



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LIQUOR CONTROL COMMISSION

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In the matter of the request of )  
**M & RK, INC.** )  
25142 Red Arrow ) Request ID No. 655021  
Mattawan, Michigan 49071 )  
Antwerp Township Van Buren County )  
\_\_\_\_\_ )

At the September 11, 2012 hearing of the Michigan Liquor Control Commission  
(Commission) in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman  
Teri L. Quimby, Commissioner  
Dennis Olshove, Commissioner

**LICENSING APPEAL ORDER**

On March 23, 2012, M & RK, Inc. (applicant) filed a request to transfer ownership of 2011 SDD and SDM licenses with Sunday Sales Permit (A.M.) and Sunday Sales Permit (P.M.) from S & G Store, LLC, at the above-noted location. The licenses and permits were renewed for the 2012-2013 licensing year on April 2, 2012.

At a meeting held on July 18, 2012, the Commission denied this request under administrative rule R 436.1105(2)(a) and (b) after considering the previous operating record of applicant stockholder, Gian Singh, who as a prior licensee of the Commission was found responsible for several violations of the Michigan Liquor Control Code and Administrative Rules. Further, the applicant's spouse, Jaspal Kaur, is a current licensee of the Commission and has been found responsible for several violations of the Michigan Liquor Control Code and Administrative Rules, with Gian Singh cited as the selling clerk in a violation for the sale of alcoholic liquor to a person under 21 years of age that occurred

on September 2, 2010. The Commission also denied this request under administrative rule R 436.1105(2)(j) after considering the effects that issuance of a license would have on the health, welfare, and safety of the general public when determining whether an applicant should be issued a license or permit.

Attorney Gary Tibble submitted a timely request for an appeal in this matter and represented the applicant at the September 11, 2012 hearing, at the Commission's Lansing office.

After hearing arguments, reviewing the MLCC file and Exhibit presented, and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated a course of action has been taken to assist in preventing further violations of the Michigan Liquor Control Code and Administrative Rules.

THEREFORE, IT IS ORDERED that:

A. The denial order of July 18, 2012 issued in this matter is reversed and the applicant's request is APPROVED, subject to the following:

1. The licensee shall submit to the Commission an acceptable and executed Lease Agreement.
2. The licensee shall submit to the Commission documentary proof that M & RK, Inc. received a loan in the amount of \$22,000.00 from Gian Singh.
3. The licensee shall submit to the Commission form LCC-3010 "Report of Stockholders/Members/Partners".
4. The licensee shall submit proof of financial responsibility providing security for liability as required under MCL 436.1803. Failure to maintain proof of financial responsibility providing security for liability will result in the immediate suspension of the subject licenses and permits until the licensee provides the Commission with proof of financial responsibility as required under MCL 436.1803.

B. Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as

determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of the licenses and permits by the Michigan Liquor Control Commission does not waive any of these requirements.

C. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, MLCC Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the licenses and permits.

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Andrew J. Deloney, Chairman

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Teri L. Quimby, Commissioner

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Dennis Olshove, Commissioner

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Prepared by:  
Terri Chase, Commission Aide

Date Mailed: \_\_\_\_\_



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LIQUOR CONTROL COMMISSION

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In the matter of )  
**TIME CONSUMING, LLC** )  
**d/b/a MADISON PUB** )  
1001 S. Madison ) Business ID No. 223038  
Bay City, Michigan 48706 )  
Bay County )  
\_\_\_\_\_ )

At the August 13, 2012 meeting of the Michigan Liquor Control Commission (Commission) in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman  
Dennis Olshove, Commissioner

**ORDER TO SHOW CAUSE**

On December 28, 2009, Time Consuming, LLC (licensee) filed a request to transfer ownership of Class C and SDM licenses with Sunday Sales Permit (P.M.) from EZ Investment Co., Inc., to be held at the above-noted location. The request was approved by the Commission on July 14, 2010 with the proviso that the applicant member be reminded of the responsibility to be diligent in efforts to comply with the Liquor Control Code and Administrative Rules and Time Consuming, LLC be forewarned that certain further violations that occur will result in the matter being submitted for consideration of a show cause hearing to determine why the licenses should not be canceled.

Subsequent to the issuance of the licenses and permit to the licensee on August 9, 2010, the licensee has been cited and found responsible for five (5) violations of the Liquor Control Code, most recently on June 20, 2012 (Complaint No. 2-151605). This violation

occurred on February 18, 2012 and involved selling alcohol to two (2) intoxicated patrons. Michael Garcia is listed in the police report as the bartender that served the patrons. Michael Garcia is also listed as the bartender on duty cited in two (2) other violations that occurred on March 18, 2011 and June 12, 2011 at the licensed establishment.

Under administrative rule R 436.1925(1), the Commission, on its own motion, may order a hearing on a matter within its jurisdiction.

After reviewing the MLCC file and discussion of the issue on the record at the meeting held on August 13, 2012, the Commission finds that more discussion should occur at a Show Cause Hearing held under administrative rule R 436.1925(1), to determine why the Class C and SDM licenses with Sunday Sales Permit (P.M.) and any or all other issues related to the licenses, permits and permissions should not be cancelled for failure to comply with the provisions of the approval order of July 14, 2010.

THEREFORE, IT IS ORDERED that Time Consuming, LLC appear before the Commission to show cause, if any it may have, why the Class C and SDM licenses with Sunday Sales Permit (P.M.) and any or all other issues related to the licenses, permits and permissions should not be cancelled for failure to comply with the provisions of the approval order of July 14, 2010.

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Andrew J. Deloney, Chairman

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Dennis Olshove, Commissioner

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Prepared by:  
Terri Chase, Commission Aide

Date Mailed: \_\_\_\_\_