

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF VIRAT	*	
CHAREONVARAVUT ON BEHALF OF	*	BEVERAGE HEARING BOARD
THAI AROMA, INC., t/a THAI AROMA	*	
RESTAURANT, FOR A TRANSFER OF	*	FOR
A CLASS B BEER, WINE, AND	*	
LIQUOR 7-DAY ON-SALE LICENSE	*	HOWARD COUNTY, MARYLAND
	*	Case No. 15-3

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 February 24, 2015, the Hearing Board heard the application of Virat Chareonvaravut, (“Applicant”), on behalf of Thai Aroma, Inc., t/a Thai Aroma Restaurant (“Thai Aroma, Inc.”), for a transfer of the Class B Beer, Wine, and Liquor 7-day on-sale license, which was held by Thaniya Chareonvaravut on behalf of Thai Aroma, Inc., t/a Thai Aroma Restaurant, for a 1,600 square foot restaurant located at 8815 Baltimore National Pike, Ellicott City, Maryland 21043. The hearing was properly advertised pursuant to Article 2B of the Annotated Code of Maryland. The Applicant was not represented by an attorney. 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 Bulk Transfer Affidavit; a copy of the Articles of Incorporation for Thai Aroma, Inc., a copy of the Charter approval sheet; a copy of the death certificate for Thaniya Chareonvaravut; a copy of the background investigation questionnaire from the Applicant; a copy of the criminal history check of the Applicant from the Maryland’s Criminal Justice Information System; a copy of the floor plan; a memorandum dated January 27, 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 11, 2015; a letter dated February 13, 2015, from the Howard County

Department of Fire and Rescue Services; a letter dated January 27, 2015, to the Department of Finance; a letter dated February 11, 2015, from the Department of Finance; a letter dated January 27, 2015, to the Comptroller of Maryland; a letter dated February 10, 2015, from the Comptroller of Maryland; an fax transmission to Mati Chareonvaravut, son of Applicant, enclosing a letter dated January 27, 2015, with notification of the hearing date and the necessity to advertise; and a memorandum dated February 9, 2015, from the Alcoholic Beverage Inspector stating the premises had been posted,

SUMMARY OF TESTIMONY

Mari Chareonvaravut, son of Virat Chareonvaravut, was sworn in as a translator.

Virat Chareonvaravut, was sworn and testified that he is the President and 100% shareholder for Thai Aroma, Inc. Mr. Chareonvaravut testified that his wife died on March 31, 2014, and that she was the sole licensee for Thai Aroma. Mr. Chareonvaravut testified that 100% of the shares of Thai Aroma, Inc. were transferred to him. Mr. Chareonvaravut testified that he has lived in the United States for 40 years, and that he is a registered voter.

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 Virat Chareonvaravut on behalf of Thai Aroma, Inc., t/a Thai Aroma Restaurant, has applied for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license, which was held by Thaniya Chareonvaravut on behalf of Thai Aroma, Inc., t/a Thai Aroma Restaurant, for a 1,600 square foot restaurant located at 8815 Baltimore National Pike, Ellicott City, Maryland 21043.

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 Virat Chareonvaravut has been a Howard County resident for more than two years, is a registered voter, and a 100% shareholder of Thai Aroma, Inc., t/a Thai Aroma 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 Virat Chareonvaravut on behalf of Thai Aroma, Inc., t/a Thai Aroma Restaurant, has applied for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license, which was held by Thaniya Chareonvaravut on behalf of Thai Aroma, Inc., t/a Thai Aroma Restaurant for a transfer of the 1,600 square foot restaurant located at 8815 Baltimore National Pike, Ellicott City, Maryland 21043-4154.

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 Virat Chareonvaravut 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.

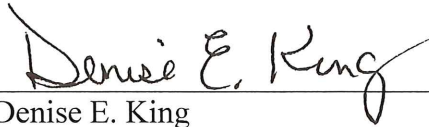
ORDER

For the foregoing reasons, it is this 10th day of March, 2015, by the Alcoholic Beverage Hearing Board of Howard County, Maryland **ORDERED** that the application of Virat Chareonvaravut on behalf of Thai Aroma, Inc., t/a Thai Aroma Restaurant, for a transfer of a Class B Beer, Wine, and Liquor 7-day on-sale license, which was held by Thaniya Chareonvaravut on behalf of Thai Aroma, Inc., for 1,600 square foot restaurant located at 8815 Baltimore National Pike, Ellicott City, Maryland 21043, be and the same is hereby **GRANTED** subject to the following conditions:

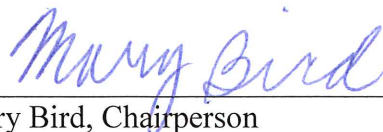
1. That this **PROPOSED DECISION AND ORDER** shall become final when the Applicant obtains the license and complies with the following conditions:
 - (a) That the Applicant complies with all State and County rules and regulations; and
 - (b) Failure to comply with these conditions and obtain the license by April 15, 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



Charles C. Feaga, Vice-Chairperson

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



Harry Evans, III, Member



Lewis Taylor, Esquire
Assistant County Solicitor

Heather Gaetano, Member



Charley C. Sung, Member