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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

January 3, 2022

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 2021 is submitted in accordance with MCL 436.1531(3):

- (a) The number of applications received under subsection (3): **Five (5) applications for licenses under subsection (3) were received in 2021.**
- (b) The number of licenses granted under subsection (3) and to whom: **Three (3) licenses under subsection (3) were approved in 2021:**
 - 1. Northport Gardens, LLC, Northport Village, Leelanau County**
 - 2. Topsy Canoe Rental & Brew LLC, Homestead Twp., Benzie County**
 - 3. Wheelhouse Diner, Inc., Whitefish Twp., Chippewa County**
- (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 2021.**
- (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: **Fourteen (14) licensees holding a license issued under subsection (3) had disciplinary action taken against them in 2021. The details of the disciplinary actions taken follow on the enclosed pages.**

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

1. 45 DEGREE HOSPITALITY, INC., BAGLEY TOWNSHIP, OTSEGO COUNTY

Charge: As discovered on July 18, 2019 accepted aid or assistance from another vendor, Alliance Beverage, by loan of money, property of any description, rebate or premiums or other valuable thing.

Action: Effective January 8, 2021, the Commissioner Orders a fine of \$50 in this matter. Further, the Commissioner Orders that a suspension of three (3) continuous days shall be imposed if the fine is not paid, 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 the Order.

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

Charge: Permitted a quantity of alcoholic liquor, sold for consumption on the licensed premises, to be removed from the licensed premises.

Action: Effective March 11, 2021, 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 three (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 the Order.

3. CGCCC, INC., ALMER TOWNSHIP, TUSCOLA COUNTY

Charges: 1) That on October 22, 2020, Loren Frederic Allison, officer of licensed corporation, committed a crime involving the excessive use of alcoholic liquor, specifically: DWI; 2) That on October 22, 2020, Loren Frederic Allison, officer of licensed corporation, committed a crime involving, weapons, specifically: CCW.

Action: Effective June 22, 2021, the Commissioner Orders a penalty fine of \$300 for Charge No. 1 and \$200 for Charge No. 2, for a total fine of \$500 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 total fine of \$500 is not paid within forty-five (45) days from the mailing date of the Order.

4. FRICANO'S MUSKEGON LAKE, L.L.C., MUSKEGON CITY, MUSKEGON COUNTY

Charge: Sold or furnished alcoholic liquor to minor decoy (19), date of birth January 17, 2001, who was less than twenty-one (21) years old.

Action: Effective April 23, 2021, the Commissioner Orders a penalty fine of \$900 for the charge in this matter. The Commissioner further Orders the Licensee to serve a suspension of forty-five (45) 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.

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

Charges (1st Violation): 1) Sold or furnished alcoholic liquor to Spencer Swanson, who was in an intoxicated or visibly intoxicated condition; 2) Allowed Spencer Swanson, who was in an intoxicated condition, to consume alcoholic liquor upon the licensed premises; 3) Allowed Spencer Swanson, who was in an intoxicated condition, to frequent or loiter upon the licensed premises.

Action (1st Violation): Effective June 16, 2021, the Commissioner Orders a penalty fine of \$800 for Charge No. 1, and \$100 each for Charge Nos. 2 and 3, for a total fine of \$1,000 in this matter. The Commissioner further Orders the Licensee to serve a suspension of fifty (50) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC for this Licensee, if the total fine of \$1,000 is not paid within forty-five (45) days from the mailing date of the Order.

Charges (2nd Violation): 1) Sold or furnished alcoholic liquor to Lee Blossom, who was in an intoxicated or visibly intoxicated condition; 2) Allowed Lee Blossom, who was in an intoxicated condition, to consume alcoholic liquor upon the licensed premises; 3) Allowed Lee Blossom, who was in an intoxicated condition, to frequent or loiter upon the licensed premises; 4) Sold or furnished alcoholic liquor to Amy Munk, who was in an intoxicated or visibly intoxicated condition; 5) Allowed Amy Munk, who was in an intoxicated condition, to consume alcoholic liquor upon the licensed premises; 6) Allowed Amy Munk, who was in an intoxicated condition, to frequent or loiter upon the licensed premises.

Action (2nd Violation): Effective August 2, 2021, the Commissioner Orders a penalty fine of \$800 each for Charge Nos. 1 and 4; and \$100 each for Charge Nos. 2, 3, 5, and 6; for a total fine of \$2,000 in this matter. The Commissioner further Orders the Licensee to serve a suspension of one hundred (100) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC for this Licensee, if the total fine of \$2,000 is not paid within forty-five (45) days from the mailing date of the Order.

Further, the Commissioner Orders an additional penalty of a five (5) day suspension, to run consecutively and not concurrently with any other suspension Ordered by the MLCC

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

Charge: Harold Trehwella, member or manager of a Limited Liability Corporation, committed a crime involving the excessive use of alcoholic liquor, specifically: Operating While Visibly Impaired.

Action: Effective October 18, 2021, the Commissioner Orders a penalty fine of \$300 for the 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 fine is not paid within forty-five (45) days from the mailing date of the Order.

7. HUNGRY TUMMY ENTERPRISES LLC, BEULAH VILLAGE, BENZIE COUNTY

Charges: 1) On December 4, 2020, Hungry Tummy Enterprises LLC, and/or employees of the licensee engaged in an illegal occupation or illegal act upon the licensed premises, contrary to Rule 436.1011(1), specifically: allowing indoor consumption of alcohol at a food service establishment, contrary to sections 2(a)(2) and 3(b)(1) of the Michigan Department of Health and Human Services Gatherings and Face Mask Order dated November 15, 2020; 2) On December 4, 2020, Hungry Tummy Enterprises LLC, and/or employees of the licensee engaged in an illegal occupation or illegal act upon the licensed premises, contrary to Rule 436.1011(1), specifically: allowing persons to participate in indoor gatherings at the licensed premises without requiring them to wear face masks, contrary to section 7(c) of the Michigan Department of Health and Human Services Gatherings and Face Mask Order dated November 15, 2020.

Action: Effective March 8, 2021, the Commissioner Orders a penalty fine of \$200 each for the charge in this matter. The Commissioner further Orders the Licensee to serve a suspension of three (20) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC, if the total fine of \$400 is not paid within forty-five (45) days from the mailing date of the Order.

8. MEDITERRANO, INC., ANN ARBOR CITY, WASHTENAW COUNTY

Charge: Sold or furnished alcoholic liquor to minor Decoy X-375, (18), date of birth November 21, 2000, who was less than twenty-one (21) years old.

Action: Effective July 20, 2021, the Commissioner Orders a penalty fine of \$500 for this charge with \$100 waived in recognition of the Licensee's record of compliance with the MLCC. The Commissioner further Orders the Licensee to serve a suspension of twenty (20) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC, if the total fine of \$400 is not paid within forty-five (45) days from the mailing date of the Order.

9. MYLAN'S WATERFRONT GRILLE LLC, WHITEHALL CITY, MUSKEGON COUNTY

Charge: Sold a bottle of spirits for consumption off of the licensed premises as a Class C licensee.

Action: Effective June 21, 2021, the Commissioner Orders a fine of \$200. Further, the Commissioner Orders that a suspension of ten (10) continuous days 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 the Order.

10. NORTHERN TRAILS BAR & GRILLE LLC, CROTON TOWNSHIP, NEWAYGO COUNTY

Charge: Sold or furnished alcoholic liquor to unnamed minor decoy CI-137, (19), date of birth November 10, 2001, who was less than twenty-one (21) years old.

Action: Effective December 15, 2021, 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 the Order.

11. RACHEE LODGING, INC., ALPENA CITY, ALPENA COUNTY

Charges: 1) On February 7 – 9, 2020, allowed a contest on the licensed premises in which a prize in excess of \$250.00 was given away; 2) On February 14 – 16, 2020, allowed a contest on the licensed premises in which a prize in excess of \$250.00 was given away; 3) On February 21 – 23, 2020, allowed a contest on the licensed premises in which a prize in excess of \$250.00 was given away; 4) Accepted aid or assistance from another vendor, Huron Distributors, Inc., by gift, loan of money, property of any description, rebate or premiums or other valuable thing

Action: Effective May 28, 2021, as penalty, the Licensee is hereby Ordered to pay a fine of \$225 each for the acknowledged Charge Nos. 1, 2, and 3, cited above, and is hereby Ordered to pay a fine of \$75 for acknowledged Charge No. 4, as cited above, for a total of \$750 in fines. The Commissioner further Orders a suspension of thirty-seven (37) continuous days if the total fine of \$750 is not paid within forty-five (45) days from the mailing date of this Order.

12. SATNAAMJI, INC., GRAYLING CITY, CRAWFORD COUNTY

Charges: 1) Sold or transferred the license, or an interest in the license to Dream Hospitality, LLC, without the prior approval of the Michigan Liquor Control Commission; 2) Allowed a limited liability company, Dream Hospitality, LLC, whose name does not appear on the license, to derive use or benefit from the license.

Action: Effective November 30, 2021, as a penalty, the Licensee is hereby Ordered to pay a fine of \$300 each for acknowledged Charge No. 1, cited above in this matter. As an additional penalty, the Commissioner Orders that the Licensee place the subject license and permits into escrow within seven (7) days from the mailing date of this Order and that the license and permits must remain in escrow until the fine is paid in full and, until either the license and permits are transferred to a person approved by the Commission or the license is terminated pursuant to R 436.1107 of the Michigan Administrative Code, whichever occurs first. The Commissioner furthermore Orders that Charge No. 2 be DISMISSED with prejudice.

13. THE BAYBERRY GROUP, INC., GLEN ARBOR TOWNSHIP, LEELANAU COUNTY

Charges (1st Violation): 1) On or about July 9, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 2) On or about July 9, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 3) On or about July 9, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 4) On or about July 9, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 5) On or about July 11, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 6) On or about July 11, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 7) On or about July 11, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 8) On or about July 11, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 9) On or about July 11, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 10) On or about July 13, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic

allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 55) On or about July 23, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 56) On or about July 23, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 57) On or about July 23, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 58) On or about July 25, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 59) On or about July 25, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 60) On or about July 25, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 61) On or about July 25, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 62) On or about July 27, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 63) On or about August 5, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 64) On or about August 8, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor; 65) On or about August 10, 2018 allowed Asia Strobel, who was under 18 years old, to sell or furnish alcoholic liquor.

Charges (2nd Violation): 1) Failed to cooperate with law enforcement officer(s) and/or obstructed law enforcement officer(s) in the course of inspecting or investigating the licensed premises, while enforcing the Michigan Liquor Control Code; 2) Allowed an agent, clerk, or employee, Cody Hayes, to be on the licensed premises in an intoxicated condition; 3) Allowed a customer to consume alcoholic liquor on the licensed premises which was not authorized by the license.

Action (1st & 2nd Violation Combined): Effective March 25, 2021, the Commissioner Orders the Licensee to pay a fine of \$50 each for the thirty-three (33) acknowledged charges in Complaint CV-506271 and a fine of \$100 for the one (1) acknowledged charge in Complaint No. CV-507968, for a total fine of \$1,750. The Commissioner further Orders a suspension of eighty-seven (87) continuous days if the total fine is not paid within forty-five (45) days from the date the Order is mailed. The Commissioner further Orders that all licenses and permits for this Licensee at the above noted location be suspended for six (6) days, with said suspension to run consecutively and not concurrently with any other suspension imposed by the Commission. Charge Nos. 35 through 65 in Complaint No. CV-506271 and Charge Nos. 1 and 2 in Complaint No. CV-507968 are DISMISSED with prejudice.

14. WHITEFISH LAKE GOLF CLUB, L.L.C., PIERSON TOWNSHIP, MONTCALM COUNTY

Charges: 1) Sold or transferred the license, or an interest in the license to 19th Hole Group, LLC, without the prior approval of the Michigan Liquor Control Commission; 2) Allowed 19th Hole Group, LLC, whose name does not appear on the license, to derive use or benefit from the license.

Action: Effective May 5, 2021, the Commissioner Orders the Licensee to pay a fine of \$200 each for the two (2) acknowledged charges, for a total fine of \$400, which is due within forty-five (45) days from the mailing of this order. In addition, the Commissioner Orders the licenses for this Licensee at the above-noted location to remain in escrow until: 1. All outstanding fines are paid in full, AND 2. The Licensee either: a. Transfers said licenses to a person approved by the MLCC, or b. Allows said license to terminate pursuant to the provisions of administrative rule R 436.1107.