryland 21043.
2. The Hearing Board finds that the Licensee has admitted to the following violations:
 - a. Liquor Board Rule 5.01(c) – Sales to Minors
 - b. Liquor Board Rule 4.01 – Records
3. The Hearing Board finds that Neelam Khanna made an underage sale of alcohol to a minor.
4. The Hearing Board finds that, despite the fact that Ms. Khanna was acting as an employee at the store, there were no employee records for her.
5. The Hearing Board finds that Ms. Khanna is alcohol awareness certified.
6. The Hearing Board finds that the Licensees have violated the following provisions of the Liquor Board Rules and Regulations:
 - a. Liquor Board Rule 5.01(c) – Sales to Minors
 - b. Liquor Board Rule 4.01 – Records

7. The Hearing Board finds that it is not necessary to suspend or revoke the license, but because of the serious nature of these offenses, and in order to ensure compliance with the law and Rules and Regulations, and to promote the peace and safety of the community, it is necessary to impose a fine in the amount of Six Hundred Dollars, (\$600.00), and a fee of Two Hundred Sixty Dollars (\$260.00) for the cost of the hearing as provided by Rule 7.05(B), for a total of Eight Hundred Sixty Dollars (\$860.00).

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Ranjan Khanna is the Licensee on behalf of Angels Cut Wine & Spirits, LLC, t/a Angels Cut Wine & Spirits, a Class A-1 Beer, Wine, and Liquor 7-day off-sale license located at 5725 Richards Valley Road, Ellicott City, Maryland 21043.
2. The Hearing Board concludes that the Licensees have violated the following provisions of the Liquor Board Rules and Regulations:
 - a. Liquor Board Rule 5.01(c) – Sales to Minors
 - b. Liquor Board Rule 4.01 – Records
3. The Hearing Board concludes that it is not necessary to suspend or revoke the license, but because of the serious nature of these offenses, and in order to ensure compliance with the law and Rules and Regulations, and to promote the peace and safety of the community, it is necessary to impose a fine in the amount of Six Hundred Dollars, (\$600.00), and a fee of Two Hundred Sixty Dollars (\$260.00), for a total of Eight Hundred Sixty Dollars (\$860.00).

ORDER

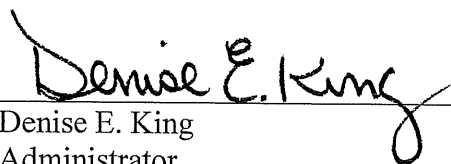
For the foregoing reasons, and upon finding a violation of Rules 5.01(c) and 4.01 of the Liquor Board's Rules and Regulations, it is this 1st day of August, 2015, by the Alcoholic Beverage Hearing Board for Howard County, Maryland, **ORDERED:**

1. That a **FINE** in the amount of Six Hundred Dollars, (\$600.00), and a fee of Two Hundred Sixty Dollars (\$260.00), for the cost of the hearing as provided by Rule 7.05(B), for a total of Eight Hundred Sixty Dollars (\$860.00); is imposed upon Ranjan Khanna, Licensee on behalf of Angels Cut Wine &

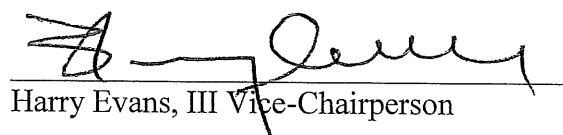
Spirits, LLC t/a Angels Cut Wine & Spirits, and **SHALL BE PAID NO**
LATER THAN SEPTEMBER 30, 2015.

ATTEST:

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

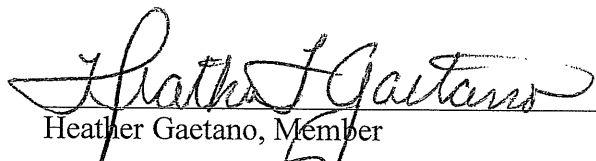

Denise E. King
Administrator

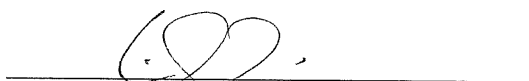

Mary Bird, Chairperson


Harry Evans, III Vice-Chairperson

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

ABSENT
Charles C. Feaga, Member


Heather Gaetano, Member


Lewis Taylor, Esquire
Assistant County Solicitor


Charley C. Sung, Member

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