



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

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In the matter of)	
JUMBO'S BAR INC.)	
d/b/a JUMBO'S BAR)	Request ID No. 676837
3736 Third)	Business ID No. 3099
Detroit, Michigan 48201)	
)	
Wayne County)	
_____)	

At the April 23, 2013 hearing of the Michigan Liquor Control Commission
(Commission) in Lansing, Michigan.

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

SHOW CAUSE HEARING ORDER

Jumbo's Bar Inc. (licensee) was issued the subject Class C license with Sunday Sales Permit (P.M.) and Dance Permit at the above-noted location on December 5, 1986. Lolita and Steve Demoff are the current stockholders of the licensed corporation.

On August 13, 2008, a formal request to transfer stock of the license was generated (Request ID No. 483624) after the Commission received information that both stockholders were deceased. The death certificates submitted to the Commission indicate that Steve Demoff passed away on May 18, 1990 and Lolita Demoff passed away on February 28, 2002. Letters of Authority issued by the Macomb County Probate Court on April 17, 2002 appointing Cynthia Furkovich as Personal Representative for the Estate of Lolita Demoff were provided to the Commission and those Letters of Authority subsequently expired on April 10, 2003.

Further, a letter dated February 6, 2013 and executed form LC-52 was submitted to the Commission by Cindy Furkovich indicating that she is the stockholder and president of

Jumbo's Bar, Inc.; however, the Commission was not provided with documentation indicating the disposition of the stock previously held by Lolita and Steve Demoff in the licensed business.

Furthermore, the business was recently cited and found responsible for failure to maintain a current corporate charter since July 15, 2007 (Complaint No. 2-155938).

After reviewing the Commission file and discussion of the issue on the record at a meeting held on February 19, 2013, the Commission ordered a Show Cause Hearing to be scheduled under administrative rule R 436.1925(1) to determine whether or not the license and permits should be suspended or revoked.

The Commission held the show cause hearing in this matter on March 7, 2013 at its Southfield office. Representing the licensee at the hearing was Attorney Ralph Simpson. After hearing arguments, reviewing the MLCC file and Exhibits presented, and discussion of the issue on the record, the Commission tabled this matter to its April 23, 2013 meeting agenda held in Lansing.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record at both hearings held in this matter, the Commission finds that the applicant sufficiently addressed the concerns of the Commission that necessitated the scheduling of the hearing in this matter, and no further action should be taken to affect the status of the Class C license and permits issued to the licensee at this time.

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).

The applicant is authorized to do business in Michigan, as required under MCL 436.1535 for licensure. Under MCL 436.1537(1)(b), the licensee may sell beer, wine, mixed spirit drink and spirits for consumption on the premises.

THEREFORE, IT IS ORDERED that:

A. No further action will be taken to affect the status of the Class C license and permits issued to the licensee at this time.

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

MICHIGAN LIQUOR CONTROL COMMISSION

Andrew J. Deloney, Chairman

Teri L. Quimby, Commissioner

Dennis Olshove, Commissioner

Prepared by:
Terri Chase, Commission Aide
Date Mailed: _____