



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

* * * * *

In the matter of the request of)	
BATL MI, LLC)	
44715 W 12 Mile Rd)	Request ID No. 1805-06656
Ste F-141 & F-142)	
Novi, MI 48377)	
)	
<u>Oakland County</u>)	

At the December 13, 2018 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 24, 2018, BATL MI, LLC ("applicant") filed a request to transfer ownership of the escrowed 2018 Class C and Specially Designated Merchant licenses with Sunday Sales Permit (P.M.) and Specific Purpose Permit (Food) from Furama Restaurant, Inc. The applicant also requested to transfer location (governmental unit) under MCL 436.1531(1) from 1340 S Milford, Highland Plaza, Highland, Highland Township, Oakland County to the above noted address; to cancel the existing Specially Designated Merchant license and Specific Purpose Permit (Food); and requested a new Sunday Sales Permit (A.M.) and new Dance-Entertainment Permit.

Commission records reflect that the applicant was issued a Conditional license under MCL 436.1525(6) at this location on July 27, 2018.

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 November 20, 2018, the Commission denied the request under administrative rule R 436.1105(1)(b) because the applicant failed to provide evidence of adequate legitimate and verifiable financial resources for this transaction.

The Commission also denied this request 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, after considering videos posted on the applicant's website depicting axe throwing on the premises and concerns of how alcohol service is provided to patrons in the axe throwing area.

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 December 13, 2018 hearing, held at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file with updated documents and photographs presented, and discussion of the issue on the record, the Commission finds that an adequate demonstration was made regarding the source of funds to be used for this transaction.

Further, the Commission finds that the applicant adequately demonstrated numerous policies and procedures relative to their business operations regarding alcohol service.

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 20, 2018 issued in this matter is reversed and the applicant's request is APPROVED. Approval and completion of this request is subject to receipt of the following:

1. Affidavit indicating BATL MI, LLC received a capital contribution in the amount of \$246,000.00 from BATL Global Corp. (A Delaware Corporation).
2. Form LCC-301 (Report of Stockholders/Members/Partners) for BATL MI, LLC.
3. Form LCC-301 (Report of Stockholders/Members/Partners) for BATL Global Corp. (A Delaware Corporation).
4. Form LCC-107 (Closing Form for New License or License Sale).

B. The applicant's request to transfer ownership of the escrowed 2018 Class C license from Furama Restaurant, Inc. is APPROVED subject to the following:

1. The licensee shall maintain proof of financial responsibility, as required under MCL 436.1803.
2. 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.

C. The applicant's request to transfer location (governmental unit) under MCL 436.1531(1) from 1340 S Milford, Highland Plaza, Highland, Highland Township, Oakland County to 44715 W 12 Mile Rd, Ste F-141 & F-142 is APPROVED.

D. The applicant's request to transfer the existing 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.

E. The applicant's request for a new Sunday Sales Permit (A.M.) to sell alcoholic liquor between 7 A.M. and 12:00 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.

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. 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.

H. **The Conditional License shall expire upon issuance of the license approved by this order or one (1) year from the date the Conditional License was issued, whichever occurs first, pursuant to MCL 436.1525(9).**

I. 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).

J. 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

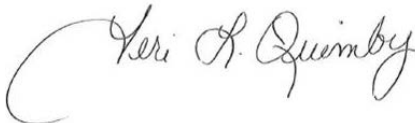
not use a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the 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.

K. Failure to comply with all laws and rules may result in the revocation of the approval contained in this order.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: January 10, 2019

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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)	
GPM SOUTHEAST, LLC (A DELAWARE)	
LIMITED LIABILITY COMPANY))	Request ID No. 1805-06120
1491 N Leroy St)	
Fenton, MI 48430-5311)	
)	
<u>Genesee County</u>)	

At the December 20, 2018 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

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

LICENSING APPEAL ORDER

On May 14, 2018, ("applicant") GPM Southeast, LLC (A Delaware Limited Liability Company) ("applicant") filed a request to transfer ownership of the escrowed 2018 Specially Designated Merchant license 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(5) from DMJ Corporation, located at the above noted address. This request also corrects records to reflect that the permission for motor vehicle fuel pumps is now issued under MCL 436.1541(4). The applicant also requested a new Beer and Wine Tasting Permit.

Commission records reflect that the applicant was issued a Conditional Specially Designated Merchant license under MCL 436.1525(6) at this location on June 15, 2018.

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 November 20, 2018, the Commission denied the request under 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.

Steven Grobbel, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the December 20, 2018 hearing, held at the Commission's Southfield 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 applicant demonstrated the existence of adequate and verifiable funds required for this transaction.

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 20, 2018 issued in this matter is reversed and the applicant's request is APPROVED. Approval and completion of this request is subject to receipt of the following:
 - 1. Executed form LCC-301 (Report of Stockholders/Members/Partners) for GPM Southeast, LLC (A Delaware Limited Liability Company).
 - 2. Executed form LCC-301 (Report of Stockholders/Members/Partners) for GPM Investments, LLC.
 - 3. Executed form LCC-107 (Closing Form for New License or License Sale).

- B. The applicant's request to transfer ownership of the escrowed 2018 Specially Designated Merchant license is APPROVED subject to the following:
 - 1. The licensee shall pay all license fees by April 30th each year.
 - 2. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
- C. The applicant's request for permission to maintain motor vehicle fuel pumps on or adjacent to the licensed premises issued under MCL 1541(4) is APPROVED subject to compliance with the requirements contained therein.
- D. The applicant's request to transfer the existing Sunday Sales Permit (A.M.) is APPROVED subject to the following:
 - 1. A reference to the time of day includes daylight savings time, when observed.
 - 2. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village or township that it prohibits the sale of spirits, mixed spirit drink, or beer and wine during the time authorized by this permit.
- E. The applicant's request for a new 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).
- F. 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.
- G. **The Conditional License shall expire upon issuance of the license approved by this order or one (1) year from the date the Conditional License was issued, whichever occurs first, pursuant to MCL 436.1525(9).**
- H. 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).
- I. 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

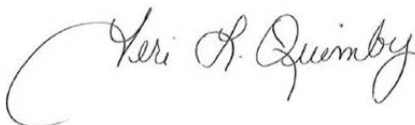
a license at the licensed premises unless a temporary or permanent certificate of occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan 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.

- J. Failure to comply with all laws and rules may result in the revocation of the approval contained in this order.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner

Date Mailed: February 6, 2019

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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)	
ISSO PETROLEUM, INC.)	
32271 Ford Rd)	Request ID No. 1808-12231
Garden City, MI 48135-1508)	
)	
Wayne County)	

At the December 13, 2018 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 August 28, 2018, Isso 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 issued under MCL 436.1533(5) 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 November 7, 2018, the Commission denied the conditional license request under MCL 436.1525(6). The request was also denied under administrative rule R 436.1105(2)(g) after considering the prior conviction record of applicant stockholder, Rivan Eeso.

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 December 13, 2018 hearing, held at the Commission's Southfield 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 applicant provided mitigating circumstances regarding the subject conviction record; adequately addressing all previous 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 Conditional license request.

THEREFORE, IT IS ORDERED that:

A. The denial order of November 7, 2018 issued in this matter is reversed and the applicant's request for a Conditional license issued under MCL 436.1525(6) is APPROVED subject to the following:

1. Receipt of a valid Retail Food Establishment License or Extended Retail Food Establishment License for Isso Petroleum, Inc. at the subject location pursuant to MCL 436.1533(1).
2. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.

3. The conditional license is non-transferable and nonrenewable.
4. The conditional license shall expire under one (1) 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. 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.

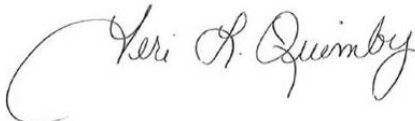
C. Failure by the conditional licensee to comply with all laws and rules may result in the revocation of the approval contained in this order.

D. 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: 12.28.2018

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

* * * * *

In the matter of the request of)	
THE KROGER CO. OF MICHIGAN)	
20422 Mack Ave)	Request ID No. 1807-09750
Grosse Pointe Woods, MI 48236-1676)	
)	
<u>Wayne County</u>)	

At the December 20, 2018 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

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

ORDER RECOMMENDING GRANTING OF THE WAIVER
FOR CHURCH PROXIMITY BASED ON OBJECTION HEARING

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.

History:

The Kroger Co. of Michigan ("applicant") has filed an application to transfer ownership of the escrowed 2018 Specially Designated Distributor ("SDD") license, only, with Sunday Sales Permit (P.M.) from T & S Liquor Store, Inc. The applicant also requested to transfer location (governmental unit) under MCL 436.1531(18) from 3300 Joy Rd, Detroit, Wayne County, to the above noted address; to be held in conjunction with existing Specially Designated Merchant ("SDM") license at that location.

According to the measurement conducted by the Commission's Enforcement Division under MCL 436.1503(1), Christ the King Lutheran Church, located at 20338 Mack Ave, Grosse Pointe Woods, Wayne County, is 287 feet from the proposed location.

A Resolution dated October 7, 2018 was submitted by Christ the King Lutheran Church objecting to the request, within 15 days of the notification, as required under administrative rule R 436.1955(1). The reasons cited in the objection is the applicant is within 20 feet of the church as the church owns the shared parking lot; fears of student safety who attend preschool at the church; increased consumption and littering of alcohol containers purchased at the applicant location left in the parking lot/church property; fears of increased crime with an additional license; and numerous establishments already exist in the immediate area to purchase alcohol.

MCL 436.1503(1) provides that an application to transfer location of a license to sell alcoholic beverages at retail shall be denied if the contemplated location is within 500 feet of a church or school building. Under MCL 436.1503(4), the commission may waive this section for all classes of licenses. 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 issuing the license. Since an objection was received from the church after notification of the proposed license transfer request, a church hearing was scheduled.

On November 29, 2018, a Church Hearing in this matter was held at the Southfield office of the Commission. Representing the applicant at the hearing was Attorney Jason Canvasser. Appearing on behalf of Christ the King Lutheran Church in Christ was church leader, Attorney Diane Wyrock.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission tabled this matter to allow Commissioners time to review and consider the entirety of the record. The matter was then reconvened on December 20, 2018 in Southfield office of the Commission. Representing the applicant at the reconvened hearing was Attorney Jason Canvasser. Appearing on behalf of Christ the King Lutheran Church in Christ was church leader, Attorney Diane Wyrock.

Findings of Fact:

- The Commission finds that the applicant demonstrated they have been operating at this store since 2007 with an SDM license for beer and wine sales with no violations of the Michigan Liquor Control Code and Administrative Rules; and has passed six (6) controlled-buy operations for alcohol sales since licensure.
- The Commission finds that it does not have authority over municipal parking issues.
- The Commission finds that the subject property is located in a zoning district which authorizes this use in this location.

Conclusions of Law

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 demonstrated by competent, material and substantial evidence, as noted above, that granting a license would not adversely affect the operation of the church as required under administrative rule R 436.1963. While the church has articulated values important to it, its mission, and its members, the church has not provided a demonstrable basis as to how this particular applicant and proposed business would adversely affect the operation of the church. The Commission finds that waiving the statutory requirement in MCL 436.1503 is permissible in this case.

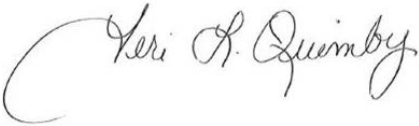
THEREFORE, IT IS ORDERED that a waiver of MCL 436.1503 is permissible in this case.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman

Request ID No. 1807-09750
Page 4

A handwritten signature in cursive script, reading "Teri L. Quimby". The signature is written in black ink and is positioned above a horizontal line.

Teri L. Quimby, Commissioner

Date Mailed: January 16, 2019
tlc



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

* * * * *

In the matter of the request of)	
LE' CULTURE CAFÉ, LLC)	
1428 Gratiot Ave)	Request ID No. 1810-14145
Detroit, MI 48207-2723)	
)	
<u>Wayne County</u>)	

At the December 6, 2018 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

PRESENT: Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

CONDITIONAL LICENSE APPEAL ORDER

On October 10, 2018, Le' Culture Café, LLC ("applicant") filed a request for a Conditional license under MCL 436.1525(6) as well as a request to transfer ownership from 2:1 LLC. The location at the above-noted address is the same location as the existing license.

The Commission finds that 2:1 LLC is the holder of an escrowed 2018 Class C issued by the Commission.

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 October 30, 2018, the Commission denied the conditional

license request under MCL 436.1525(6). The request was also denied under MCL 436.2003 and administrative rule R 436.1105(2)(g) after considering the conviction records of both applicant members, Drew Matthews and Dennis Irving, and failure to report same on the license application forms.

Steven Grobbel, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the December 6, 2018 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 all previous 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 Conditional license request.

THEREFORE, IT IS ORDERED that:

A. The denial order of October 30, 2018 issued in this matter is reversed and the applicant's request for a Conditional Class C license issued under MCL 436.1525(6) is APPROVED subject to the following:

1. The conditional license is non-transferable and nonrenewable.
2. 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.
3. The conditional 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 conditional license, as provided in administrative rule R 436.1060. Pursuant to MCL 436.1525(8), the conditional license is required to comply with the server training requirements beginning on the date the conditional license is issued regardless of whether the conditional licensee is actively operating under the conditional license.
 - a. The conditional 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 conditional license shall result in the conditional 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.
4. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.

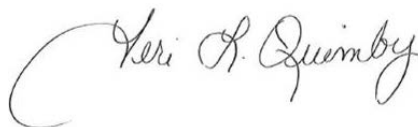
B. Under administrative rule R 436.1003(1), the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcement officials who have

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 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.

D. 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



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: 12/13/18

tlc



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

* * * * *

In the matter of the request of)	
PRIME QUALITY, INC.)	
2234 N Canton Center Rd)	Request ID No. 1809-12755
Canton, MI 48187-2906)	
)	
<u>Canton Township</u> <u>Wayne County</u>)	

At the December 13, 2018 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 September 12, 2018, Prime Quality, Inc. ("applicant") filed a request for a conditional license under MCL 436.1525(6) as well as a request to transfer ownership from Canton Burgers, LLC. The location at the above noted address is the same location as the existing license.

The Commission finds that Canton Burgers, LLC is the holder of escrowed 2018 Class C and Specially Designated Merchant licenses with Sunday Sales Permits (A.M. & P.M.) and Outdoor Service (1 area), issued by the Commission.

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 27, 2018, 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 violation record of applicant stockholders, Jad Sayah and Joseph Sayah, who have been licensed as stockholders under Panos I Foods, Inc., Panos II Foods, Inc., and Panos XII Foods, Inc.

Commission records reflect that Panos I Foods, Inc., Panos II Foods, Inc., and Panos XII Foods, Inc. each has a violation for failing, refusing, or neglecting to obey a written Order of the Commission by failing to provide proof of successful completion of an alcohol server training program approved by the Commission within 180 days of the issuance of a license. These violations occurred in 2012, 2013 and 2015.

Applicant stockholder, Jad Sayah, submitted a timely request for an appeal in this matter and represented the applicant at a hearing held in Southfield on December 13, 2018.

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 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, with proof of server training to be provided prior to license issuance.

THEREFORE, IT IS ORDERED that:

A. The denial order of November 27, 2018 issued in this matter is reversed and the applicant's request for Conditional Class C and Specially Designated Merchant licenses under MCL 436.1525(6) is APPROVED subject to the following:

1. The conditional license is non-transferable and nonrenewable.
2. 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.
3. The conditional 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), **prior to issuance of the conditional license**. Pursuant to MCL 436.1525(8), the conditional license is required to comply with the server training requirements beginning on the date the conditional license is issued regardless of whether the conditional licensee is actively operating under the conditional license.
 - a. The conditional 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.
4. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.

B. The applicant's request for a conditional 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.

C. The applicant's request for a conditional 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.

D. The applicant's request for conditional 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.
4. The licensee shall take all necessary actions to ensure the health, safety and welfare of all patrons and guests.

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.

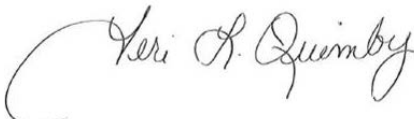
F. Failure by the conditional licensee to comply with all laws and rules may result in the revocation of the approval contained in this order.

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



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

* * * * *

In the matter of the request of)	
SLINGIN SISTERS EVENT BARTENDING)	
LLC)	Request ID No. 1807-10303
14316 N Fenton Rd)	
Fenton, MI 48430-1544)	
)	
<u>Fenton Township</u>	<u>Genesee County</u>)

At the December 18, 2018 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 July 26, 2018, ("applicant") Slingin Sisters Event Bartending LLC ("applicant") filed a request for a new Specially Designated Merchant license issued under MCL 436.1533(5), and Catering Permit, located 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 October 30, 2018, the Commission denied the 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 after considering the prior conviction record of applicant member, Danielle Bostwick, and failure to report same during the license application and investigation process.

Applicant member, Danielle Bostwick, submitted a timely request for an appeal in this matter and represented the applicant at the December 18, 2018 hearing, held at the Commission's Lansing office.

After hearing arguments, reviewing the MLCC file with exhibits presented, and discussion of the issue on the record, the Commission finds that the applicant adequately addressed all previous questions and 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 October 30, 2018 issued in this matter is reversed and the applicant's request is APPROVED. Approval and completion of this request is subject to receipt of the following:
 1. Executed form LC-95 (Proof of Financial Responsibility).
 2. **Final Inspection to be conducted by the Commission's Enforcement Division to determine renovations have been completed as proposed; to determine all furniture, fixtures and equipment have been installed; and to determine inventory has been installed.**
 3. Valid Retail Food Establishment License or Extended Retail Food Establishment License for the applicant at the subject location pursuant to MCL 436.1533(1).
 4. Documentary proof (promissory note) that applicant, Slingin Sisters Event Bartending LLC, received a \$2,650.00 loan from applicant member, Danielle Bostwick.
 5. Documentary proof (promissory note) that applicant member, Danielle Bostwick, received at least \$2,650.00 from her Chase Bank Credit Card.
 6. Acceptable, executed lease agreement, with all exhibits and signatures of both landlords.

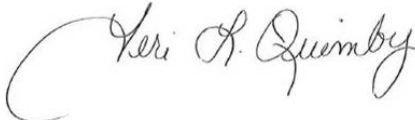
7. Executed form LCC-301 (Report of Stockholders/Members/Partners).
 8. Executed form LCC-107 (Closing Form for New License or License Sale).
- B. The applicant's request for a new Specially Designated Merchant license issued under MCL 436.1533(5) is APPROVED subject to the following:
1. The licensee shall pay all license fees by April 30th each year.
 2. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
- C. The applicant's request for a new Catering Permit is APPROVED, subject to receipt of the following:
1. A copy of the applicant's food service establishment license or retail food establishment license issued under the Food Law of 2000 (MCL 289.1101 to 289.8111).
- D. 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.
- E. 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).
- 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 laws and rules may result in the revocation of the approval contained in this order.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: 02.05.2019

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

* * * * *

In the matter of the request of)	
SLINGIN SISTERS EVENT BARTENDING)	
LLC)	Request ID No. 1807-10305
14316 N Fenton Rd)	
Fenton, MI 48430-1544)	
)	
<u>Fenton Township</u>	<u>Genesee County</u>)

At the December 18, 2018 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 July 26, 2018, ("applicant") Slingin Sisters Event Bartending LLC ("applicant") filed a request for a new Specially Designated Distributor license with Sunday Sales Permit (P.M.), located 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)(g), the licensee may sell beer, wine, spirits and mixed spirit drink for consumption off the premises, only.

At a meeting held on October 30, 2018, the Commission denied the 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 after considering the prior conviction record of applicant member, Danielle Bostwick, and failure to report same during the license application and investigation process.

Applicant member, Danielle Bostwick, submitted a timely request for an appeal in this matter and represented the applicant at the December 18, 2018 hearing, held at the Commission's Lansing office.

After hearing arguments, reviewing the MLCC file with exhibits presented, and discussion of the issue on the record, the Commission finds that the applicant adequately addressed all previous questions and 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 October 30, 2018 issued in this matter is reversed and the applicant's request is APPROVED. Approval and completion of this request is subject to receipt of the following:
 1. Executed form LC-95 (Proof of Financial Responsibility).
 2. **Final Inspection to be conducted by the Commission's Enforcement Division to determine renovations have been completed as proposed; to determine all furniture, fixtures and equipment have been installed; and to determine inventory has been installed.**
 3. Documentary proof (promissory note) that applicant, Slingin Sisters Event Bartending LLC, received a \$9,850.00 loan from applicant member, Danielle Bostwick.
 4. Documentary proof (promissory note) that applicant member, Danielle Bostwick, received at least \$8,550.00 from her Chase Bank Credit Card.
 5. Acceptable, executed lease agreement, with all exhibits and signatures of both landlords.
 6. Executed form LCC-301 (Report of Stockholders/Members/Partners).
 7. Executed form LCC-107 (Closing Form for New License or License Sale).

8. Two (2) - 5" x 7" photographs of the completed establishment (1 interior and 1 exterior).
- B. The applicant's request for a new Specially Designated Distributor license is APPROVED subject to the following:
1. The licensee shall agree to purchase an initial minimum order of \$5,000.00 of spirits divided among not less than 50 brands as a condition precedent to receiving a license, under administrative rule R 436.1139.
 2. The licensee shall pay all license fees by April 30th each year.
 3. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
- C. The applicant's request for a new 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. 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.
- E. 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).
- 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

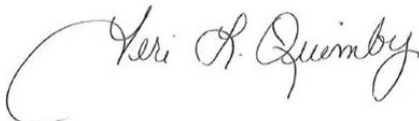
occupancy has been issued by the local unit of government having jurisdiction over the location of the licensed premises or the licensed premises complies with administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain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

- G. Failure to comply with all laws and rules may result in the revocation of the approval contained in this order.

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)	
VEER BROTHERS, INC.)	
21439 Schoenherr Rd)	Request ID No. 1803-03909
Warren, MI 48089-3331)	
)	
<u>Macomb County</u>)	

At the December 20, 2018 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

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

LICENSING APPEAL ORDER

On March 30, 2018, ("applicant") Veer Brothers, Inc. ("applicant") filed a request for a new Specially Designated Merchant license issued under MCL 436.1533(5) with Sunday Sales Permit (A.M.), located 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 July 25, 2018, the Commission denied the request under administrative rule R 436.1105(2)(a) after considering the prior operating record of applicant stockholder, Surjit Kaur, while licensed under G.R. Downtown Market, Inc.

Commission records reflect that G.R. Downtown Market, Inc. was found responsible for three (3) violations of the sale of alcohol to a person under 21 years of age (ages 18 and 19); which is contrary to MCL 436.1801(2).

The Commission also denied this request under 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 after considering the conviction record of applicant stockholder, Surjit Kaur.

Gus Abro, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the December 20, 2018 hearing, held at the Commission's Southfield 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 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. All previous questions and concerns have been adequately addressed in this matter.

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 July 25, 2018 issued in this matter is reversed and the applicant's request is APPROVED. Approval and completion of this request is subject to receipt of the following:
 1. Executed form LC-95 (Proof of Financial Responsibility).
 2. **Final Inspection to be conducted by the Commission's Enforcement Division to determine that inventory has been installed.**
 3. Valid Retail Food Establishment License or Extended Retail Food Establishment License for the applicant at the subject location pursuant to MCL 436.1533(1).
 4. Copy of a signed land contract, real estate mortgage, warranty deed, or quit claim deed.

5. Executed form LCC-301 (Report of Stockholders/Members/Partners).
 6. Executed form LCC-107 (Closing Form for New License or License Sale).
- B. The applicant's request for a new Specially Designated Merchant license issued under MCL 436.1533(5) is APPROVED subject to the following:
1. The licensee shall pay all license fees by April 30th each year.
 2. The licensee shall maintain proof of financial responsibility, under MCL 436.1803.
- C. The applicant's request for a new 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. 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.
- E. 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).
- 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

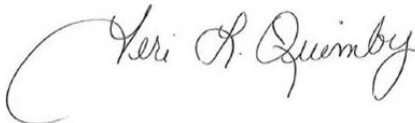
administrative rule R 436.1003(1). Approval by the Michigan Liquor Control Commission does not waive these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before opening the business for operation.

- G. Failure to comply with all laws and rules may result in the revocation of the approval contained in this order.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner

Date Mailed: February 5, 2019

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