



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

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In the matter of the request of)	
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JAHNAY CLABON)	Request ID No. 799346
18790 Addison Dr.)	
Southfield, Michigan 48075)	
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)	

At the June 18, 2015 hearing of the Michigan Liquor Control Commission (Commission) in Southfield, Michigan.

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

LICENSING APPEAL ORDER

On April 10, 2015, Jahnay Clabon (applicant) filed a request for a new Salesperson license.

At a meeting held on April 24, 2015, the Commission denied this request under administrative rules R 436.1105(2)(g)(ii), R 436.1105(2)(h), and R 436.1105(2)(j) after considering the prior conviction and driving records of the applicant; and 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.

The Commission also denied this request under MCL 436.2003 because the applicant failed to disclose her complete arrest and conviction record on the application form.

Jahnay Clabon submitted a timely request for an appeal in this matter and represented himself at the June 18, 2015 hearing, held at the Commission’s Southfield office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that the applicant sufficiently provided mitigating circumstances relative to her past conviction and driving records and disclosure of same

during the application process; removing the previous questions concerning the applicant.

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with 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.

The Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request for the reasons stated on the record.

THEREFORE, IT IS ORDERED that:

A. The denial order of April 24, 2015 issued in this matter is reversed and the applicant's request for a new Salesperson license is APPROVED.

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 this license by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before serving or selling alcoholic liquor.

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, Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of this license.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman

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A handwritten signature in cursive script, appearing to read "Dennis Olshove".

Dennis Olshove, Commissioner

Date Mailed:

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