



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

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In the matter of the request of)	
)	
AA FAMILY FOODS INC)	Request ID No. 901110
318-322 W Adams St)	
Iron River, Michigan 49935)	
)	
Iron County)	
_____)	

At the April 20, 2017 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

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

CONDITIONAL LICENSE APPEAL ORDER

On March 8, 2017, AA Family Foods Inc (applicant) filed a request for a conditional license under MCL 436.1525(6), as well as a transfer of ownership of the 2016 Specially Designated Distributor and Specially Designated Merchant licenses with Sunday Sales Permits (A.M. & P.M.) and permission to maintain (2) Direct Connections to unlicensed premises from Double T Family Foods, Inc., at the above-noted address.

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) and (g), the licensee may sell beer, wine, mixed spirit drink and spirits for consumption off the premises, only.

At a meeting held on March 31, 2017, the Commission denied the conditional license request under MCL 436.1525(6). The request was also denied under administrative rule R 436.1105(2)(a) after considering the prior operating record of co-applicant stockholder, Donn Atanasoff, as a prior licensee of the Commission from March 6, 1981 January 24, 2011 at (thirty) 30 locations cited and found responsible for a cumulative total of sixty-four (64) violations of the sale of alcoholic liquor; contrary to MCL 436.1801(2), as stated in that denial order.

Further, the request was 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.

Donn Atanasoff, co-stockholder and legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant along with co-counsel, Joseph Garcia, at the April 20, 2017 hearing held at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file, 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.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's conditional license request.

THEREFORE, IT IS ORDERED that:

A. The denial order of March 31, 2017 issued in this matter is reversed and the applicant's request for conditional Specially Designated Distributor and Specially

Designated Merchant licenses under MCL 436.1525(6) is APPROVED, subject to the following:

1. The existing licenses and separate permits shall be submitted to the Commission before or at the time of the issuance of the conditional license, to remain in escrow under administrative rule R 436.1107 until one of the expiration factors is reached under MCL 436.1525(8).
2. Receipt of form LCC-108 (Request to Place License in Escrow).
3. The conditional license is non-transferable and nonrenewable.
4. The conditional license shall expire under one of the following expiration factors, whichever occurs first, pursuant to MCL 436.1525(9):
 - a. One (1) year after the date the conditional license was issued, notwithstanding any suspension of the conditional license by the Commission.
 - b. The Commission issues the license for which the applicant submitted the license application that serves as the basis of the conditional license.
 - c. After all administrative remedies before the Commission have been exhausted when the Commission issues an order of denial of the license application that serves as the basis for the conditional license.
 - d. When the licensee or conditional licensee notifies the Commission in writing that the initial or conditional application should be cancelled.
5. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
6. The licensee shall submit to the Commission a copy of a signed land contract, real estate mortgage, warranty deed, or quit claim deed. A

Real Estate Transfer Tax Valuation Affidavit must be provided, if the deed does not list the actual purchase price.

B. The licensee's request for a conditional Sunday Sales Permit (A.M.) 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.

C. The applicant's request for a conditional 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 applicants request for conditional permission to maintain two (2) Direct Connections to unlicensed premises is APPROVED.

E. Under administrative rule R 436.1003(1), 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 enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive

these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

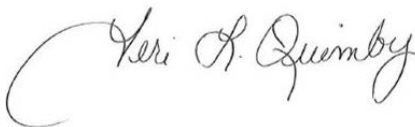
F. Failure to comply with all requirements of licensure in the State of Michigan will result in the conditional licensee being charged with a violation of the Michigan Liquor Control Code, Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the conditional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

G. The approval of this conditional license does not guarantee approval by the Commission of the request to transfer the existing license. Any investments made by the conditional license applicant are done at the applicant's risk.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: April 20, 2017

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

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In the matter of the request of)	
)	
BARDHYL MULLALLI)	Request ID No. 849048
800 S State St)	
Ann Arbor, Michigan 48104)	
)	
Washtenaw County)	

At the April 6, 2017 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

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

LICENSING APPEAL ORDER

On May 26, 2016, Bardhyl Mullalli ("applicant") filed a request to transfer ownership of the 2016 Class C and Specially Designated Merchant licenses with Sunday Sales Permits (A.M. & P.M.), Specific Purpose Permit (Food), and Outdoor Service (1 area) from KVA, LLC, at the above-noted address. The applicant also requested to cancel the existing Specially Designated Merchant license; and requested consideration of licensing under the provisions of administrative rule R 436.1121(2)(f).

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)(b), the licensee may sell beer, wine, mixed spirit drink and spirits for consumption on the premises.

At a meeting held on January 25, 2017, the Commission denied this request under administrative rule R 436.1105(1)(b) because the applicant failed to provide adequate verifiable documentation regarding the financial resources to be used for this transaction.

J. Patrick Howe, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the April 6, 2017 hearing, held at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file with updated documents submitted, and discussion of the issue on the record, the Commission finds that the applicant adequately answered all previous questions concerning this application.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request.

THEREFORE, IT IS ORDERED that:

A. The denial order of January 25, 2017 issued in this matter is reversed and the applicant's request to transfer ownership of 2016 Class C license from KVA, LLC at the subject address, and consideration of licensing under the provisions of administrative rule R 436.1121(2)(f) is APPROVED, subject to the following:

1. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
2. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
3. The licensee shall submit to the Commission an acceptable and executed Lease Agreement or Assignment of Lease Agreement.
4. The licensee shall submit to the Commission form LC-95 ("Proof of Financial Responsibility").
5. The licensee shall maintain proof of financial responsibility, under

MCL 436.1803.

6. The licensee shall submit to the Commission form LCC-301 ("Report of Stockholders/Members/Partners").
7. The licensee shall submit to the Commission form LCC-107 ("Closing Form for New License or License Sale").
8. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).
9. The licensee shall provide documentary proof to the Commission to demonstrate that, at a minimum, supervisory personnel on each shift and during all hours in which alcoholic liquor is served have successfully completed a server training program approved by the Commission as required under MCL 436.1501(1), within 180 days from the issuance of the license and permits, as provided in administrative rule R 436.1060.
 - a. The licensee shall maintain active certification of completion for server training on the licensed premises at all times as provided in administrative rule R 436.1060.
 - b. Failure to provide this documentary proof to the Commission within 180 days of the issuance of the license shall result in the licensee being charged with failure to comply with this order, under administrative rule R 436.1029, which may result in fines, suspension and/or revocation of the license and permits.

B. The applicant's request to transfer the existing Sunday Sales Permit (P.M.) to sell alcoholic liquor for consumption on the premises after Noon on Sundays 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 licensee's request to transfer the existing Sunday Sales Permit (A.M.) 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.

D. The applicant's request to transfer the existing Outdoor Service (1 area) is APPROVED, subject to the following:

1. The outdoor service area shall remain well-defined and clearly marked.
2. The licensee shall permit the sale, service and consumption of alcoholic liquor outdoors in the defined area only.
3. The licensee is prohibited from allowing the sale, service, possession or consumption of alcoholic beverages in any portion of the approved outdoor service area designated for the playing of sporting activities or for sporting events, including any break or intermission.

E. The applicant's request to transfer the existing Specific Purpose Permit (Food) is APPROVED, subject to the following:

1. Under administrative rule R 436.1437(2), the licensee shall not allow customers on the licensed premises during the time period provided by the Specific Purpose Permit unless the activity, and only that activity, allowed by the Specific Purpose Permit, is occurring.

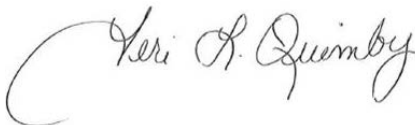
F. Under administrative rule R 436.1003(1), the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

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 license and permits.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner



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

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In the matter of the request of)	
)	
BEER ME BRO, LLC)	Request ID No. 846247
820 Monroe Ave NW, Ste 155)	
Grand Rapids, MI 49503)	
)	
Kent County)	

At the April 20, 2017 meeting of the Michigan Liquor Control Commission in Southfield, Michigan.

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

LICENSING APPEAL ORDER

On April 20, 2016, Beer Me Bro, LLC (“applicant”) filed a request for a new Small Wine Maker license and a new Micro Brewer license with Dance-Entertainment Permit, Specific Purpose Permit (Food), and authorization for the outdoor sale, service, and consumption of alcoholic beverages in an area measuring up to 38’ x 36’, directly adjacent to the licensed premises, and which is well-defined and clearly marked; to be held at the above-noted address. The applicant has subsequently cancelled the request for a Specific Purpose Permit (Food) and Outdoor Service, and requested consideration of licensing under the provisions of administrative rule R 436.1121(2)(f).

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)(o), wine may be sold by direct shipment, at retail on the licensed premises, and as provided for in subsections (2) and (3). Under MCL 436.1537(1)(k), the licensee may sell beer produced by the micro brewer to a consumer for consumption on or off the brewery premises.

At a meeting held on March 1, 2017, the Commission denied the request administrative rule R 436.1105(1)(b) because the applicant failed to demonstrate the existence of adequate legitimate and verifiable financial resources for the establishment and operation of the proposed licensed business in proportion to the type and size of the proposed licensed business.

Brian Leibrandt, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the April 11, 2017 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 tabled this matter to allow the applicant to provide additional documentation relative to new moneylender, Yocto, LLC, and its current status with the Michigan Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Corporations Division, as it appeared Yocto, LLC was no longer in good standing.

On April 20, 2017, the Commission reconvened in Southfield in this matter and applicant member, Edwin Collazo, represented the applicant at the hearing.

After hearing arguments, reviewing the MLCC file with updated documents presented, and discussion of the issue on the record at both hearings held in this matter, the Commission finds that the applicant sufficiently demonstrated that the previous questions concerning this application have been addressed. The applicant provided a written demonstration of an additional source of funding and demonstrated good cause under administrative rule R 436.1121(2)(f) as to why the Commission should approve the source of funding because Yocto, LLC is not a bona fide lending institution.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and approve the applicant's request.

THEREFORE, IT IS ORDERED that:

A. The denial order of March 1, 2017 issued in this matter is reversed and the applicant's request for new Small Wine Maker and Micro Brewer licenses, and consideration of licensing under the provisions of administrative rule R 436.1121(2)(f) is APPROVED, subject to the following:

1. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
2. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
3. **The licensee shall submit to a final inspection to be conducted by the Commission's Enforcement Division to determine construction has been completed as proposed; to determine that all furniture, fixtures and equipment have been installed; to determine that seating capacity has been determined and is posted; and to determine that the licensed premises meets all requirements of the Michigan Liquor Control Code and Administrative Rules.**
4. The licensee shall submit to the Commission verification that Beer Me Bro, LLC received a loan in the amount of \$51,530.00 from Honor Professional Management, Inc.
5. The licensee shall submit to the Commission verification that Beer Me Bro, LLC received a loan in the amount of \$230,000.00 from Lloyd Petroelje.
6. The licensee shall submit to the Commission verification that Beer Me Bro, LLC received a loan in the amount of \$70,000.00 from Lloyd and Henriette Petroelje.
7. The licensee shall submit to the Commission verification that Beer Me Bro, LLC received a loan in the amount of \$250,000.00 from Yocto, LLC.

8. The licensee shall submit to the Commission a Federal Basic Permit issued by the Alcohol and Tobacco Tax and Trade Bureau (TTB) pursuant to administrative rule R 436.1708(1).
9. The licensee shall submit to the Commission form LC-MW-816 ("Surety Bond for Non-Retail License").
10. The licensee shall maintain a surety bond, under MCL 436.1801(1)(a).
11. The licensee shall submit to the Commission form LC-95 ("Proof of Financial Responsibility").
12. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
13. The licensee shall submit to the Commission a copy of the applicant's food service establishment license issued by the Michigan Department of Agriculture and Rural Development under the Food Law of 2000 (MCL 289.1101 to 289.8111).
14. The licensee shall submit to the Commission form LCC-301 ("Report of Stockholders/Members/Partners").
15. The licensee shall submit to the Commission form LCC-107 ("Closing Form for New License or License Sale").
16. The licensee shall provide documentary proof to the Commission to demonstrate that, at a minimum, supervisory personnel on each shift and during all hours in which alcoholic liquor is served have successfully completed a server training program approved by the Commission as required under MCL 436.1501(1), within 180 days from the issuance of the licenses, as provided in administrative rule R 436.1060.
 - a. The licensee shall maintain active certification of completion for server training on the licensed premises at all times as provided in administrative rule R 436.1060.
 - b. Failure to provide this documentary proof to the Commission within 180 days of the issuance of the licenses shall result in

the licensee being charged with failure to comply with this order, under administrative rule R 436.1029, which may result in fines, suspension and/or revocation of the licenses.

17. The licensee is prohibited from producing more than 50,000 gallons of wine in one calendar year.
18. The licensee may provide samples to consumers at the licensed premises of the wine they manufacture; and also sell that wine for consumption off the licensed premises as defined under MCL 436.1113(9) and MCL 436.1537(1)(o).
19. The licensee shall comply with the tax collection and reporting system under MCL 436.1301.
20. The licensee shall label all wine products in accordance with the federal wine regulations published in 27 C.F.R. prior to the sale in Michigan under administrative rule R 436.1719.
21. The licensee shall not sell wine products until a registration number of approval has been received from the Commission under administrative rule R 436.1719(1)(c).
22. The licensee shall file a schedule of the net cash prices to retail licensees for all sales of wine before January 1, April 1, July 1, and October 1 of each year under administrative rule R 436.1726(1).
23. The licensee is approved to bottle bulk domestic or imported wine for sale in any state pursuant to MCL 436.1111(10) and administrative rule R 436.1716(4).
24. The licensee shall not purchase bulk wine for bottling that is manufactured by another manufacturer unless the other manufacturer has first obtained a written order of approval from the Commission to manufacture the wine for the licensee pursuant to administrative rule R 436.1716(5).
25. The licensee is allowed to produce no more than 60,000 barrels of beer per year and may sell that beer to consumers for consumption on or off the licensed premises.

26. The licensee shall label all beer products in accordance with the federal beer regulations published in 27 C.F.R. prior to the sale in Michigan under administrative rule R 436.1611.
27. The licensee shall receive a registration number of approval for all beer products from the Commission prior to the sale in Michigan under administrative rule R 436.1611(1)(c).
28. The licensee shall collect a container deposit of a minimum of \$30.00 for all refillable containers of beer with a capacity over 5 gallons. A cash refund equal to the deposit collected for all refillable containers over 5 gallons shall be made to a licensee who has made the deposit and returned the containers for refund under administrative rule R 436.1629.
29. The licensee shall comply with the tax collection and reporting system under MCL 436.1409.

B. The applicant's request for a new Dance-Entertainment is APPROVED, subject to the following:

1. The licensee must have a well-defined and clearly marked dance floor that is 100 square feet or larger under administrative rule R 436.1415.
2. The licensee is prohibited from having tables, chairs, or other obstacles on the dance floor while customers are dancing.

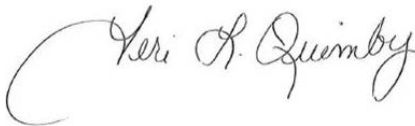
C. Under administrative rule R 436.1003(1), the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

D. 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 permit.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: April 27, 2017

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

* * * * *

In the matter of the request of)	
)	
BIG J MARKET, INC.	)	Request ID No. 856871
16811 Schaefer Hwy.)	
Detroit, Michigan 48235)	
)	
Wayne County)	
_____)	

At the April 6, 2017 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

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

LICENSING APPEAL ORDER

On September 14, 2016, Big J Market, Inc. ("applicant") filed a request to transfer ownership of an escrowed 2016 Specially Designated Distributor license, only, from Jason on Wilfred, Inc. The applicant also requested to transfer location from 12841 Wilfred St., Detroit, Wayne County to the above-noted location; to be held in conjunction with existing Specially Designated Merchant license with Sunday Sales Permit (A.M.).

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)(g) the licensee may sell spirits and mixed spirit drink for consumption off the premises only.

At a meeting held on February 22, 2017, the Commission denied this request under administrative rule R 436.1105(2)(a) after considering the operating record of applicant member, Jabbar Sesi, at Big J Market, Inc. Commission records reflect that location has been found responsible for two (2) violations of the sale of alcohol to minors, ages 18 and 20, which is contrary to MCL 436.1801(2); and Jabbar Sesi was cited as the selling clerk in a sale to minor violation that occurred in 2016 to a 20 year old.

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.

Seth Tompkins, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the April 6, 2017 hearing, held at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file with updated documents submitted, 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.

The Commission finds that the applicant's location is within 2,640 feet from two (2) existing SDD licensees: Angeleena, Inc. is located 1,056 feet away at 17150-17152-17156 Schaefer Hwy., Detroit, Wayne County. Sabah, LLC is located 2,112 feet away at 13535 Puritan St., Detroit, Wayne County.

Both existing SDD licensed locations are separated from the applicant by Schaefer Hwy., which is identified as a major thoroughfare as defined under administrative rule R 436.1001(k); and therefore, the applicant qualifies for a waiver of administrative rule R 436.1133 as permitted under (c) relative to both outlets.

For the reasons stated on the record, the Commission finds sufficient reasons to

reverse its denial issued in this matter and to approve the applicant's request.

THEREFORE, IT IS ORDERED that:

A. The denial order of February 22, 2017 issued in this matter is reversed and the applicant's request to transfer ownership of the 2017 Specially Designated Distributor license, only, from Jason on Wilfred, Inc. is APPROVED, subject to the following:

1. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
2. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
3. The licensee shall submit to the Commission form LCC-107 ("Closing Form for New License or License Sale").
4. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
5. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).

B. The applicant's request to transfer location from 12841 Wilfred St., Detroit, Wayne County, to 16811 Schaefer Hwy., Detroit, Wayne County is APPROVED.

C. Under administrative rule R 436.1003(1), 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 enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the

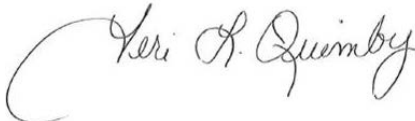
location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

D. 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.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: May 12, 2017

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

* * * * *

In the matter of the request of)	
)	
CDKI II, LLC	)	Request ID No. 856795
1044 Godfrey Ave SW)	
Grand Rapids, Michigan 49503)	
)	
Kent County)	
_____)	

At the April 18, 2017 hearing of the Michigan Liquor Control Commission in
Lansing, Michigan.

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

LICENSE APPEAL ORDER

NEW OUTDOOR SERVICE AREA APPROVAL ORDER

On March 8, 2017, the Commission approved the request of CDKI II, LLC ("licensee") to transfer location of the subject escrowed 2016 Class C and Specially Designated Merchant licenses with Sunday Sales Permits (A.M. & P.M.), Dance-Entertainment Permit and three (3) Bars from 1044 Godfrey Ave SW, Grand Rapids, Kent County, to the above-noted address.

The licensee's also requested new authorization for the outdoor sale, service, and consumption of alcoholic beverages in an area measuring up to 118' x 142', located directly adjacent to the licensed premises in the proposed parking lot. The Commission had concerns about the health, welfare, and safety of the general public because it appeared that vehicle traffic would occur in the same area where the service of patrons would occur in the proposed Outdoor Service area and denied this portion of the application under administrative rule R 436.1105(2)(j).

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 licensee 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. Under MCL 436.1537(1)(f), the licensee may sell beer and wine for consumption off the premises, only.

Licensee member, Peter Krupp, submitted a timely request for an appeal in this matter and represented the applicant at the April 18, 2017 hearing, held at the Commission's Lansing office.

After hearing arguments, reviewing the MLCC file with updated documents presented, and discussion of the issue on the record, the Commission finds that the licensee adequately addressed the Commission's concerns with this application by providing an updated site plan demonstrating a defined area for the outdoor service that will be separated from the patron parking spaces by fencing.

For the reasons stated on the record, the Commission finds sufficient reasons to affirm approval of the transfer location of the subject licenses and permits, and to approve the licensee's request for new Outdoor Service.

THEREFORE, IT IS ORDERED that:

A. The Order dated March 8, 2017 issued in this matter approving the licensee's request to transfer location of the subject licenses and permits is AFFIRMED.

B. The Order dated March 8, 2017 denying the licensee's request for authorization for the outdoor sale, service, and consumption of alcoholic beverages in an area measuring up to 118' x 142', located directly adjacent to the licensed premises, and which is well-defined and clearly marked is REVERSED and APPROVED, subject to the following:

1. The outdoor service area shall remain well-defined and clearly

marked.

2. The licensee shall permit the sale, service and consumption of alcoholic liquor outdoors in the defined area only.
3. The licensee is prohibited from allowing the sale, service, possession or consumption of alcoholic beverages in any portion of the approved outdoor service area designated for the playing of sporting activities or for sporting events, including any break or intermission.

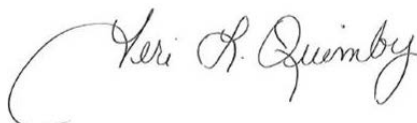
C. Under administrative rule R 436.1003(1), the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

D. 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

Request ID No. 856795
Page 4

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Dennis Olshove, Commissioner

Date Mailed: June 1, 2017

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

* * * * *

In the matter of the request of)	
)	
CLARK WALLED LAKE, INC.	)	Request ID No. 900121
640-670 N Pontiac Trl)	
Walled Lake, Michigan 48390)	
)	
Oakland County)	
_____)	

At the April 27, 2017 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

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

CONDITIONAL LICENSE APPEAL ORDER

On February 27, 2017, Clark Walled Lake, Inc. ("applicant") filed a request for a Conditional license under MCL 436.1525(6), as well as a request for a new Specially Designated Merchant license under MCL 436.1533(7) with permission to maintain motor vehicle fuel pumps on or adjacent to the licensed premises issued under MCL 436.1541(6), new Sunday Sales Permit (A.M.) and new Beer and Wine Tasting Permit, to be held at the above-noted address.

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.

At a meeting held on March 29, 2017, the Commission denied the conditional license request under MCL 436.1525(6). The request was also denied under administrative rule R 436.1105(2)(a) after considering the prior operating record applicant stockholder, Iven Sharrak, who is licensed at multiple locations that have been cited and found responsible for numerous violations of the Michigan Liquor Control Code and Administrative Rules, including but not limited to, twelve (12) violations of the sale of alcoholic liquor a minor, which is contrary to MCL 436.1801(2), and that resulted in a 2016 Penalty Hearing being held under MCL 436.1903(1); six (6) NSF check violations totaling \$17,951.62, which is contrary to administrative rule R 436.1059; and five (5) violations for failing to maintain the statutory minimum inventory required for licensure under MCL 436.1541(1).

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.

Joseph Shallal, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the April 27, 2017 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 adequately addressed all other concerns regarding this application.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's Conditional license request.

THEREFORE, IT IS ORDERED that:

A. The denial order of March 29, 2017 issued in this matter is reversed and the applicant's request for a Conditional Specially Designated Merchant license under MCL 436.1525(6) is APPROVED, subject to the following:

1. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
2. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).
3. The conditional license is non-transferable and nonrenewable.
4. The conditional license shall expire under one of the following expiration factors, whichever occurs first, pursuant to MCL 436.1525(9):
 - a. One (1) year after the date the conditional license was issued, notwithstanding any suspension of the conditional license by the Commission.
 - b. The Commission issues the license for which the applicant submitted the license application that serves as the basis of the conditional license.
 - c. After all administrative remedies before the Commission have been exhausted when the Commission issues an order of denial of the license application that serves as the basis for the conditional license.
 - d. When the licensee or conditional licensee notifies the

Commission in writing that the initial or conditional application should be cancelled.

B. The applicant's request for conditional permission for motor vehicle fuel pumps on or adjacent to the licensed premises under MCL 436.1541(6) is APPROVED subject to compliance with the requirements contained therein.

C. The applicant's request for a conditional Sunday Sales Permit (A.M.) to sell alcoholic liquor between 7 A.M. and Noon on Sundays, 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.

D. The applicant's request for a conditional Beer and Wine Tasting Permit is APPROVED, subject to the following:

1. No charges for the tasting of the beer and wine are allowed under MCL 436.1537(5)(a).
2. The tasting samples provided to a customer must not exceed 3 servings at up to 3 ounces per serving of beer or 3 servings at up to 2 ounces of wine under MCL 436.1537(5)(b).
3. A customer must not be provided with more than a total of 3 samples of beer or wine within a 24-hour period per licensed premises under MCL 436.1537(5)(b).
4. The Commission must be notified, in writing, a minimum of 10 working days prior to the event, regarding the date, time, and location of the event MCL 436.1537(5)(d).

5. Under MCL 436.1537(6), during the time the permitted beer or wine tasting is conducted, the applicant-permit holder, or its agent or employee who has successfully completed a server training program as provided for in MCL 436.1906, shall devote full time to the beer and wine tasting activity and shall perform no other duties including the sale of alcoholic liquor for consumption off the licensed premises.
6. Beer and wine used for the permitted tasting must come from the specially designated merchant's (SDM's) inventory under MCL 436.1537(6), and all open bottles must be removed from the premises on the same business day or resealed and stored in a locked, separate storage compartment on the licensed premises when not being used for the activities allowed by the Permit.
7. The Permit holder must prohibit a wholesaler from conducting or participating in the beer and wine tastings under MCL 436.1537(7).
8. A permitted beer and wine tasting must be conducted during the legal hours for sale of alcoholic liquor by the licensee under MCL 436.1537(8).

E. Under administrative rule R 436.1003(1), 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 enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

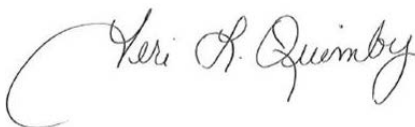
F. Failure to comply with all requirements of licensure in the State of Michigan will result in the conditional licensee being charged with a violation of the Michigan Liquor Control Code, Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the conditional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

G. The approval of this conditional license does not guarantee approval by the Commission of the request to transfer the existing license. Any investments made by the conditional license applicant are done at the applicant's risk.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: 5-30-17

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

* * * * *

In the matter of the request of)	
)	
ELLIOT'S EATS LLC	)	Request ID No. 854841
3065 Henry St)	
Muskegon, Michigan 49441)	
)	
Roosevelt Park City)	
Muskegon County)	
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At the April 11, 2017 hearing of the Michigan Liquor Control Commission in
Lansing, Michigan.

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

LICENSING APPEAL ORDER

On August 15, 2016, Elliot's Eats LLC ("applicant") filed a request to transfer ownership of an escrowed 2016 Class C license from Michigan Department of Treasury, and to transfer location (governmental unit) under MCL 436.1531(1) from 5490 E Apple Ave, Muskegon, Egelston Township, Muskegon County, to the above-noted address. The applicant also requested a new Specially Designated Merchant license; new Sunday Sales Permits (A.M. & P.M.); new Dance-Entertainment Permit; and new authorization for the outdoor sale, service, and consumption of alcoholic beverages in an area measuring up to 20' x 75', located directly adjacent to the licensed premises, and which is well-defined and clearly marked.

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)(b), the licensee may sell beer, wine, mixed spirit drink and spirits for consumption on the premises. Under MCL 436.1537(1)(f), the licensee may sell beer and wine for consumption off the premises, only.

At a meeting held on November 9, 2016, the Commission denied this request under administrative rule R 436.1041(1) based on the documents and financial information provided, as it appears the applicant is attempting to obtain a license for the use and benefit of another person and business entity whose name does not appear on the license application.

This request was also denied under administrative rule R 436.1110(1)(g) because the applicant failed to provide a statement signed by a manager or member of the company naming the person authorized to sign the application and other documents required by the Commission which authorizes John Doyle or Steven Dornbos to sign documents on behalf of the applicant for the type of license requested to be transferred.

John Doyle, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at hearings held in Lansing on January 10, 2017 and April 11, 2017.

After hearing arguments, reviewing the MLCC file with updated documents submitted, and discussion of the issue on the record, the Commission finds that the applicant adequately addressed the previous questions and concerns with this application. The applicant provided a Certified Authorization Resolution dated March 13, 2017 allowing Steven Dornbos to verbalize and communicate with MLCC staff to discuss any and all documents required by the Commission.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request.

THEREFORE, IT IS ORDERED that:

A. The denial order of November 9, 2016 issued in this matter is reversed and the applicant's request to transfer ownership of the escrowed Class C license from Michigan Department of Treasury is APPROVED, subject to the following:

1. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
2. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
3. **The 2017 Resort Class C license issued under MCL 436.1531(2) with Sunday Sales Permit (P.M.), Dance-Entertainment Permit, Specific Purpose Permit (Food) and Outdoor Service (1 area) held by Elliot's Eats LLC (BID# 235604) at 3065 Henry St, Muskegon, Roosevelt Park City, Muskegon County, shall be placed in escrow.**
4. The licensee shall submit to the Commission a copy of a signed land contract, real estate mortgage, warranty deed, or quit claim deed.
5. The licensee shall submit to the Commission form LC-95 ("Proof of Financial Responsibility").
6. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
7. The licensee shall submit to the Commission form LCC-301 ("Report of Stockholders/Members/Partners").
8. The licensee shall submit to the Commission form LCC-107 ("Closing Form for New License or License Sale").
9. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).
10. The licensee shall provide documentary proof to the Commission to demonstrate that, at a minimum, supervisory personnel on each shift and during all hours in which alcoholic liquor is served have successfully completed a server training program approved by the

Commission as required under MCL 436.1501(1), within 180 days from the issuance of the licenses and permits, as provided in administrative rule R 436.1060.

- a. The licensee shall maintain active certification of completion for server training on the licensed premises at all times as provided in administrative rule R 436.1060.
- b. Failure to provide this documentary proof to the Commission within 180 days of the issuance of the license shall result in the licensee being charged with failure to comply with this order, under administrative rule R 436.1029, which may result in fines, suspension and/or revocation of the licenses and permits.

11. The 2017 Resort Class C license issued under MCL 436.1531(2) with Sunday Sales Permit (P.M.), Dance-Entertainment Permit, Specific Purpose Permit (Food) and Outdoor Service (1 area) held by Elliot's Eats LLC (BID# 235604) at 3065 Henry St, Muskegon, Roosevelt Park City, Muskegon County, shall not be reactivated at this location.

B. The applicant's request to transfer location (governmental unit) under MCL 436.1531(1) of the Class C license from 5490 E Apple Ave, Muskegon, Egelston Township, Muskegon County, to 3065 Henry St, Muskegon, Roosevelt Park City, Muskegon County, is APPROVED.

C. The applicant's request for a new Specially Designated Merchant license is APPROVED.

D. The applicant's request for a new Sunday Sales Permit (P.M.) to sell alcoholic liquor after Noon on Sundays 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.

E. The applicant's request for a new Sunday Sales Permit (A.M.) to sell alcoholic liquor between 7 A.M. and Noon on Sundays 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.

F. The applicant's request for a new Dance-Entertainment Permit is APPROVED, subject to the following:

1. The licensee must have a well-defined and clearly marked dance floor that is 100 square feet or larger under administrative rule R 436.1415.
2. The licensee is prohibited from having tables, chairs, or other obstacles on the dance floor while customers are dancing.

G. The applicant's request for new authorization for the outdoor sale, service, and consumption of alcoholic beverages in an area measuring up to 20' x 75' located directly adjacent to the licensed premises, and which is well-defined and clearly marked is APPROVED, subject to the following:

1. The outdoor service areas shall remain well-defined and clearly marked.
2. The licensee shall permit the sale, service and consumption of alcoholic liquor outdoors in the defined areas only.
3. The licensee is prohibited from allowing the sale, service, possession or consumption of alcoholic beverages in any portion of the approved outdoor service areas designated for the playing of sporting activities or for sporting events, including any break or intermission.

H. 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

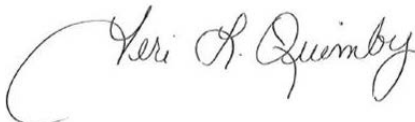
Commission does not waive any of these requirements. The licensee shall obtain all other required state and local licenses, permits, and approvals before selling or serving alcoholic liquor.

I. 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

Date Mailed: May 31, 2017

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

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In the matter of the request of)	
)	
GRIMS BEE, LLC)	Request ID No. 851141
5904 Buttrick Ave SE)	
Alto, Michigan 49302)	
)	
Cascade Township)	
Kent County)	
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At the April 18, 2017 hearing of the Michigan Liquor Control Commission in
Lansing, Michigan.

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

LICENSING APPEAL ORDER

On June 20, 2016, Grims Bee, LLC ("applicant") filed a request for a new Small Wine Maker license with new Living Quarters Permit, to be held at the above-noted location.

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)(o), wine may be sold by direct shipment, at retail on the licensed premises, and as provided for in subsections (2) and (3).

At a meeting held on March 15, 2017, the Commission denied this request for a

Small Wine Maker License under MCL 436.1201(2) and administrative rules R 436.1728(1), R 436.1003(1) and R 436.1105(2)(j).

Brennan Gorman, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the April 18, 2017 hearing, held at the Commission's Lansing office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated through testimony and submission of updated documents that the previous questions concerning this application have been satisfactorily addressed.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request.

THEREFORE, IT IS ORDERED that:

A. The denial order of March 15, 2017, 2017 issued in this matter is reversed and the applicant's request for a new Small Wine Maker license is APPROVED, subject to the following:

1. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
2. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
3. **The licensee shall submit to a Final Inspection to be conducted by the Commission's Enforcement Division to determine that all equipment has been installed; and to determine that the licensed premises meets all requirements of the Michigan Liquor Control Code and Administrative rules.**
4. The licensee shall submit to the Commission form LC-MW-816 ("Surety Bond for Non-Retail License").
5. The licensee shall maintain a surety bond, under MCL 436.1801(a).

6. The licensee shall submit to the Commission form LC-95 ("Proof of Financial Responsibility").
7. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
8. The licensee shall submit to the Commission a Federal Basic Permit issued by the Alcohol, Tobacco, Tax & Trade Bureau (TTB) under administrative rule R 436.1705(1).
9. The licensee shall submit to the Commission form LCC-301 ("Report of Stockholders/Members/Partners").
10. The licensee shall submit to the Commission form LCC-107 ("Closing Form for New License or License Sale").
11. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).
12. The licensee is prohibited from producing more than 50,000 gallons of wine in one calendar year.
13. The licensee shall comply with the tax collection and reporting system under MCL 436.1301.
14. The licensee shall label all wine products in accordance with the federal wine regulations published in 27 C.F.R. prior to the sale in Michigan under administrative rule R 436.1719.
15. The licensee shall not sell wine products until a registration number of approval has been received from the Commission under administrative rule R 436.1719.
16. The licensee shall file a schedule of the net cash prices to retail licensees for all sales of wine before January 1, April 1, July 1, and October 1 of each year under administrative rule R 436.1726 (1).
17. The licensee shall not purchase bulk wine for bottling that is manufactured by another manufacturer unless the other manufacturer

has first obtained a written order of approval from the Commission to manufacture the wine for the licensee pursuant to administrative rule R 436.1716(5).

B. The applicant's request for a new Living Quarters Permit is APPROVED, subject to the following:

1. The licensee shall submit to the Commission form LCC-203 ("Living Quarters Permit Application").

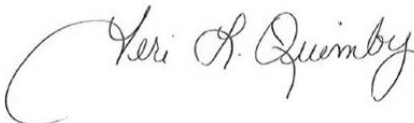
C. Under administrative rule R 436.1003(1), the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

D. 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 permit.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner

Request ID No. 851141
Page 5

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Dennis Olshove, Commissioner

Date Mailed: May 26, 2017

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

* * * * *

In the matter of the request of)	
)	
JARED MOREAU	)	Request ID No. 868100
4320 S Belsay Rd)	
Burton, Michigan 48519)	
)	
)	

At the April 6, 2017 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

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

LICENSING APPEAL ORDER

On January 30, 2017, Jared Moreau ("applicant") filed a request for a new Salesperson license.

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.

At a meeting held on February 8, 2017, the Commission denied this request under MCL 436.2003 and administrative rules R 436.1105(2)(g) and 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, after considering the prior conviction record of Jared Moreau and failure to report same to the Commission during the application process.

Jared Moreau submitted a timely request for an appeal in this matter and represented himself at a hearing held on April 6, 2017, at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that the applicant sufficiently answered all previous questions concerning this application.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request.

THEREFORE, IT IS ORDERED that:

- A. The denial order of February 8, 2017 issued in this matter is reversed and the applicant's request for a new Salesperson license is APPROVED.
- B. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
- C. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
- D. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).
- E. Under administrative rule R 436.1003(1), 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 enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does

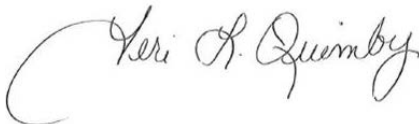
not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

- 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 this license.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed:

tlc



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

* * * * *

In the matter of the request of)	
)	
KINGSLEY HOSPITALITY GROUP, LLC	)	Request ID No. 859207
39475 Woodward Ave.)	
Bloomfield Hills, Michigan 48304)	
)	
Oakland County)	
_____)	

At the April 20, 2017 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

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

LICENSING APPEAL ORDER

On November 1, 2016, Kingsley Hospitality, LLC ("applicant") filed a request to transfer ownership of an escrowed 2016 B-Hotel license (with 160 Rooms) with Dance Permit and Specific Purpose Permit (Food) from Kingsley Ventures, L.L.C. and Wolvik Kingsley Management Company, Inc., at the above-noted address. The applicant also requested to cancel ten (10) hotel rooms (leaving a total of 150 Rooms); and requested a new Specially Designated Merchant license; three (3) Additional Bars (for a total of 4 Bars); new Sunday Sales Permits (A.M. & P.M.); new Catering Permit; and new Entertainment Permit.

Commission records indicate that the applicant was issued a Conditional License under the provisions of MCL 436.1525(6) at this location on December 7, 2016.

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.

At a meeting held on March 1, 2017, the Commission denied this request under administrative rules R 436.1103(2) and R 436.1105(1)(b) because the applicant failed to provide all financial information and documents necessary to complete the investigation of this application.

John B. Carlin, Jr., legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at April 20, 2017 hearing, held at the Commission's Southfield office.

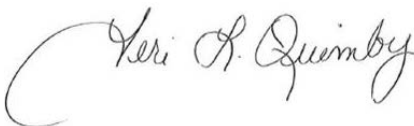
After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that this application should be returned to Commission staff for further processing.

THEREFORE, IT IS ORDERED that the denial order of March 1, 2017 issued in this matter is REVERSED and this application is REMANDED to Commission staff for further processing.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: May 11, 2017

tlc



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

* * * * *

In the matter of the request of)

MARY C. PETTY)

1117 E. Windemere Ave.)

Royal Oak, Michigan 48073)

Request ID No. 867732

At the April 27, 2017 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

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

LICENSING APPEAL ORDER

On January 25, 2017, Mary C. Petty ("applicant") filed a request for a new Salesperson license.

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.

At a meeting held on February 1, 2017, the Commission denied this request under MCL 436.2003 and administrative rules R 436.1105(2)(g) and 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, after considering the prior conviction record of Mary Petty and failure to report same to the Commission during the application process.

Paul Valentino, legal counsel on behalf of the applicant, submitted a timely request

for an appeal in this matter and represented the applicant at a hearing held on March 9, 2017, at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission adjourned this matter to allow Ms. Pettey to appear at a hearing because she was not present at the March 9, 2017 hearing proceedings to give testimony.

The Commission reconvened on April 27, 2017 and Attorney Valentino and Mary Pettey both appeared in Southfield in this matter.

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 answered all previous questions concerning this application.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request.

THEREFORE, IT IS ORDERED that:

- A. The denial order of February 1, 2017 issued in this matter is reversed and the applicant's request for a new Salesperson license is APPROVED.
- B. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
- C. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
- D. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).
- E. Under administrative rule R 436.1003(1), 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 enforcement officials who have jurisdiction over the licensee. Under administrative rule R

436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

- 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 this license.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Dennis Olshove, Commissioner

Date Mailed:

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

* * * * *

In the matter of the request of)	
)	
MS PETROLEUM INC	)	Request ID No. 867320
2670 M 139)	
Benton Harbor, Michigan 49022)	
)	
Berrien County)	
_____)	

At the April 11, 2017 hearing of the Michigan Liquor Control Commission in
Lansing, Michigan.

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

CONDITIONAL LICENSE APPEAL ORDER

On January 24, 2017, MS Petroleum Inc ("applicant") filed a request for a Conditional license under MCL 436.1525(6), as well as a request for a new Specially Designated Merchant license under MCL 436.1533(7) with permission to maintain motor vehicle fuel pumps on or adjacent to the licensed premises issued under MCL 436.1541(6), to be held at the above-noted address.

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.

At a meeting held on March 1, 2017, the Commission denied the conditional license request under MCL 436.1525(6). The request was also denied under administrative rule R 436.1105(2)(a) after considering the prior operating record of sole applicant stockholder, Kuljit Singh, as a current licensee of the Commission at multiple locations cited and found responsible for numerous violations. Commission records indicate a cumulative total of five (5) violations of the sale of alcoholic liquor to a minor, which is contrary to MCL 436.1801(2); five (5) violations of the sale of tobacco to a minor; twenty-three (23) violations for writing nonsufficient funds checks to the Commission totaling \$85,054.20, which is contrary to administrative rule R 436.1059; a violation for allowing narcotics paraphernalia on the premises; and a violation for selling alcoholic liquor not in its original packaging.

Further, the request was 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.

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 April 11, 2017 hearing held at the Commission's Lansing office.

After hearing arguments, reviewing the MLCC file and exhibits 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.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's Conditional license request.

THEREFORE, IT IS ORDERED that:

A. The denial order of March 1, 2017 issued in this matter is reversed and the applicant's request for a Conditional Specially Designated Merchant license under MCL 436.1525(6) is APPROVED, subject to the following:

1. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
2. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).
3. The conditional license is non-transferable and nonrenewable.
4. The conditional license shall expire under one of the following expiration factors, whichever occurs first, pursuant to MCL 436.1525(9):
 - a. One (1) year after the date the conditional license was issued, notwithstanding any suspension of the conditional license by the Commission.
 - b. The Commission issues the license for which the applicant submitted the license application that serves as the basis of the conditional license.
 - c. After all administrative remedies before the Commission have been exhausted when the Commission issues an order of denial of the license application that serves as the basis for the conditional license.
 - d. When the licensee or conditional licensee notifies the Commission in writing that the initial or conditional application should be cancelled.

B. The applicant's request for permission for motor vehicle fuel pumps on or

adjacent to the licensed premises under MCL 436.1541(6) is APPROVED subject to compliance with the requirements contained therein.

C. Under administrative rule R 436.1003(1), 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 enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

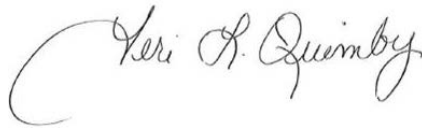
D. Failure to comply with all requirements of licensure in the State of Michigan will result in the conditional licensee being charged with a violation of the Michigan Liquor Control Code, Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the conditional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

E. The approval of this conditional license does not guarantee approval by the Commission of the request to transfer the existing license. Any investments made by the conditional license applicant are done at the applicant's risk.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman

A handwritten signature in cursive script, reading "Teri L. Quimby".

Teri L. Quimby, Commissioner

A handwritten signature in cursive script, reading "Dennis Olshove".

Dennis Olshove, Commissioner

Date Mailed: May 31, 2017

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

* * * * *

In the matter of the request of)	
)	
NANEK PETROLEUM INC	)	Request ID No. 900437
4221 Aurelius Rd)	
Lansing, Michigan 48910)	
)	
Ingham County)	
_____)	

At the April 18, 2017 hearing of the Michigan Liquor Control Commission in
Lansing, Michigan.

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

CONDITIONAL LICENSE APPEAL ORDER

On February 23, 2017, Nanek Petroleum Inc ("applicant") filed a request for a Conditional license under MCL 436.1525(6), as well as a request for a new Specially Designated Merchant license under MCL 436.1533(5) with Sunday Sales Permit (A.M.) and permission to maintain motor vehicle fuel pumps on or adjacent to the licensed premises issued under MCL 436.1541(6), to be held at the above-noted address.

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.

At a meeting held on March 17, 2017, the Commission denied the conditional license request under MCL 436.1525(6). The request was also denied under administrative rule R 436.1105(2)(a) after considering the prior operating record of sole applicant stockholder, Navdeep Kaur, as a previous licensee of the Commission at SK Beer & Wine LLC and that location was cited and found responsible for a 2014 violation of the sale of alcoholic liquor to a minor to an 18-year old minor, which is contrary to MCL 436.1801(2).

Further, the request was 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.

John Doyle, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the April 18, 2017 hearing held at the Commission's Lansing office.

After hearing arguments, reviewing the MLCC file and exhibits 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.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's Conditional license request.

THEREFORE, IT IS ORDERED that:

A. The denial order of March 17, 2017 issued in this matter is reversed and the applicant's request for a Conditional Specially Designated Merchant license under MCL 436.1525(6) is APPROVED, subject to the following:

1. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
2. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in

writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).

3. The conditional license is non-transferable and nonrenewable.
4. The conditional license shall expire under one of the following expiration factors, whichever occurs first, pursuant to MCL 436.1525(9):
 - a. One (1) year after the date the conditional license was issued, notwithstanding any suspension of the conditional license by the Commission.
 - b. The Commission issues the license for which the applicant submitted the license application that serves as the basis of the conditional license.
 - c. After all administrative remedies before the Commission have been exhausted when the Commission issues an order of denial of the license application that serves as the basis for the conditional license.
 - d. When the licensee or conditional licensee notifies the Commission in writing that the initial or conditional application should be cancelled.

B. The applicant's request for conditional permission for motor vehicle fuel pumps on or adjacent to the licensed premises under MCL 436.1541(6) is APPROVED subject to compliance with the requirements contained therein.

C. Under administrative rule R 436.1003(1), 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 enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the

location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

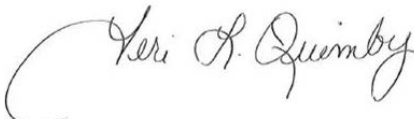
D. Failure to comply with all requirements of licensure in the State of Michigan will result in the conditional licensee being charged with a violation of the Michigan Liquor Control Code, Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the conditional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

E. The approval of this conditional license does not guarantee approval by the Commission of the request to transfer the existing license. Any investments made by the conditional license applicant are done at the applicant's risk.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: June 15, 2017

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

* * * * *

In the matter of the request of)	
)	
RJW ENTERPRISES, LLC	)	Request ID No. 856236
29 E Baltimore)	
Detroit, Michigan 48202)	
)	
Wayne County)	
_____)	

At the April 20, 2017 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

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

LICENSING APPEAL ORDER

On September 2, 2016, RJW Enterprises, LLC ("applicant") filed a request to transfer ownership through self-organization of the escrowed 2016 Class C license with Sunday Sales Permit (P.M.) and Dance-Entertainment Permit from Ricky J. Winston. The applicant also requested to transfer location from 15103 E Warren Ave, Detroit, Wayne County, to the above-noted address; and requested a new Specially Designated Merchant license; new Specific Purpose Permit (Food); and one (1) new Additional Bar (for a total of 2 Bars).

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.

At a meeting held on January 4, 2017, the Commission denied this request under administrative rule R 436.1105(2)(a) after considering the prior operating record of the applicant under this license which includes multiple violations of the Michigan Liquor Control Code and Administrative Rules, which includes ten (10) violations for writing nonsufficient funds checks to the Commission totaling at least \$2,440.24; which is contrary to administrative rule R 436.1059.

The request was also denied under administrative rule R 436.1105(1)(b) because the applicant failed to provide documentation demonstrating the existence of adequate, legitimate and verifiable funds necessary to complete this transaction.

Elaine Pohl, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the April 20, 2017 hearing, held in Southfield.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission does not find error with the application of the MLCC Code or Administrative Rules.

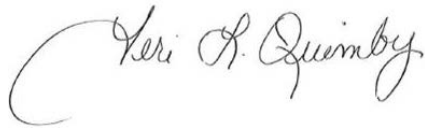
For the reasons stated on the record, the previous order is affirmed.

THEREFORE, IT IS ORDERED that the denial order of January 4, 2017 issued in this matter is AFFIRMED.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman

A handwritten signature in cursive script, reading "Teri L. Quimby".

Teri L. Quimby, Commissioner

A handwritten signature in cursive script, reading "Dennis Olshove".

Dennis Olshove, Commissioner

Date Mailed: May 31, 2017

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

* * * * *

In the matter of the request of)	
)	
SOO HOTEL, INC.	)	Request ID No. 862659
3295 I 75 Bus Spur)	
Sault Sainte Marie, Michigan 49783)	
)	
Chippewa County)	
_____)	

At the April 27, 2017 hearing of the Michigan Liquor Control Commission in Southfield Michigan.

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

LICENSE APPEAL ORDER

On January 4, 2017, Soo Hotel, Inc. ("applicant") filed a request to transfer ownership of the escrowed 2016 Class C license from Michigan Department of Treasury. The applicant also requested to transfer location (governmental unit) under MCL 436.1531(1) from 16050 S Mackinac Trl, Kinross, Kinross Township, Chippewa County, to the above-noted address; requested to transfer classification from a Class C license to a B-Hotel license (with 82 Rooms); requested a new Specially Designated Merchant license issued under MCL 436.1533(5)(a); requested new Sunday Sales Permits (A.M. & P.M.); and requested authorization for the outdoor sale, service, and consumption of alcoholic beverages in an area measuring up to 14' x 26', located directly adjacent to the licensed premises, and which is well-defined and clearly marked.

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)(b), the licensee may sell beer, wine, mixed spirit drink and spirits for consumption on the premises. Under MCL 436.1537(1)(f), the licensee may sell beer and wine for consumption off the premises.

At a meeting held on March 1, 2017, the Commission denied the request under administrative rules R 436.1105(2)(a) and R 436.1105(2)(j) after considering the prior operating record of applicant stockholders, Eddie Foumia and Muhsin Atty, as noted in the denial order; and 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.

John Carlin, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the April 27, 2017 hearing, held at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that the applicant adequately addressed the Commission's concerns with this application.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request.

THEREFORE, IT IS ORDERED that:

A. The denial order of March 1, 2017 issued in this matter is reversed and the applicant's request to transfer ownership of the escrowed 2017 Class C license from Michigan Department of Treasury is APPROVED, subject to the following:

1. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
2. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
3. The licensee shall submit to the Commission license and permit fees in the amount of \$213.90.

4. The licensee shall submit to the Commission form LC-95 ("Proof of Financial Responsibility").
5. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
6. The licensee shall submit to the Commission form LCC-301 ("Report of Stockholders/Members/Partners").
7. The licensee shall submit to the Commission form LCC-107 ("Closing Form for New License or License Sale").
8. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).
9. The licensee shall provide documentary proof to the Commission to demonstrate that, at a minimum, supervisory personnel on each shift and during all hours in which alcoholic liquor is served have successfully completed a server training program approved by the Commission as required under MCL 436.1501(1), within 180 days from the issuance of the licenses and permits, as provided in administrative rule R 436.1060.
 - a. The licensee shall maintain active certification of completion for server training on the licensed premises at all times as provided in administrative rule R 436.1060.
 - b. Failure to provide this documentary proof to the Commission within 180 days of the issuance of the license shall result in the licensee being charged with failure to comply with this order, under administrative rule R 436.1029, which may result in fines, suspension and/or revocation of the licenses and permits.

B. The applicant's request to transfer location (governmental unit) under MCL 436.1531(1) from 16050 S Mackinac Trl, Kinross, Kinross Township, Chippewa County, to 3295 I 75 Bus Spur, Sault Sainte Marie, Chippewa County is APPROVED.

C. The applicant's request to classification from Class C license to B-Hotel license (with 82 Rooms) is APPROVED.

D. The applicant's request for a new Specially Designated Merchant license issued under MCL 436.1533(5)(a) is APPROVED.

E. The applicant's request for a new Sunday Sales Permit (P.M.) to sell alcoholic liquor after 12:00 Noon on Sundays 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.

F. The applicant's request for a new Sunday Sales Permit (A.M.) 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.

G. The applicant's request for authorization for the outdoor sale, service, and consumption of alcoholic beverages in an area measuring up to 14' x 26', located directly adjacent to the licensed premises, and which is well-defined and clearly marked is APPROVED, subject to the following:

1. The outdoor service area shall remain well-defined and clearly marked.
2. The licensee shall permit the sale, service and consumption of alcoholic liquor outdoors in the defined area only.
3. The licensee is prohibited from allowing the sale, service, possession or consumption of alcoholic beverages in any portion of the approved

outdoor service area designated for the playing of sporting activities or for sporting events, including any break or intermission.

H. Under administrative rule R 436.1003(1), 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 enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

I. 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



Dennis Olshove, Commissioner

Date Mailed: June 7, 2017

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

* * * * *

In the matter of the request of)	
)	
THE PEOPLES CIDER COMPANY LLC	)	Request ID No. 856714
539 Leonard St. NW, Suite A)	
Grand Rapids, Michigan 49504)	
)	
Kent County)	
_____)	

At the April 18, 2017 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 September 9, 2016, The Peoples Cider Company LLC (applicant) filed a request for a new Winery Tasting Room at the above-noted address.

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.

At a meeting held on March 15, 2017, the Commission denied this request under administrative rule R 436.1105(1)(b) because the applicant failed to provide all financial documentation necessary to complete the investigation and processing of this application.

Applicant member, Jason Lummen, submitted a timely request for an appeal in this matter and represented the applicant at the April 18, 2017 hearing, held at the

Commission's Lansing office.

After hearing arguments, reviewing the MLCC file and updated documents presented, and discussion of the issue on the record, the Commission finds that the reason for the denial no longer exists.

Under MCL 436.1537(4), the licensee may conduct wine tastings of wines made by that Wine Maker and may sell the wine made by that Wine Maker for consumption off the premises at a location other than the premises where the Wine Maker is licensed to manufacture wine, under the following conditions:

- (a) The premises upon which the wine tasting occurs conforms to local and state sanitation requirements.
- (b) Payment of a \$100.00 fee per location is made to the Commission.
- (c) The wine tasting locations are considered licensed premise, and the Wine Maker may include a charge for the samples.
- (d) The wine tasting takes place during the legal hours for the sale of alcoholic liquor by the licensee.
- (e) The premises and the license comply with and are subject to all applicable rules promulgated by the Commission.

Under MCL 436.1503(1), a new application for a license to sell alcoholic beverages at retail, or a request to transfer location of an existing license, shall be denied if the contemplated location is within 500 feet of a church or a school building.

The Commission finds that there are two (2) churches within 500' of the applicant's proposed location: Eagles Nest Church is located 11 feet away, at 540 Leonard Street NW, Grand Rapids, Kent County; and Bethel II SDA Hispanic Church is 221 feet away, at 1144 Quarry Ave. NW, Grand Rapids, Kent County. The Commission's Investigator determined that Bethel II SDA Hispanic Church is no longer at this location and the building is for sale.

Under MCL 436.1503(4), if an objection is not filed by the church or school, the commission may issue the license pursuant to this act. If an objection is filed, the commission shall hold a hearing pursuant to rules established by the commission before making a decision on the issuance of the license.

Commission records indicate that Eagles Nest Church did not submit a Resolution of objection; therefore, the license may be issued.

For the reasons stated on the record, the Commission finds sufficient reasons to reverse its denial issued in this matter and approve the applicant's request.

THEREFORE, IT IS ORDERED that:

A. The denial order of March 15, 2017 issued in this matter is reversed and the applicant's request for a new Winery Tasting Room is APPROVED, subject to the following:

1. Pursuant to administrative rule R 436.1050, this approval is valid for two (2) years from the date of this approval order unless the Commission has been provided with a notice of pending litigation involving the application.
2. The licensee shall pay all license fees by April 30th each year pursuant to administrative rule R 436.1107.
3. **The licensee shall submit to a Final Inspection to be conducted by the Commission's Enforcement Division to determine construction has been completed as proposed; to determine all furniture, fixtures and equipment have been installed; to determine seating capacity has been established and is posted; and to determine that the licensed premises meets all the requirements of the Michigan Liquor Control Code and Administrative Rules.**
4. The licensee shall submit to the Commission an executed and acceptable Lease Agreement.
5. The licensee shall submit to the Commission form LC-95 ("Proof of Financial Responsibility").
6. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
7. The licensee shall submit to the Commission form LCC-301 ("Report of Stockholders/Members/Partners").
8. The licensee shall submit to the Commission form LCC-107 ("Closing Form for New License or License Sale").
9. The licensee shall provide documentary proof to the Commission to

demonstrate that, at a minimum, supervisory personnel on each shift and during all hours in which alcoholic liquor is served have successfully completed a server training program approved by the Commission as required under MCL 436.1501(1), within 180 days from the issuance of the license, as provided in administrative rule R 436.1060.

- a. The licensee shall maintain active certification of completion for server training on the licensed premises at all times as provided in administrative rule R 436.1060.
 - b. Failure to provide this documentary proof to the Commission within 180 days of the issuance of the licenses and permit shall result in the licensee being charged with failure to comply with this order, under administrative rule R 436.1029, which may result in fines, suspension and/or revocation of the license.
10. The licensee has a continuing duty to provide the Commission with up-to-date contact information and must notify the Commission in writing of any changes to its mailing address, phone numbers, electronic mail address, and other contact information it provides the Commission, pursuant to administrative rule R 436.1048(2).
 11. The licensee may only provide samples of the wine it manufactures to consumers. Additionally, the licensee may also sell that wine for consumption off the licensed premises under the provisions of MCL 436.1537(4).
 12. The licensee may include a charge for the samples of wine it manufactures under MCL 436.1537(c).
 13. The licensee shall provide wine tastings only during the legal hours for the sale of alcoholic liquor by the licensee under MCL 436.1537(4)(d).

B. Under administrative rule R 436.1003(1), 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 enforcement officials who have jurisdiction over the licensee. Under administrative rule R 436.1003(2), a licensee shall not use a license at the licensed premises unless a temporary or permanent certificate of

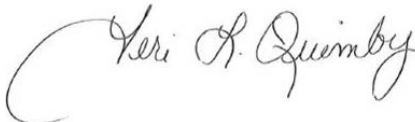
occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation

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

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: May 16, 2017

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

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In the matter of the request of)	
)	
YOUTH UNITED COMMUNITY OUTREACH)	Request ID No. 899937, 899938,
PROGRAM	)	899939 and 899940
110 N Washington)	
Saginaw, Michigan 48607)	
)	
Saginaw County)	
<hr/>		

At the April 11, 2017 hearing of the Michigan Liquor Control Commission in
Lansing, Michigan.

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

LICENSING APPEAL ORDER

On February 27, 2017, Youth United Community Outreach Program ("applicant") filed a request for a Special License for the sale of Beer, Wine and Spirits for consumption on the premises for events to be held on March 18, 2017, March 25, 2017, April 1, 2017 and April 15, 2017 at the above-noted address.

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.

At a meeting held on March 7, 2017, the Commission denied this request under administrative rule R 436.1041(1) because it appeared that the applicant organization was attempting to obtain the license for the use or benefit of another person whose name does

not appear on the license; namely “Rita Johnson”, “Rita’s Southern Soul Café” and “RJS Promotions”.

The Commission also denied this request under MCL 436.1531 because it appeared that the applicant organization and Rita R. Johnson are attempting to operate Rita’s Southern Soul Café as an on-going nightclub business without obtaining the proper on-premise quota license.

Commission records indicate that a non-licensed business called “Rita’s Southern Soul Café” currently operates at the applicant location and Rita Johnson is the Owner/CEO; and according to its website, the business operates as a “Night Club/Restaurant – Restaurant by day, Night Club by night”. Rita Johnson is also a promoter on behalf of RJS Promotions.

Commission records further indicate that there is no permanent liquor license issued at 110 N. Washington Ave., Saginaw, Saginaw County; however since February of 2015, various non-profit organizations have been granted special licenses at that location.

Rita R. Johnson submitted a timely request for an appeal in this matter and represented the applicant at the April 11, 2017 hearing, held in Lansing.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission does not find error with the application of the MLCC Code or Administrative Rules. The Commission further finds that the applicant failed to demonstrate that their organization is exempt from the payment of taxes under section 501(c)(3) of the Internal Revenue Code.

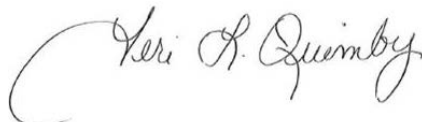
THEREFORE, IT IS ORDERED that the denial order of March 7, 2017 issued in this matter is AFFIRMED.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman

Request ID No. 899937, 899938, 899939 and 899940
Page 3

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Teri L. Quimby, Commissioner

Handwritten signature of Dennis Olshove in cursive script.

Dennis Olshove, Commissioner

Date Mailed:

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