



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

In the matter of)
NAHHAS, INC)
D/B/A VIENNA MARKET)
2305 Junction St) Business ID No. 243997
Detroit, MI 48209-1342)
Wayne County)

At the November 29, 2018 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

Under MCL 436.1903(1), the Commission shall impose a suspension or revocation of the 2018 escrowed Specially Designated Merchant license with Sunday Sales Permit (A.M.) held by Nahhas, Inc, d/b/a Vienna Market (“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 May 5, 2017, June 10, 2017 and December 18, 2017.

The penalty hearing was held on November 29, 2018 at the Commission’s Southfield office. Representing the licensee at the hearing was Attorney Thomas Everett and sole stockholder, Amer Nahhas.

After reviewing the record of the three (3) violations within a consecutive 24-month period which necessitated the penalty hearing, the Commission finds that the licensee has demonstrated reasons to order a REVOCATION in this matter for the following reasons:

- The Commission finds that the license was originally issued to the licensee on January 6, 2017.
- The Commission finds that the licensee sold to two (2) decoy minors in both the first and third incidents; bringing the actual total sales to minors in this matter to five (5).
- The Commission finds that all five (5) minors were sold or furnished alcoholic liquor in violation of MCL 436.1801(2) within a timeframe of approximately seven (7) months.
- The Commission finds that the licensee himself, Amer Nahhas, was identified as the selling clerk responsible in the first sale to minor incident; and Thamer Nahhas sold to the minors in the second and third incidents – all without asking for identification.
- The Commission finds that the two (2) minors in the third violation were both only 18 years of age.
- The Commission finds that in the first and third violations, the licensee failed to appear at the scheduled violation hearings and the hearings were held under administrative rule R 436.1915(d); resulting in decisions of default. This demonstrates a blatant lack of regard for the seriousness of these matters, and a danger to the public health, safety and welfare.
- The Commission finds that the licensee failed to demonstrate policies and procedures for prevention of selling to minors, and further finds that the Commission has no confidence that the licensee takes these matters seriously or would be able to prevent future violations.
- The Commission finds that the licensee was cited and found responsible on October 18, 2018 for a violation of failing to return the license to the commission for escrow because the business was closed for more than 30 days; which is contrary to administrative rule R 436.1047. The \$200 fine issued as penalty has not been paid. (CV#501773)

Under MCL 436.1903(1), the Commission shall issue a penalty of suspension or revocation in this matter. The Commission finds that a REVOCATION is warranted for the reasons stated on the record, to be effectuated immediately.

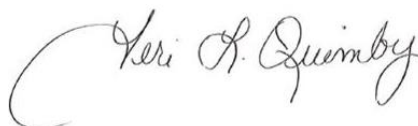
THEREFORE, IT IS ORDERED that:

- A. The 2018 escrowed Specially Designated Merchant license with Sunday Sales Permit (A.M.) held by Nahhas, Inc, d/b/a Vienna Market located at 2305 Junction St, Detroit, Wayne County, is IMMEDIATELY REVOKED under MCL 436.1903(1).
- B. Under MCL 436.1907(1), any and all privileges conferred by the license shall be forfeited and the Commission shall seize any and all alcoholic liquor found in the possession of the licensee.
- C. Under MCL 436.1907(2), the Commission shall remit to the licensee the purchase price less 10% paid by the licensee to the Commission for all alcoholic liquor seized. All other alcoholic liquor seized shall be disposed of in accordance with the law and no payment shall be made for that alcoholic liquor.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

Date Mailed: November 30, 2018

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