



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

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In the matter of the request of)
MAJIC CITY OF DETROIT, INC.)
141 W. Eight Mile) Request ID No. 579724
Detroit, Michigan 48203)
Wayne County)
_____)

At the March 14, 2013 hearing of the Michigan Liquor Control Commission
(Commission) in Southfield, Michigan.

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

LICENSING APPEAL ORDER

On January 27, 2011, Magic City of Detroit, Inc. (applicant) filed a request to transfer stock interest in the Class C license with Sunday Sales Permit (P.M.), Entertainment Permit and Topless Activity located at the above-noted address, by adding Maysoon Matty as stockholder through issuance of 1,000 shares of stock from the corporation.

At a meeting held on January 16, 2013, as amended on March 6, 2013, the Commission denied this request under administrative rule R 436.1105(2)(a) and (b) after considering the management experience and prior operating record of Maysoon Matty as a licensee of the Commission. The Commission also denied this request under administrative rule R 436.1105(2)(j) after considering that approval of this request could have a negative effect on the health, welfare and safety of the general public when determining whether an applicant should be issued a license or permit, based on Ms. Matty's prior management experience, and after considering the arrest and conviction record of her spouse, Sami Matty, who plans to devote part-time to the business operation at the licensed establishment.

Ramy Sesi, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the March 14, 2013 hearing, held at the Commission's Southfield 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; and also sufficiently answered the previous questions raised concerning the arrest and conviction record of Sami Matty.

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.

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 January 16, 2013 issued in this matter, as amended on March 6, 2013, is REVERSED and the applicant's request is APPROVED, subject to the following:

1. The licensee shall submit to the Commission "Stock Certificate #2" for Maysoon Matty.
2. The licensee shall submit to the Commission an acceptable and executed Lease Agreement.
3. The licensee shall submit to the Commission form LCC-3010 "Report of Stockholders/Members/Partners".

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

Dennis Olshove, Commissioner

Prepared by:
Terri Chase, Commission Aide

Date Mailed: _____