STATE OF MICHIGAN
GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

January 3, 2023

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 2022 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 2022.**

(b) The number of licenses granted under subsection (3) and to whom: **Three (3) licenses under subsection (3) were approved in 2022:**
   1. **Kenyon Resort, LLC, Hill Township, Ogemaw County**
   2. **WilDan, Inc., Elk Rapids, Antrim County**
   3. **Lonesome Dove Lodge, LLC, Au Gres, Arenac 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 2022.**

(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: **Twenty-four (24) licensees holding a license issued under subsection (3) had disciplinary action taken against them in 2022. 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 (1st Violation): The licensee failed to make required records available for inspection.

Action: Effective November 7, 2022, as a penalty, the Licensee is hereby Ordered to pay a fine of $100 for acknowledged Charge No. 1, cited above in this matter. The Commissioner further Orders that the licenses remain in escrow until all fines and fees are paid and the Licensee transfers the licenses to a person approved by the Commission.

Charge (2nd Violation): The licensee failed to make required records available for inspection.

Action: Effective November 7, 2022, as a penalty, the Licensee is hereby Ordered to pay a fine of $100 for acknowledged Charge No. 1, cited above in this matter. The Commissioner further Orders that the licenses remain in escrow until all fines and fees are paid and the Licensee transfers the licenses to a person approved by the Commission.

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2. BAUM AND ONE, LLC, SANDSTONE TOWNSHIP, JACKSON COUNTY

Charge: Failed, refused, or neglected to obey a written order of the Commission dated April 13, 2021, 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, contrary to Rule 436.1029.

Action: Effective February 15, 2022, 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.

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

Charge: Sold or furnished alcoholic liquor to Leah Damveld, date of birth December 3, 2003 who was less than twenty-one (21) years old, contrary to Const 1963, art 4, § 40 and contrary to Section 801(1) of the Michigan Liquor Control Code, MCL 436.1801(1).

Action: Effective September 30, 2022, 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.

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4. DUNMAGLAS, INC., HAYES TOWNSHIP, CHARLEVOIX COUNTY

Charge: Made a payment to the Commission or the State of Michigan that was subsequently dishonored by a financial institution for lack of sufficient funds. Specifically: No Account/Account Closed.

Action: Effective September 28, 2022, the Commissioner Orders a fine of $50 for the single charge in this matter. In addition, the Commissioner Orders that a suspension of three (3) continuous days shall be imposed, with this suspension to run consecutively and not concurrently with any other suspension Ordered by the Commission, if the total fine is not paid within forty-five (45) days from the mailing date of this Order.

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5. GALEA HOLDINGS OF WEST BRANCH, LLC, WEST BRANCH CITY, OGEMAW COUNTY

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

Action: Effective December 2, 2022, this Commissioner Orders a penalty fine of $150 for each charge, for a total fine of $300 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. As additional penalty, unless the Licensee of the subject establishment either assumes proprietary control or completes the transfer ownership request RQ-2203-02853 by March 23, 2023, this Commissioner Orders the license issued to this Licensee at the above-noted address suspended. If effectuated, this suspension shall remain in effect until the Licensee either assumes proprietary control, transfers the subject license, or until the subject license terminates.

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6. GANGPLANK L.L.C., ST. IGNACE CITY, MACKINAC COUNTY

Charge: James Bentgen, 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 January 26, 2022, 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 this Order.

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7. GOLF LLC, MACOMB TOWNSHIP, MACOMB COUNTY

Charge: Failed, refused, or neglected to obey a written order of the Commission dated April 29, 2021, 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, May 6, 2021 contrary to Rule 436.1029.

Action: Effective March 16, 2022, the Licensee is hereby Ordered to pay a fine of $100 for acknowledged Charge No. 1, cited above in this matter. The Commissioner further Orders a suspension of five (5) continuous days if the total fine of $100 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.

8. K & M GRILL, LLC, ESCANABA CITY, DELTA COUNTY

Charge: Failed, refused, or neglected to obey a written order of the Commission dated March 18, 2020, 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, June 4, 2021 contrary to Rule 436.1029.

Action: Effective March 21, 2022, 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 date of this Order.

9. L.D.L.P. MANAGEMENT, INC., GUN PLAIN TOWNSHIP, ALLEGAN COUNTY

Charge: Sold or furnished alcoholic liquor to GR-433, (20) date of birth 8/09/01, who was less than twenty-one (21) years old.

Action: Effective November 10, 2022, the Commissioner Orders a fine of $400 for the charge in this matter. Further, the Commissioner Orders that a suspension of twenty (20) continuous days shall be imposed, with this suspension to run consecutively and not concurrently with any other suspension Ordered by the Commission, if the total fine is not paid within forty-five (45) days from the mailing date of this Order.

10. LAJ LLC, ELM RIVER TOWNSHIP, HOUGHTON COUNTY

Charges (1st Violation): 1) On January 21, 2021, LAJ, 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 gatherings 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 January 13, 2021; 2) On January 21, 2021, LAJ, 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 January 13, 2021.

Action: Effective January 12, 2022, the Commissioner Orders a penalty fine of $150 for Charge No. 1 and a fine of $150 for Charge No. 2, for a total fine of $300 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 this Order.

Charge (2nd Violation): Linda Jean La Jeunesse, 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 March 21, 2022, 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 this Order.

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

Charge: Made a payment to the Commission or the State of Michigan that was subsequently dishonored by a financial institution for lack of sufficient funds. Specifically: Non-Sufficient Funds.

Action: Effective October 12, 2022, the Commissioner Orders a penalty fine of $100 for the charge in this matter. Further, the Commissioner Orders that the license issued by the MLCC to this Licensee at the above-noted location be suspended if the above dishonored funds, service charge, and total fine are not paid within forty-five (45) days from the mailing of this Order. This suspension shall remain in effect until the Licensee is in compliance with this Order or the license terminates.

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12. LEADING EDGE MANUFACTURING CONSULTANT, LLC, POWELL TOWNSHIP, MARQUETTE COUNTY

Charge: Failed, refused, or neglected to obey a written order of the Commission dated June 1, 2021, 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 29, 2021 contrary to Rule 436.1029.

Action: Effective March 21, 2022, 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 date of this Order.

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

Charges: 1) Failed to cooperate with commission investigator and/or obstructed commission investigator in the course of inspecting or investigating the licensed premises, while enforcing the Michigan Liquor Control Code; 2) failed, refused, or neglected to have supervisory personnel who maintained active, unexpired server training certification on the licensed premises on each shift and during all hours of alcoholic liquor service.

Action: Effective February 3, 2022, the Commissioner Orders a fine of $400. Further, the Commissioner Orders that a suspension of twenty (20) 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 this Order.

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14. MAPLEWOOD LANES, INC., SALINE CITY, WASHTENAW COUNTY

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

Action: Effective October 21, 2022, the Commissioner Orders a penalty fine of $50 for the charge in this matter, which is due within forty-five (45) days of 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 all outstanding fines and fees are paid in full or the licenses and permits are terminated pursuant to the provisions of administrative rule R 436.1107.

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

Charges: 1) Sold or transferred in the aggregate more than 10% member interest of the licensed limited liability company to Ian Murphy, without the prior approval of the Michigan Liquor Control Commission; 2) added space to the physical structure of the licensed premises, without prior written approval of the Commission.

Action: Effective June 30, 2022, the Commissioner Orders a fine of $100 for Count 1 and $100 for Count 2, which together total $200 in this matter. 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 this Order. As additional penalty, this Commissioner Orders the licenses and permits issued to this Licensee at the above-noted address suspended, unless within sixty (60) days from the mailing date of this Order the Licensee submits the following to the Commission's Licensing Division: (1) an application to transfer membership interest; and, (2) the required documentation needed for a complete application to add space under Request ID 1811-16121 that was requested by the Commission via a notice of deficiency sent to the licensee on May 20, 2021. If effectuated, this suspension shall remain in effect until the Licensee either provides required application and documents, transfers ownership to an MLCC approved entity, or until the subject license terminates.

The license was suspended for 1 day for the licensee's failure to comply with the provisions of the order.

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16. OAK RIDGE GOLF CLUB, INC., LENNOX TOWNSHIP, MACOMB COUNTY

Charge (1st Violation): Made a payment to the Commission or the State of Michigan that was subsequently dishonored by a financial institution for lack of sufficient funds. Specifically: Account Frozen.

Charge (2nd Violation): Made a payment to the Commission or the State of Michigan that was subsequently dishonored by a financial institution for lack of sufficient funds. Specifically: Account Frozen.

Action (1st & 2nd Violation Combined): Effective August 3, 2022, the Commissioner Orders a penalty fine of $50 for each charge cited above, for a total fine of $100. Further, the Commissioner 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 total fine of $100 is not paid within forty-five (45) days from the mailing date of this Order.

17. OLD CHANNEL TRAIL GOLF COURSE LLC, WHITE RIVER TOWNSHIP, MUSKEGON COUNTY

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

Action: Effective February 2022, the Commissioner Orders a penalty fine of $150 in this matter. The Commissioner further Orders the Licensee to serve a suspension of seven (7) 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.

18. P.S.M. INVESTMENTS, L.L.C., PORT SANILAC VILLAGE, SANILAC COUNTY

Charge: Sold or furnished alcoholic liquor to unnamed minor decoy X-402, (18) date of birth February 11, 2004, who was less than twenty-one (21) years old.

Action: Effective September 28, 2022, 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.

19. RAPA DEVELOPMENT, LLC, SOUTH HAVEN CITY, VAN BUREN COUNTY

Charges: 1) On January 27, 2018, allowed the annoying and/or molesting of an employee, Jordan Brautigam, by a customer, Traemon Bobillo; 2) On June 30, 2017, allowed the annoying and/or molesting of a customer, Dwayne Molohon, by another customer, Scott Barklow.

Action: Effective January 6, 2022, the Commissioner Orders a fine of $200 for the sole charge, as cited above. 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 this Order. The Commissioner Orders Charge 2, cited above, DISMISSED, with prejudice.

20. RED AND WHITE HOSPITALITY, LLC, OLIVET CITY, EATON COUNTY

Charges: 1) Sold or furnished alcoholic liquor to unnamed minor decoy LAN-417, date of birth December 19, 2002, who was less than twenty-one (21) years old; 2) Sold or furnished alcoholic liquor to unnamed minor decoy LAN-418, date of birth September 1, 2002, who was less than twenty-one (21) years old.

Action: Effective August 22, 2022, the Licensee is hereby Ordered to pay a fine of $450 for acknowledged Charge No. 1, cited above, and $500 for acknowledged Charge No. 2, cited above, for a total fine of $950 in this matter. (7) The Commissioner further Orders a suspension of forty-seven (47) continuous days if the total fine of $950 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.

21. RIVERSIDE HOSPITALITY LLC, LELAND TOWNSHIP, LEELANAU COUNTY

Charge: Failed, refused, or neglected to obey a written order of the Commission dated October 14, 2021 and May 27, 2022, 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.

Action: Effective September 22, 2022, 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 date of this Order.

22. SAUGATUCK FISH CAMP, L.L.C., SAUGATUCK CITY, ALLEGAN COUNTY

Charge: Failed, refused, or neglected to obey a written order of the Commission dated May 25, 2021, 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, June 2, 2021 contrary to Rule 436.1029.

Action: Effective May 24, 2022, the Commissioner Orders a penalty fine of $300 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 this Order. As additional penalty, the Commissioner Orders all licenses and permits issued by the Commission to this Licensee at the above address to be suspended forty-five (45) days from the mailing date of this Order if documentary proof of server training has not been provided in accordance with the provisions of the Administrative Commissioners' May 25, 2021 Order. This suspension shall remain in effect until satisfactory documentary proof of server training is received by the Commission or the licenses and permits are terminated under the provisions of administrative rule R 436.1107.

23. THE DOCKSIDE INN, LLC, CADILLAC CITY, WEXFORD COUNTY

Charge: made a payment to the Commission or the State of Michigan that was subsequently dishonored by a financial institution for lack of sufficient funds. Specifically: non-sufficient funds.

Action: Effective March 16, 2022, 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.

24. TIPSY CANOE RENTAL & BREW LLC, HOMESTEAD TOWNSHIP, BENZIE COUNTY

Charges: 1) As discovered on September 30, 2022, fails to meet the requirements for a Resort Tavern license because: a. without a food license, it is not a “restaurant” as defined in MCL 436.1111(5); b. it does not have dining facilities to seat at least 50 people; c. it is not open for food

service at least five hours per day, five days per week; and d. it could not show that at least 50% of its gross receipts were from the sale of food and non-alcoholic beverages; 2) As discovered on September 30, 2022, fails to meet the requirements for a Specially Designated Merchant license because it does not have a retail food establishment license; 3) As discovered on September 30, 2022, failed, refused, or neglected to obey a written order of the Commission, dated December 14, 2021, issued relative to the operation of the licensed establishment; 4) As discovered on September 30, 2022, engaged in an illegal occupation or illegal act upon the licensed premises, specifically: operating a food establishment without a food establishment license; 5) As discovered on September 30, 2022, failed to comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances, specifically: failed to obtain the required Benzie County plumbing inspection, as determined by the state and local law enforcement officials who have jurisdiction; 6) As discovered on September 30, 2022, failed to comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances, specifically: failed to comply with numerous Food Code provisions such that the licensee did not pass a pre-opening inspection necessary to obtain a food establishment license, as determined by Nick Dow, the Food Service Coordinator – Environmental Sanitarian for Benzie-Leelanau District Health Department; 7) On various dates after August 3, 2022, sold, offered or kept for sale, furnished or possessed alcoholic liquor, while failing to comply with the Michigan Liquor Control Code; 8) On various dates after August 3, 2022, 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; 9) As discovered on September 30, 2022, sold, furnished, or allowed consumption of alcoholic liquor or possessed alcoholic liquor on the licensed premises that was not purchased from an authorized source; 10) On September 30, 2022, made a false or fraudulent oral statement to the Michigan Liquor Control Commission, specifically: licensee member Zelda Gray reported that no food and/or beverages were being served to the public out of the kitchen, which statement was made for the purpose of inducing the Commission to act, or refrain from taking action, or to enable or assist a person in evading the provisions of the Liquor Control Code.

Action: Effective November 21, 2022, the Commissioner Orders the Licensee to pay a fine of $150 for each acknowledged charge for a total fine of $1,500, which is due within forty-five (45) days from the mailing date of this order. As additional penalty, the Commissioner Orders the licenses and permit issued to the Licensee at the above noted location SUSPENDED for three (3) months, beginning on the mailing date of this order. The Commissioner further Orders the emergency suspension issued on November 3, 2022 in this matter dissolved upon the beginning of the 3-month suspension. The Licensee agrees to cooperate in a supplemental final inspection to be performed by the MLCC Enforcement Division at the end of the 3-month suspension to verify that the Licensee meets all statutory requirements and Commission rules for the Resort Tavern and Specially Designated Merchant (SDM) licenses. If the Licensee does not meet all statutory and rule requirements at the time of the supplemental final inspection, the Licensee's Resort Tavern and SDM licenses and any permits will be immediately revoked. After the supplemental final inspection, if the MLCC Enforcement Division finds that the Licensee meets all statutory and rule requirements for the Resort Tavern and SDM licenses, the Licensee will resume active operation of the licensed establishment or place the licenses and permits into escrow until the Licensee is ready to resume active operation. The Licensee further agrees to cooperate in a review of its records of food and alcoholic liquor sales that will be conducted by the MLCC Enforcement Division six (6) months after the Licensee resumes active operation. The Licensee must meet all statutory and rule requirements for the Resort Tavern and SDM licenses at the time of review or the licenses and any permits will be immediately revoked.

The license was suspended under an emergency suspension ordered on November 3, 2022. After the hearing, the license was suspended for 3 months until February 21, 2023.