



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

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In the matter of the request of)
)
SUKHREET LLC) Request ID No: 768541
1708 E. Ashman)
Midland, Michigan 48642)
)
Midland County)
_____)

At the January 27, 2015 hearing of the Michigan Liquor Control Commission
(Commission) in Southfield, Michigan.

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

LICENSING APPEAL ORDER

On September 9, 2014, Sukhreet LLC (applicant) filed a request to transfer ownership of the escrowed 2014 Specially Designated Distributor and Specially Designated Merchant licenses with Sunday Sales Permit (P.M.) from JRPB Properties, LLC; and to transfer location (governmental unit) under MCL 436.1531(18) from 3775 N. Meridian, Sanford, Jerome Township, Midland County to the above noted address. The applicant also requested a new Sunday Sales Permit (A.M.).

At a meeting held on November 25, 2014, the Commission denied this request under administrative rule R 436.1105(2)(a) after considering the operating record of

applicant stockholder, Hardip Singh, as a current licensee of the Commission cited and found responsible for four (4) violations of the Michigan Liquor Control Code and Administrative Rules, including the sale of alcoholic liquor to a 19 year old minor; selling tobacco to a minor; failure to cooperate with law enforcement officers; and allowing narcotics paraphernalia to be used, stored, exchanged or sold on the licensed premises.

The request was also denied under administrative rule R 436.1105(2)(j) after considering 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.

Michael Brown, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the January 27, 2015 hearing, held at the Commission's Lansing office.

After hearing arguments, reviewing the MLCC file and documents 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.

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 licensee is authorized to do business in Michigan, as required under MCL 436.1535 for licensure. Under MCL 436.1537(1)(f) and (g), the licensee may sell spirits, mixed spirit drink, 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 November 25, 2014 issued in this matter is reversed and the applicant's request to transfer ownership of the escrowed 2014 Specially Designated Distributor and Specially Designated Merchant licenses is APPROVED, subject to the following:

1. The licensee shall submit to a Final inspection to be conducted by the Commission's Enforcement Division to determine the final dimensions of the licensed premises; to determine adequate inventory has been installed to determine the true nature of the business; and to determine the licensed premises meets all requirements of the Michigan Liquor Control Code and Administrative Rules.
2. The licensee shall submit to the Commission form LCC-3010 "Report of Stockholders/Members/Partners".
3. The licensee shall submit to the Commission form LCC-3012 "Closing Form for License Sale".
4. The licensee shall submit to the Commission verification that Sukhreet LLC has received a \$268,950 loan from Rishmawi Construction Inc.
5. The licensee shall submit to the Commission verification that Sukhreet LLC has received a \$25,000 loan from Prosperity Foodland, LLC.
6. The licensee shall provide 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 licenses and permits until the licensee provides the Commission with proof of financial responsibility as required under MCL 436.1803.

B. The applicant's request to transfer location (governmental unit) under MCL 436.1531(18) from 3775 N. Meridian, Sanford, Jerome Township, Midland County, to 1708 E. Ashman, Midland, Midland County, is APPROVED.

C. The applicant's request to transfer the existing Sunday Sales Permit (P.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.

D. The applicant's request for a new permit to sell alcoholic liquor between 7 A.M. and Noon on Sundays, as currently licensed by the Liquor Control Commission, is APPROVED pursuant to Public Act 213 of 2010, MCL 436.2111-2115. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village, township, or the local governmental unit, that it prohibits or otherwise objects to the sale of spirits, mixed spirit drink or beer and wine between the hours of 7 A.M. and Noon on Sundays. If notice and supporting documentation is received by the Commission, a show cause hearing will be scheduled before the Commission under administrative rule R 436.1925(1) to determine if the permit must be revoked.

E. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.

F. 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 licenses 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

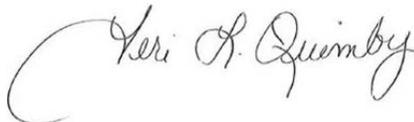
liquor.

G. 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 licenses and permits.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

AL/TLC

Date Mailed: