



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

In the matter of)
)
JEMM INVESTMENTS INC)
D/B/A DETROITER BAR) Business ID No. 235409
655 Beaubien St)
Detroit, MI 48226-2902)
)
Wayne County)

At the January 17, 2019 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

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

PENALTY HEARING ORDER

Article IV, Section 40, of the Michigan Constitution (1963), permits the legislature to establish a Liquor Control Commission, which shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. MCL 436.1201(2) provides the Commission with the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the manufacture, importation, possession, transportation and sale thereof.

Under MCL 436.1903(1), the Commission shall impose a suspension or revocation of the 2018 Class C license with Sunday Sales Permits (A.M. & P.M.), Direct Connection (1) to unlicensed premises, and Outdoor Service (1 Area), and held by JEMM Investments Inc, d/b/a Detrioter Bar ("licensee") at the above-noted address, as the licensee was found liable for three (3) violations of MCL 436.1801(2) on different occasions within a 24-month period. Those violations occurred on August 4, 2016, September 8, 2017 and June 3, 2018.

The penalty hearing was properly noticed and held on January 17, 2019 at the Commission's Southfield office. Representing the licensee at the hearing were Attorney Peter Abbo and stockholder, Evan Cossette.

After reviewing the record of the three (3) violations within a consecutive 24-month period which necessitated the penalty hearing, hearing arguments from legal counsel and the licensee, and review of the MLCC file, the Commission finds that revocation of the license is not necessary in this matter. However, the Commission further finds that a suspension of the license is required, and the licensee has demonstrated reasons to order a suspension in this matter for the following reasons:

- The Commission finds that the license was originally issued to the licensee on August 18, 2014.
- The Commission finds that the minors who were sold and served alcoholic beverages were 19 and 20 years of age. It appears that identification was not requested in the incidents occurring on August 4, 2016 and September 8, 2017. It appears that identification was requested in the incident that occurred on June 3, 2018 involving two (2) decoy minors, indicating either a careless disregard of the law or deliberate actions of the bartender.
- The Commission finds that the licensee has demonstrated a policy for alcohol sales was in place at the time the violations occurred but lacked specific disciplinary procedures for employees who sold to minors or intoxicated patrons. The bartender cited in the June 3, 2018 incident was suspended for one (1) week, and all three (3) employees who sold or furnished alcohol to minors remain employed at the establishment.
- The Commission finds that the licensee has demonstrated a new policy has been implemented requiring employees to check identification of all patrons appearing to be under 30 years of age purchasing alcohol, and all employees are required to sign this policy.
- The Commission finds that representatives on behalf of the licensee demonstrated that all employees are TIPS® trained prior to selling and serving alcohol to patrons.
- The Commission finds that representatives on behalf of the licensee demonstrated a portable identification scanner is in use to assist wait staff

in scanning the identification of patrons prior to the sale and service of alcohol.

- The Commission finds that this licensee has no history of failure to cooperate with law enforcement or with the Commission during any of these occurrences.

Under MCL 436.1903(1), the Commission shall issue a penalty of suspension or revocation in this matter. The Commission finds that a twenty-one (21) day suspension is warranted for the reasons stated on the record, to be served Thursday, January 24, 2019 through Wednesday, February 13, 2019; with the license to be returned on Thursday, February 14, 2019.

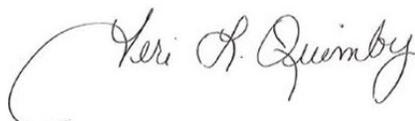
THEREFORE, IT IS ORDERED THAT:

- A. The 2018 Class C license with Sunday Sales Permits (A.M. & P.M.), Direct Connection (1) to unlicensed premises, and Outdoor Service (1 Area) held by JEMM Investments Inc, d/b/a Detroit Bar at the above-noted address, is SUSPENDED for twenty-one (21) days to be served Thursday, January 24, 2019 through Wednesday, February 13, 2019; with the license to be returned on Thursday, February 14, 2019.
- B. The suspension is to run consecutively and not concurrently with any other suspension ordered by the Michigan Liquor Control Commission for this licensee.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner

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

Dennis Olshove, Commissioner

Date Mailed: January 18, 2019

tlc