



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

* * * * *

In the matter of)) CARROLLTON LIQUOR, INC.) 3695 N. Michigan) Saginaw, Michigan 48604)) Carrollton Township Saginaw County) _____)	Request ID No. 714654
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------

At the January 27, 2015 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

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.

On September 11, 2013, the Commission approved a request of Carrollton Liquor, Inc. (applicant) to transfer ownership of an escrowed 2013 Specially Designated Distributor (SDD) license with Sunday Sales Permit (P.M.) from Rite Aid of Michigan, Inc.; and to transfer location of the SDD license from 3777 N. Michigan, Saginaw, Carrollton Township, Saginaw County, to 3925 N. Michigan, Saginaw, Carrollton Township, Saginaw County (RID# 701849); to be held in conjunction with a new Specially Designated Merchant (SDM) license at that location. (RID# 701850)

On September 20, 2013, the applicant submitted closing documents, including form

LCC-3012 ("Closing Form for License Sale"), evidencing that the purchase price of the license was paid to Rite Aid of Michigan, Inc. as consideration to effectuate transfer of the SDD license.

The applicant then submitted correspondence dated October 1, 2013 requesting to relocate the approved SDD license to another location. Because the applicant requested that the approved license be relocated, the Commission cancelled the approved license request, along with the SDM request, and a new application was submitted to transfer location of the SDD license to 3695 N. Michigan, Saginaw, Carrollton Township, Saginaw County (RID# 714654). The Commission's Enforcement Division returned this application as "incomplete" because the applicant failed to provide the necessary documentation for completion of the investigation.

The Commission's Licensing Division staff has made numerous, unsuccessful attempts to contact Bachint Rathor, sole applicant member of Carrollton Liquor, Inc. using all contact information provided on his application, to determine the status of the SDD license.

On October 2, 2014, the Commission received a request from Kanwalpreet, LLC to transfer ownership and location of the subject SDD license from Rite Aid of Michigan, Inc. (RID# 769982). This application is pending during the outcome of the transfer request for Carrollton Liquor, Inc. Commission records indicate that Attorney Michael Brown represents this new applicant.

After reviewing the file and discussion of the issues at a meeting held on November 21, 2014, the Commission found sufficient reasons to schedule a show cause hearing under administrative rule R 436.1925(1) to determine the status of the license and the previous transaction wherein Ride Aid agreed to transfer the license to Carrollton Liquor, Inc. Accordingly, the Order to Show Cause required Rite Aid of Michigan, Inc. and Carrollton Liquor, Inc. to appear before the Commission.

The Commission noticed and held the show cause hearing in this matter on January 13, 2015, at the Lansing office of the Commission. Representing Rite Aid of Michigan, Inc. at the hearing was Attorney Michael Brown. There was no one present on behalf of Carrollton Liquor, Inc.

Due to a possible notification error, the Commission re-noticed the hearing in this

matter for January 27, 2015 and provided proper notice to Carrollton Liquor, Inc. at all contact information provided in the application file. Representing Rite Aid of Michigan, Inc. at the January 27, 2015 hearing was Attorney Michael Brown. There was no one present on behalf of Carrollton Liquor, Inc. at the re-scheduled hearing.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record at the hearing held January 27, 2015, the Commission finds that Rite Aid of Michigan, Inc. has demonstrated that it possesses the property interest in the SDD license. Further, the approved request was appropriately cancelled and no action could be taken on the new request to transfer to the new location due to the lack of information.

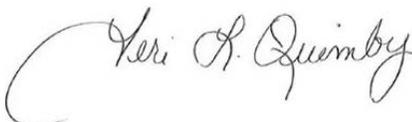
THEREFORE, IT IS ORDERED that:

- A. The Licensing Approval Order dated September 11, 2013 approving the SDD transfer from Rite Aid of Michigan, Inc. to Carrollton Liquor, Inc. (RID# 701849) is RESCINDED.
- B. Rite Aid of Michigan, Inc. holds the property interest in the subject SDD license at this time.
- C. Rite Aid of Michigan, Inc. shall retain the rights to renew and transfer the SDD license subject to the provisions of administrative rule R 436.1107.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner

Request ID No. 714654
Page 4

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

Dennis Olshove, Commissioner

Date Mailed:

tlc