

IN THE MATTER OF THE * BEFORE THE ALCOHOLIC
 APPLICATION OF MI LYUN LEE MOON* BEVERAGE HEARING BOARD
 ON BEHALF OF YUNG & HAN, INC., t/a *
 HAN JOONG KWAN RESTAURANT * FOR
 FOR RESIDENT AGENT CHANGE ON A * HOWARD COUNTY, MARYLAND
 CLASS B BEER, WINE, AND LIQUOR *
 ON-SALE LICENSE * Case No.:15-11

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 March 10, 2015, the Hearing Board heard the application of Mi Lyun Lee Moon, ("Applicant"), on behalf of Yung & Han, Inc., t/a Han Joong Kwan Restaurant, ("Yung & Han, Inc."), for a resident agent change from Mi Ok Kim to Mi Lyun Lee Moon on the Class B, Beer, Wine, and Liquor 7-day on-sale license, currently held by Mi Ok Kim and Mi Lyun Lee Moon on behalf of Yung & Han, Inc., t/a Han Joong Kwan Restaurant, for a 2,200 square foot restaurant located at 9338 Baltimore National Pike, Ellicott City, Maryland 21042. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicant was represented by Tae Kim, Esquire. There were no protestants who appeared in opposition to the application.

All the documents on file were incorporated into the record by reference. These include the following: the application; a copy of the Minutes of the Special Meeting of Yung & Han, Inc., dated November 15, 2014; a copy of the Certificate of Naturalization for Mi Lyun Lee; a memorandum dated February 12, 2015, from the Liquor Board to the Alcoholic Beverage Inspector, the Department of Inspections, Licenses, and Permits, the Bureau of Environmental Health, and the Department of Planning and Zoning; the background investigation of the Applicant by the Alcoholic Beverage Inspector dated February 24, 2015; a memorandum dated February 26, 2015, from the Department of Planning and Zoning; a letter dated February 23, 2015, and an email dated March 10, 2015, from the Howard County

Department of Fire and Rescue Services; a letter dated January 27, 2015, to the Department of Finance; an email dated March 10, 2015, from the Department of Finance; a letter dated January 27, 2015, to the Comptroller of Maryland; a letter dated February 25, 2015, from the Comptroller of Maryland; a fax transmission to the Applicant's attorney enclosing a letter dated February 13, 2015, with notification of the hearing date and the necessity to advertise; and an email dated February 23, 2015, from the Alcoholic Beverage Inspector stating the premises had been posted.

SUMMARY OF TESTIMONY

Tai Kim, attorney for the applicant, was sworn in as the translator for Mi Lyun Lee Moon.

Mi Lyun Lee Moon, President and 100% shareholder for Yung & Han, Inc., t/a Han Joong Kwan Restaurant, was sworn and testified that she has lived in Howard County for 16 years, is alcohol awareness certified, and has been a licensee for Han Joong Kwan Restaurant for five years.

Ms. Moon testified that she is in the restaurant approximately 60 hours per week, and that her husband is her back-up, if she cannot be there. Ms. Moon testified the hours of the restaurant are 11:00 A.M. to 10:00 P.M., seven days per week.

Ms. Moon testified that nothing has changed on the application since it was submitted.

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicant waived the right to request the Liquor Board to hear the case.

FINDINGS OF FACT

1. The Hearing Board finds that Mi Lyun Lee Moon on behalf of Yung & Han, Inc., t/a Han Joong Kwan Restaurant has applied for a change of resident agent from from Mi Ok Kim to Mi Lyun Lee Moon on the Class B, Beer, Wine, and Liquor 7-day on-sale license, currently held by Mi Ok Kim and Mi Lyun Lee Moon on behalf of Yung & Han, Inc., t/a Han Joong Kwan Restaurant, for a 2,200 square foot restaurant located at 9338 Baltimore National Pike, Ellicott City, Maryland 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 Mi Lyun Lee Moon has been a Howard County resident for more than two years, is a registered voter, and a 100% shareholder of Yung & Han, Inc., t/a Han Joong Kwan Restaurant.

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 in the neighborhood.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Mi Lyun Lee Moon on behalf of Yung & Han, Inc., t/a Han Joong Kwan Restaurant, has applied for a change of resident agent from from Mi Ok Kim to Mi Lyun Lee Moon on the Class B, Beer, Wine, and Liquor 7-day on-sale license, currently held by Mi Ok Kim and Mi Lyun Lee Moon on behalf of Yung & Han, Inc., t/a Han Joong Kwan Restaurant, for a 2,200 square foot restaurant located at 9338 Baltimore National Pike, Ellicott City, Maryland 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 Mi Lyun Lee Moon meets the requirements of Rules 1.09(T), 1.09(U), 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 will not unduly disturb the peace and safety of the residents in the neighborhood.

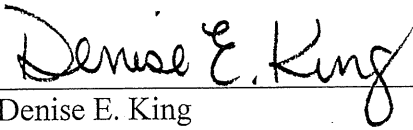
ORDER

For the foregoing reasons, it is this 14th day of April, 2015, by the Alcoholic Beverage Hearing Board of Howard County, Maryland **ORDERED** that the application of Mi Lyun Lee Moon, on behalf of Yung & Han, Inc., t/a Han Joong Kwan Restaurant, for a resident agent change on the Class B, Beer, Wine, and Liquor, 7-day on-sale license, currently held by Mi Ok Kim and Mi Lyun Lee Moon on behalf of Yung & Han, Inc., t/a Han Joong Kwan Restaurant, located at 9338 Baltimore National Pike, Ellicott City, Maryland 21042, be and the same is hereby **GRANTED** subject to the following conditions:

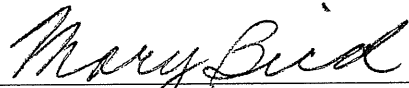
1. That this **PROPOSED DECISION AND ORDER** shall become final when the Applicant obtains the license and complies with the following conditions:
 - (a) That the Applicant complies with all State and County rules and regulations; and
 - (b) That the Applicant submit her Alcohol Awareness Certification; and
 - (c) Failure to comply with these conditions and obtain the license by April 30, 2015, shall render this Proposed Decision and Order null and void.

ATTEST:

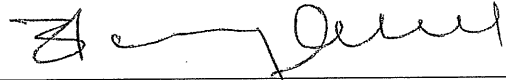
ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND



Denise E. King
Administrator

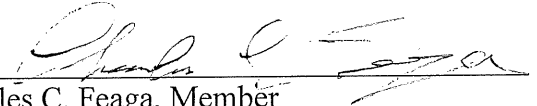


Mary Bird, Chairperson



Harry Evans, III, Vice-Chairperson

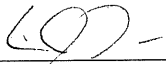
REVIEWED BY HOWARD COUNTY
OFFICE OF LAW
MARGARET ANN NOLAN
COUNTY SOLICITOR



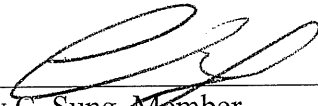
Charles C. Feaga, Member

ABSENT

Heather Gaetano, Member



Lewis Taylor, Esquire
Assistant County Solicitor



Charley C. Sung, Member