



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LIQUOR CONTROL COMMISSION

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In the matter of the request of	)	
<b>DHOORH LIQUOR &amp; FOOD, INC.</b>	)	
967 E. Fulton	)	Request ID No. 699720
Grand Rapids, MI 49503	)	Business ID No. 143882
	)	
Kent County	)	
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At the April 30, 2013 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

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

**SHOW CAUSE HEARING ORDER**

On September 13, 2002, the Commission issued Dhoorh Liquor & Food, Inc. (licensee) the subject Specially Designated Distributor (SDD) and Specially Designated Merchant (SDM) licenses with Sunday Sales Permit (PM) following a transfer of ownership. Further, the licensee was approved for a new Sunday Sales Permit (AM) on January 11, 2011. The sole stockholder of Dhoorh Liquor & Food, Inc. is Neeraj Saini.

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof under MCL 436.1201(2).

**I. Neeraj Saini and Kentwood Wine & Liquor, LLC**

Paramveer Singh is the sole stockholder in Vacation & Donation, Inc. (Vacation). Ms. Saini is his wife. Ms. Saini's actions involving the SDD & SDM licenses belonging to Kentwood Wine & Liquor, LLC, cause the Commission significant concern. It cannot be overstated that Saini is a licensee and is dutifully charged with adherence to the Liquor Control Code and Administrative Rules.

On August 8, 2012, the Commission issued an order imposing sanctions against Kentwood Wine & Liquor, LLC (Kentwood) following a proposed negotiated settlement of Complaint 2-150577. Kentwood acknowledged several violations of the Michigan Liquor Control Code and Administrative Rules. These violations included allowing open containers of alcoholic liquor on the licensed premises and allowing Vacation & Donation, Inc., (Paramveer Singh) whose name does not appear on the licenses to derive use or benefit from the licenses; and transferring the licenses, or an interest in the licenses, to Vacation without the prior approval of the Commission. The August 8, 2012 order assessed a \$2,700.00 fine and ordered the licenses and permits suspended in 120 days (December 8, 2012), unless the licenses were transferred to a person approved by the MLCC, or Kentwood regained proper proprietary control of the licenses. Vacation's application to transfer Kentwood's licenses was pending with the Commission (Request ID No. 634073) when the Commission entered the August 8, 2012 Order. It should be noted that Vacation's application to transfer Kentwood's license only occurred *after* the Commission cited Kentwood for these violations. Commission records reveal that Kentwood sold the business and its license to Singh in July 2011. Further, Neeraj Saini worked as an employee at Kentwood Wine & Liquor, LLC during this time.

In a November 9, 2012 Order, the Commission denied Vacation's application to transfer ownership of Kentwood's licenses under MCL 436.2003, and administrative rules R 436.1103(2), 436.1119(1), and 436.1105(2)(a), (d), (g)(iii)(c), and (j). Vacation appealed the order of denial on December 5, 2012 but ultimately withdrew its appeal request.

On December 3, 2012, Kentwood requested an extension of the suspension date contained in the August 8, 2012 order, which the Commission denied. In response Kentwood obtained a temporary restraining order against the Commission from the Kent County Circuit Court. The Court scheduled a December 13, 2012 Show Cause Hearing

to determine whether a preliminary injunction would be issued. After meeting in chambers, Kentwood and the Commission entered into a stipulated order extending the deadline for the Licensee to show proper proprietary control to January 14, 2013. The order also dissolved the temporary restraining order and directed Kentwood to supply documentation to the Commission's Enforcement Section confirming that the Licensee had regained proper proprietary control from Vacation. The Stipulated Order also stated that neither Paramveer Singh nor Neeraj Saini were permitted on the licensed premises or to have any role in the operation of the business. The Commission scheduled a January 29, 2013 Show Cause Hearing under administrative rule R 436.1925(1), to determine whether Kentwood had regained proper proprietary control of the licensed establishment and, if not, whether the SDD and SDM licenses with Sunday Sales Permit (PM) should be suspended for failure to comply with the provisions of the August 8, 2012 order.

The Commission conducted a Show Cause Hearing on January 29, 2013 in its Lansing office. Attorney James Koetje represented Kentwood. The Commission ultimately concluded that Kentwood failed to demonstrate that it regained proprietary control of the subject SDD and SDM licenses and permits. The Commission also concluded that the true owner of the establishment where the licenses were being used was Paramveer Singh's business, Vacation. Accordingly, the Commission ordered that the licenses be immediately suspended under the terms of the August 8, 2012 Order, and that all alcoholic liquor be impounded on the premises until further order of the Commission.

Following the Show Cause Hearing, Enforcement investigators went to the licensed establishment to conduct an accounting of the alcoholic liquor inventory impounded on the premises to ensure that no product was removed during the period of suspension. The investigators, with assistance from Kentwood Police Department arrived at the licensed establishment during its posted business hours. When the investigators attempted to approach and enter the business, they were refused entry. In total, the investigators remained at the licensed establishment for four hours attempting to gain entry but were unsuccessful. Approximately one hour after investigators left the licensed establishment, a Kentwood Police Officer witnessed Neeraj Saini on the licensed premises attempting to remove alcohol, in violation of the January 29, 2013

Show Cause Hearing Order as well as the December 14, 2012 Stipulated Order from the Kent Circuit Court.

In response to Saini's actions, the Commission requested that the Kent Circuit Court find her in civil contempt of the December 14, 2012 Stipulated Order. Mr. Koetje represented Saini but only argues that she was not on the licensed premises. He did not address the product removal. The Circuit Court granted the Commission's request and held Saini in contempt. In its Order of Contempt, dated March 7, 2013, the Court ordered Saini to pay \$4,000 in costs to Kent County and the State of Michigan within 2 weeks or she would face 30 days in the Kent County Jail.

## **II. Neeraj Saini's history as an operator in the alcoholic liquor industry**

In addition to the egregious acts involving Kentwood, Neeraj Saini's history as a licensee with the Commission demonstrates a continued pattern of willful disregard for the Commission and the Michigan Liquor Control Code and administrative rules. Since being licensed by the Commission at the above-captioned location, Dhoorh Liquor & Food, Inc., Inc. has been found responsible for the following violations:

- October 6, 2007: Selling or furnishing alcohol to a minor decoy.
- June 7, 2008: Selling or furnishing alcohol to a minor decoy.
- September 18, 2009: Selling or furnishing alcohol to a minor decoy.
- May 24, 2012: Selling or furnishing alcohol to a minor decoy.

After reviewing the MLCC file and discussion of the issue on the record at the Commission meeting held on March 21, 2013, the Commission determined that more discussion should occur at a Show Cause Hearing held under administrative rule R 436.1925(1), to determine whether the licenses and permits currently held in the name of Dhoorh Liquor & Food, Inc., Inc. should be renewed.

A Show Cause Hearing was held in this matter on April 23, 2013 in the Lansing office of the Commission. Representing the licensee at the hearing was Attorney Eric Egan and co-counsel, Joseph Garcia. Also present on behalf of the licensee was Neeraj Saini and her spouse, Paramveer Singh. District Supervisor Tom Healy was present on behalf of the Commission.

After hearing arguments, reviewing the MLCC file and discussion of the issue on the record, the Commission tabled this matter to its April 30, 2013 appeal hearing agenda.

After hearing arguments, reviewing the MLCC file and discussion of the issue on the record at both hearings held in this matter, the Commission makes the following findings of fact:

- The licensee, Neeraj Saini clearly violated Commission orders.
- The licensee, Neeraj Saini clearly violated the order of Kent County Circuit Court dated December 14, 2012, Case No. 12-11323-CZ, resulting in contempt.
- The licensee's spouse, Paramveer Singh admitted to not reading the Commission's orders.
- The licensee's spouse, Paramveer Singh admitted to purchasing alcohol from the State of Michigan using another license; through a bank account not associated with the license; and through an unlicensed business he owned (Vacation & Donation, Inc.).

The Commission decided, with stated reservations that, instead of revocation, the licenses and permits will not be revoked at this time; however, Paramveer Singh shall not be employed or involved in the operation or management of the licensed business on a paid or voluntary basis; not be a consultant to or involved in the promotion of the licensed business on a paid or voluntary basis; and not operate any type of business or enterprise in conjunction with or in association with the operation of this licensed business.

THEREFORE, IT IS ORDERED that:

A. The 2012 SDD and SDM licenses with Sunday Sales Permit (A.M.) and Sunday Sales Permit (P.M.) held by Dhoorh Liquor & Food, Inc., Inc. at the above-noted location may be renewed for the 2013-2014 licensing year.

B. Paramveer Singh shall not be employed or involved in the operation or management of the licensed business on a paid or voluntary basis; not be a consultant

to or involved in the promotion of the licensed business on a paid or voluntary basis; and not operate any type of business or enterprise in conjunction with or in association with the operation of this licensed business.

C. 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.

D. 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.

MICHIGAN LIQUOR CONTROL COMMISSION

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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: \_\_\_\_\_