



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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<b>NEIGHBORHOOD CONVENIENCE STORE</b>	)	Request ID No. 772080
<b>L.L.C.</b>	)	
401 Griswold	)	
Jackson, Michigan 49203	)	
	)	
Jackson County	)	
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At the September 8, 2015 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 November 13, 2014, Neighborhood Convenience Store L.L.C. (applicant) filed a request for a new Specially Designated Merchant license with Sunday Sales Permit (A.M.) and permission to maintain one (1) Direct Connection to the unlicensed premises, to be held at the above-noted address.

At a meeting held on July 1, 2015, the Commission denied the request under 436.1105(2)(g)(iii)(d), R 436.1105(2)(g)(iii)(g) and R 436.1105(2)(j) after considering the prior arrest and conviction record of applicant member, Lorenzo Scott, who has six (6) prior convictions that occurred between 1995 and 2009; and after considering the effects that issuance of a license would have on the health, welfare, and safety of the general public.

The request was also denied under administrative rule R 436.1059 because the application fee submitted via credit card for this request was initially declined due to insufficient funds.

Lorenzo Scott submitted a timely request for an appeal in this matter and represented the applicant at the September 8, 2015 hearing, held 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 demonstrated mitigating circumstances relative to his past arrest and conviction record; 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 applicant is authorized to do business in Michigan, as required under MCL 436.1535 for licensure. Under MCL 436.1537(1)(f), the licensee may sell beer and wine for consumption off the premises only.

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 July 1, 2015 issued in this matter is reversed and the applicant's request for a new Specially Designated Merchant license is APPROVED, subject to the following:

1. The licensee shall submit to the Commission form LCC-3010 "Report of Stockholders/Members/Partners".
2. The licensee shall submit to the Commission verification that

Neighborhood Convenience Store L.L.C. has received a loan in the amount of \$1,000.00 from money lender, Michael Walls, Sr.

3. The licensee shall maintain 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 license and permit until the licensee provides the Commission with proof of financial responsibility as required under MCL 436.1803.

B. The applicant's request for a new Sunday Sales Permit (A.M.) is APPROVED, subject to the following:

1. A reference to the time of day includes daylight savings time, when observed.
2. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village, or township that it prohibits the sale of spirits, mixed spirit drink, or beer and wine during the time authorized by this permit.

C. The applicants request for permission to maintain one (1) Direct Connection to unlicensed premises is APPROVED.

D. **If issued, the Conditional License shall cancel within 20 business days from the issuance date of this order.**

E. 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.

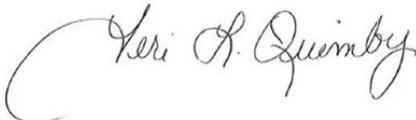
F. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the license and permits.

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

Date Mailed:

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