



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

January 4, 2021

Michigan House of Representatives
Capitol Building
Lansing, MI 48909

Michigan State Senate
Capitol Building
Lansing, MI 48909

Dear Members of the House of Representatives and Senate:

Section 531(3) of the Michigan Liquor Control Code, MCL 436.1531(3), requires:

Before January 16 of each year the commission shall transmit to the legislature a report giving details as to all of the following:

- (a) The number of applications received under this subsection.*
- (b) The number of licenses granted and to whom.*
- (c) The number of applications rejected and the reasons they were rejected.*
- (d) The number of the licenses revoked, suspended, or other disciplinary action taken and against whom and the grounds for revocation, suspension, or disciplinary action.*

The following information for 2020 is submitted in accordance with MCL 436.1531(3):

- (a) The number of applications received under subsection (3): **Two (2) applications for licenses under subsection (3) were received in 2020.**
- (b) The number of licenses granted under subsection (3) and to whom: **No new licenses under subsection (3) were approved or issued in 2020. The two applications received in 2020 were still in the process of review at the end of 2020 and have not yet been considered by the Commission.**
- (c) The number of applications under subsection (3) rejected and the reasons they were rejected: **No applications for licenses under subsection (3) were rejected in 2020. The two applications received in 2020 were still in the process of review at the end of 2020 and have not yet been considered by the Commission.**
- (d) The number of the licenses issued under subsection (3) revoked, suspended, or other disciplinary action taken and against whom and the grounds for revocation, suspension, or disciplinary action: **Seventeen (17) licensees holding a licensed issued under subsection (3) had disciplinary action taken against them in 2020. The details of the disciplinary actions taken are listed below.**

1. CALDWELL & CALDWELL LLC, SAUGATUCK CITY, ALLEGAN COUNTY

Charge: Advertised and/or sold an unlimited quantity of alcoholic beverages at a specific price.

Action: Effective June 23, 2020, the Commissioner Orders a penalty fine of \$200 for the charge in this matter. The Commissioner further Orders that the Licensee serve a suspension of ten (10) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC, if the fine is not paid within forty-five (45) days from the mailing date of this Order.

2. D AND S NORTH, LLC, MACKINAC ISLAND CITY, MACKINAC COUNTY

Charge: Dishonored Payment: License Fee Other/Account Invalid (\$4130.90).

Action: Effective December 1, 2020, the Commissioner Orders a penalty fine of \$50 for the charge in this matter. The Commissioner further Orders the Licensee to serve a suspension of three (3) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC, if the fine is not paid within forty-five (45) days from the mailing date of this Order.

3. DEBBIE'S SPORTSMANS LOUNGE, INC., BALDWIN VILLAGE, LAKE COUNTY

Charge: 1) Sold or furnished alcoholic liquor to Marsha Perilloux, on Sunday between 2:00 a.m. and 12:00 noon; 2) Installed an additional bar without the prior written approval of the Commission.

Action: Effective June 12, 2020, the Commissioner Orders a penalty fine of \$150 for each charge in this matter. The Commissioner further Orders the Licensee to serve a suspension of fifteen (15) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC, if the total fine of \$300 is not paid within forty-five (45) days from the mailing date of this Order.

4. FRIGGY'S SOBO PUB LLC, BOYNE CITY, CHARLEVOIX COUNTY

Charge: 1) On or about October 6, 2018, sold, offered or kept for sale, furnished or possessed alcoholic liquor, which was not authorized by the license issued to the licensee by the Commission; 2) On or about October 13, 2018, sold, offered or kept for sale, furnished or possessed alcoholic liquor, which was not authorized by the license issued to the licensee by the Commission; 3) On or about October 20, 2018, sold, offered or kept for sale, furnished or possessed alcoholic liquor, which was not authorized by the license issued to the licensee by the Commission; 4) On or about October 27, 2018, sold, offered or kept for sale, furnished or possessed alcoholic liquor, which was not authorized by the license issued to the licensee by the Commission; 5) Purchase during March 2018, more than nine (9) liters of spirits (to/from) Meijer; 6) Purchased during April 2018, more than nine (9) liters of spirits (to/from) Jack's Fresh Market; 7) Purchase) during May 2018, more than nine (9) liters of spirits (to/from) Walmart; 8) Purchase during June 2018, more than nine (9) liters of spirits (to/from) Walmart; 9) Purchase during July 2018, more than nine (9) liters of spirits (to/from) Meijer.

Action: Effective May 28, 2020, the Commissioner Orders a penalty fine of \$300 each for Charge Nos. 1, 2, 3, and 4; and \$200 each for Charge Nos. 5, 6, 7, 8, and 9, for a total fine of \$2,200 in

this matter. The Commissioner further Orders a suspension of one-hundred ten (110) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC, if the total fine of \$2,200 is not paid within forty-five (45) days from the mailing date of this Order. The Commissioner also Orders the MLCC Enforcement Division to destroy or dispose of the evidence, if any, impounded or seized during the course of this investigation in accordance with the law.

5. GL PORTER ENTERPRISES, INC., EAST JORDAN CITY, CHARLEVOIX COUNTY

Charge: 1) Allowed unlawful gambling devices, \$2 per square pool-type sheets, on the licensed premises, which are prohibited; 2) Allowed unlawful gambling with \$2 per square pool-type sheets on the licensed premises, which are prohibited; 3) Allowed unlawful gambling devices, \$5 per square pool-type sheets, on the licensed premises, which are prohibited; 4) Allowed unlawful gambling with \$5 per square pool-type sheets on the licensed premises, which are prohibited; 5) Allowed unlawful gambling devices, \$10 per square pool-type sheets, on the licensed premises, which are prohibited; 6) Allowed unlawful gambling with \$10 per square pool-type sheets on the licensed premises, which are prohibited.

Action: Effective May 22, 2020, the Commissioner Orders the licensee to pay the sanction of a fine of \$100 for each of six (6) acknowledged charges, cited above, for a total penalty fine of \$600. The Commissioner further Orders a suspension of thirty (30) continuous days if the total fine of \$600 is not paid within forty-five (45) days from the mailing date of this Order. This suspension, if served, shall run consecutively and not concurrently with any other suspension ordered by the Commission for this Licensee. As added penalty, in this matter, the Commissioner Orders a suspension of three (3) consecutive days, with that suspension hereby waived and designed to serve as a warning to the Licensee that further violations may result in more severe penalties including possible suspension or revocation of the subject license and may jeopardize the continuing opportunity for licensure. In addition, the Commissioner Orders that all gaming materials, gambling proceeds and paraphernalia seized in the course of the investigation shall be forfeited and disposed of as prescribed by law.

6. H & D L.L.C., BENONA TOWNSHIP, OCEANA COUNTY

Charge: Sold or transferred the license, or an interest in the license to Kathy Vanette and/or Cellar36, LLC, without the prior approval of the Michigan Liquor Control Commission.

Action: Effective July 20, 2020, the Commissioner Orders a penalty fine of \$200 in this matter, which is due within forty-five (45) days from the mailing date of this Order. In addition, the Commissioner Orders the license for this Licensee at the above-noted location to remain in escrow until: 1. All outstanding fines and fees are paid in full, and 2. the Licensee either: a. Assumes full proprietary control of this licensed business, or b. Transfers said license to a person approved by the MLCC, or c. Allows said license to terminate pursuant to the provisions of administrative rule R 436.1107.

7. HILLTOP FAMILY RESTAURANT, LLC, L'ANSE TOWNSHIP, BARAGA COUNTY

Charge: Failed, refused, or neglected to obey a written order of the Commission dated January 3, 2019, 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 the license, January 24, 2019 contrary to Rule 436.1029.

Action: Effective January 14, 2020, the Commissioner Orders a fine of \$200.00 for the charge in this matter. The Commissioner further Orders the Licensee to serve a suspension of ten (10) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC, if the fine is not paid within forty-five (45) days from the mailing of this order.

8. INSPIRED CONCEPTS, LLC, MT. PLEASANT CITY, ISABELLA COUNTY

Charge: Sold or furnished alcoholic liquor to unnamed minor decoy LAN-394, (20), date of birth January 19, 2000, who was less than twenty-one (21) years old.

Action: Effective June 23, 2020, the Commissioner Orders a penalty fine of \$500 for the charge in this matter. The Commissioner further Orders the Licensee to serve a suspension of twenty-five (25) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC, if the fine is not paid within forty-five (45) days from the mailing date of this Order.

9. LAKE CADILLAC RESORT, LLC, CADILLAC CITY, WEXFORD COUNTY

Charge: Dishonored Payment: Non-Sufficient Funds (\$1583.25).

Action: Effective April 27, 2020, the Commissioner Orders a penalty fine of \$50 for the charge in this matter. The Commissioner further Orders the Licensee to serve a suspension of three (3) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC, if the fine is not paid within forty-five (45) days from the mailing date of this Order.

10. LOS TEQUILAS CORPORATION, COLDWATER CITY, BRANCH COUNTY

Charge: The licensee failed to make required records available for inspection.

Action: Effective September 25, 2020, the Commissioner Orders a fine of \$150 in this matter. Further, the Commissioner Orders that a suspension of seven (7) continuous days shall be imposed, with this suspension to run consecutively and not concurrently with any other suspension Ordered by the Commission, if the fine is not paid within forty-five (45) days from the mailing date of this Order.

11. MACKINAC STEAK AND SEAFOOD COMPANY LLC, MACKINAC ISLAND CITY, MACKINAC COUNTY

Charge: Dishonored Payment: License Fee No Account/Account Closed (\$950.00).

Action: Effective November 20, 2020, the Commissioner Orders a penalty fine of \$100 for the charge in this matter. The Commissioner further Orders the Licensee to serve a suspension of five (5) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC, if the fine is not paid within forty-five (45) days from the mailing date of this Order.

12. MC CALLISTER, PENROD AND STONEMAN, LLC, GRAND RAPIDS CITY, KENT COUNTY

Charge: Failed, refused, or neglected to obey a written order of the Commission dated July 23, 2019, 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 the license, July 24, 2019 contrary to Rule 436.1029.

Action: Effective February 24, 2020, the Commissioner Orders a fine of \$100.00 for the charge in this matter. The Commissioner further Orders the Licensee to serve a suspension of five (5) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC, if the fine is not paid within forty-five (45) days from the mailing of this order.

13. MOORE MURPHY HOSPITALITY, LLC, GAYLORD CITY, OTSEGO COUNTY

Charge: 1) On November 25, 2020, Moore Murphy Hospitality, LLC, and/or employees of the licensee engaged in an illegal occupation or illegal act upon the licensed premises, specifically: allowing indoor gatherings at a food service establishment; 2) On November 25, 2020, Moore Murphy Hospitality, LLC, and/or employees of the licensee engaged in an illegal occupation or illegal act upon the licensed premises, specifically: allowing persons to participate in indoor gatherings at the licensed premises without requiring them to wear face masks.

Action: Effective December 14, 2020, the Commissioner Orders: Count 1, a fine of \$300 and a suspension of the license for ninety (90) continuous days from the date of the entry of this Order; and, Count 2, a \$300 fine and a suspension of the license for ninety (90) continuous days from the date of the entry of this Order. The two fines are consecutive: the total fine is \$600. The two ninety (90) day suspensions shall be served concurrently, not consecutively, for a total suspension of the license for ninety (90) continuous days from the date of the entry of this Order.

14. OPEN GOETZ, LLC, MUNISING CITY, ALGER COUNTY

Charge (1st Violation): Nonsufficient Funds Check (\$790.00)

Action (1st Violation): Effective May 14, 2020, the Commissioner Orders a penalty fine of \$100 for the charge in this matter, which is due within forty-five (45) days from the mailing date of this Order. The Commissioner also Orders the licenses and permits for this Licensee at the above-noted location to remain in escrow until the outstanding funds, fines and fees are paid in full or the licenses and permits are terminated pursuant to the provisions of administrative rule R 436.1107.

Charge (2nd Violation): Nonsufficient Funds Check (\$267.03)

Action (2nd Violation): Effective May 14 2020, the Commissioner Orders a penalty fine of \$100 for the charge in this matter, which is due within forty-five (45) days from the mailing date of this Order. The Commissioner also Orders the licenses and permits for this Licensee at the above-noted location to remain in escrow until the outstanding funds, fines and fees are paid in full or the licenses and permits are terminated pursuant to the provisions of administrative rule R 436.1107.

15. OTIES RESTAURANT LLC, OTISVILLE VILLAGE, GENESEE COUNTY

Charge: Nonsufficient Funds Check (\$353.33).

Action: Effective January 15, 2020, the Commissioner Orders a penalty fine of \$50 for the charge in this matter. The Commissioner further Orders the Licensee to serve a suspension of three (3) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC, if the fine is not paid within forty-five (45) days from the mailing date of this Order.

16. S & R INVESTMENT, INC., NORTH STAR TOWNSHIP, GRATIOT COUNTY

Charge: Sold or furnished alcoholic liquor to unnamed minor decoy LAN-394, (19), date of birth January 19, 2000, who was less than twenty-one (21) years old.

Action: Effective April 14, 2020, the Commissioner Orders a penalty fine of \$700 for the charge in this matter. The Commissioner further Orders the Licensee to serve a suspension of thirty-five (35) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC, if the fine is not paid within forty-five (45) days from the mailing date of this Order.

17. THIRSTY FISH SPORTS GRILLE, L.L.C., TRAVERSE CITY, GRAND TRAVERSE COUNTY

Charge: Failed, refused, or neglected to obey a written order of the Commission dated April 2, 2019, 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 the license, April 10, 2019 contrary to Rule 436.1029.

Action: Effective January 28, 2020, the Commissioner Orders a fine of \$200.00 for the charge in this matter. The Commissioner further Orders the Licensee to serve a suspension of ten (10) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC, if the fine is not paid within forty-five (45) days from the mailing of this order.

If you have any questions about this report, please do not hesitate to contact the Commission at 517-284-6310.

Sincerely,



Pat Gagliardi, Chair
Michigan Liquor Control Commission