

IN THE MATTER OF THE * BEFORE THE ALCOHOLIC
 APPLICATION OF SANG MIN HAN ON *
 BEHALF OF SUSHI NARI, INC. t/a * BEVERAGE HEARING BOARD
 SUSHI NARI, FOR A NEW CLASS B *
 BEER, WINE, AND LIQUOR 7-DAY * FOR
 ON-SALE LICENSE *
 * HOWARD COUNTY, MARYLAND
 *
 * Case No. 15-32
 *

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 14, 2015, the Hearing Board heard the application of Sang Min Han (“Applicant”), on behalf of Sushi Nari, Inc. t/a Sushi Nari (“Sushi Nari, Inc.”), for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 1,244 square foot restaurant located at 8640 Guilford Road, Columbia, Maryland 21046. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicant was represented by Frank R. Shaulis, 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: a cover sheet attaching the application; a copy of the floor plan; a copy of the Articles of Incorporation of Sushi Nari, Inc.; a copy of the stock purchase agreement dated December 31, 2012, between Yong H. Jeon and Sang M. Han; a copy of the Minutes of the First Meeting of the Members of Sushi Nari, Inc.; a copy of Minutes of Informal Action of Shareholders and Board of Directors of Sushi Nari, Inc.; a copy of the Agreement of Sale, dated December 20, 2012, by and between Yong H. Jeon and Sang M. Han; a copy of the Bill of Sale between Yong H. Jeon and Sang M. Han; a copy of the background investigation questionnaire for the Applicant; a copy of the Maryland driver's license for Sang Min Han; a

copy of the driving record from the Motor Vehicle Administration for Sang Min Han; a copy of the Certificate of Naturalization for Sang Min Han; a copy of the fingerprint application receipt for Sang Min Han from the Department of Public Safety and Correctional Services; a copy of the voter registration record for Sang Min Han; a memorandum dated June 4, 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 July 10, 2015; an email dated June 9, 2015, from the Department of Inspections, Licenses, and Permits; a memorandum dated July 7, 2015, from the Department of Planning and Zoning; a letter dated June 4, 2015, to the Department of Finance; a letter dated June 8, 2015, from the Department of Finance; a letter dated June 4, 2015, to the Comptroller of Maryland; a letter dated June 17, 2015, from the Comptroller of Maryland; an email to the attorney for the applicant enclosing a letter dated June 4, 2015, with notification of the hearing date and the necessity to advertise; the certification of advertisement from the Howard County Times and the Baltimore Sun; an email dated June 16, 2015, from the Alcoholic Beverage Inspector stating the premises had been posted.

SUMMARY OF TESTIMONY

Hea Park, Korean Interpreter, was sworn in to assist with translation for Sang Min Han.

Sang Min Han, President and 100% shareholder for Sushi Nari, Inc. t/a Sushi Nari, was sworn and testified that he has lived in Howard County for more than four years, is alcohol certified, and is a registered voter. Mr. Han testified that he has 15 years of experience in the restaurant business that he has worked in seven restaurants that have sold alcoholic beverages, and has never had a violation.

Mr. Han testified that the restaurant has been open for three years and offers sushi, tempura, and teriyaki dishes. The hours of operation are 11:00 A.M. to 10:00 P.M. Monday through Saturday, and closed on Sunday. Mr. Han testified that his customers have been requesting alcoholic beverages to accompany their meals.

Mr. Han testified that they have five employees, including him and his wife, and that they all speak English and Korean. Mr. Han testified that he works the entire time the restaurant is open, and if he has to go out, his wife is present. Mr. Han testified that his wife is alcohol certified, and that she manages the other employees.

Mr. Han testified that he has worked with Martin Johnson, and has created a policy manual that all employees are required to read and sign. Mr. Han testified that he is familiar with the Rules and Regulations pertaining to alcoholic beverages, and that he understands his responsibility as a licensee.

With regards to his speeding tickets, Mr. Han testified that he received them when he was younger and immature. Mr. Han testified that he has changed his driving habits, is now married, and more responsible.

The following Exhibits were entered into the record:

Exhibit #1 – six photographs of the inside and outside of Sushi Nari

Exhibit #2 – menu

Exhibit #3 – a sample of the alcoholic beverage menu

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

FINDINGS OF FACT

1. The Hearing Board finds that Sang Min Han on behalf of Sushi Nari, Inc., t/a Sushi Nari, has applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 1,244 square foot restaurant located at 8640 Guilford Road, Columbia, Maryland 21046.

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 Sang Min Han has been a Howard County resident for more than two years, is a registered voter, and a 100% shareholder of Sushi Nari, Inc. t/a Sushi Nari.

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 Sang Min Han on behalf of Sushi Nari, Inc., t/a Sushi Nari, has applied for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 1,244 square foot restaurant located at 8640 Guilford Road, Columbia, Maryland 21046.

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 Sang Min Han 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.

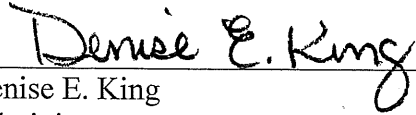
ORDER

For the foregoing reasons, it is this 11th day of August, 2015, by the Alcoholic Beverage Hearing Board of Howard County, Maryland **ORDERED** that the application of Sang Min Han on behalf of Sushi Nari, Inc., t/a Sushi Nari, for a new Class B Beer, Wine, and Liquor 7-day on-sale license for a 1,244 square foot restaurant located at 8640 Guilford Road, Columbia, Maryland 21046, be and the same is hereby **GRANTED** subject to the following conditions:

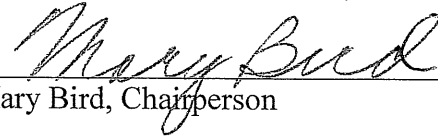
1. That this **PROPOSED DECISION AND ORDER** shall become final when the Applicant obtains the license and complies with the following conditions:
 - (a) The Applicant complies with all State and County rules and regulations; and
 - (b) Failure to comply with these conditions and obtain the license by August 31, 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

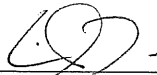
REVIEWED BY HOWARD COUNTY
OFFICE OF LAW
GARY W. KUC
COUNTY SOLICITOR



Charles C. Feaga, Member



Heather Gaetano, Member



Lewis Taylor, Esquire
Assistant County Solicitor



Charley C. Sung, Member