

March 4, 2020
9200 Basil Court
Largo, MD 20774

THE BOARD OF LICENSE COMMISSIONERS MET IN REGULAR SESSION:

PRESENT:

Daphne Turpin Forbes, Chairman
Armando Camacho, Vice Chairman
Kenneth Miles, Commissioner
Tammie Norman, Commissioner
Tammy Sparkman, Commissioner
Benjamin Rupert, Esquire, Counsel
Terence Sheppard, Director
Robert Clark, Chief Liquor Inspector
Cristian Mendoza, Deputy Chief Liquor Inspector
Nikole Bennett, Administrative Aide
Keyanna Little, Administrative Aide
Katrice James, Administrative Aide

Time: 7:15 p.m.

In the matter of **t/a Pollo Sabroso**, Class B(AE), Beer, Wine and Liquor, 4400 Rhode Island Avenue, North Brentwood, 20722 – Request for a Change in the Hours of Operation. Licensee is represented by Linda Carter, Esquire.

Linda Carter, Esquire stated that they have a letter from the Town of Brentwood allowing the establishment to extend the hours of operation; that the Town is no longer in opposition.

Samuel Umanzor stated that he is a resident of Hyattsville; that he opened the restaurant last summer; that his family owns several restaurants; that he has worked closely with the town especially regarding extending the hours; that the Town initially requested shortened hours; that the Town has now agreed to extend the hours until 2:00 a.m., but not past 2:00 a.m.; that the entertainment will end at midnight right now; that they may request to change the hours for entertainment later.

Terence Sheppard stated that per the Use and Occupancy Permit that they are allowed to have the restaurant open, but music and dancing not past 11:00 a.m.

Linda Carter, Esquire stated that they can get the Use and Occupancy fixed.

Ms. Turpin Forbes stated that this matter will be continued until a new Use and Occupancy Permit can be obtained.

In the matter of Circo Castro, President, Cesar Castro, Vice President, Juan P. Castro, Castro Corp., **t/a El Puente Deo Oro Restaurant**, 1407 University Boulevard, #G-5 & G-6, Hyattsville, 20783, Class B, Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of Section 26-1514 of the Alcoholic Beverage Article of the Annotated Code of Maryland and R.R. No. 83 (2) of the Rules and Regulations for Prince George's County, to wit; That on or about April 19, 2019 an offer letter was accepted by Circo Castro. A condition of the Offer Letter was to attend Alcohol Awareness training. The Alcohol Awareness training was not

completed as mandated by the Board of License Commissioners. Therefore, this summons is being initiated.

Circo Castro stated that he is a resident of Clinton.

Cesar Castro stated that he is a resident of Gaithersburg.

Juan Castro stated that he is a resident of Adelphi; that they are here because he missed the Alcohol Awareness training; that this was his fault; that he had the training on his calendar and somehow missed it; that the next thing he received was a summons for this hearing.

Ms. Turpin Forbes stated that the Alcohol Awareness training was a requirement for the Offer Letter they agreed to because of the violation.

Juan Castro stated that all the employees have Alcohol Awareness training; that he has brought the Certificates.

Ms. Turpin Forbes stated that the next Alcohol Awareness training is in April; that the office has called and emailed regarding the trainings he has missed; that they must attend a course as a result of the violation as a refresher course due to the violation.

Juan Castro stated that he had the date in January on his calendar.

Ms. Turpin Forbes stated that they were supposed to have attended the class for six months prior and have missed every scheduled class; that six misses is a big deal.

Juan Castro stated that he did not know about the other dates; that he just had the one in January on his calendar; that he missed that one class.

Cesar Castro stated that they left Juan in charge of getting this resolved; that he does not speak English as well; that he didn't realize the office was trying to reschedule the Alcohol Awareness training; that he had been using a different email address.

Circo Castro stated that he has had his training since April of last year; that all the waitresses have Alcohol Awareness training; that he has his Alcohol Awareness training through his job at the hotel; that he brought a copy of his training certificate to see if it would suffice for having attended a class.

Ms. Turpin Forbes stated that it is good that they have their training; that a condition of the Offer Letter was to attend a class through the office; that they agreed to the conditions; that they have missed all of these appointments; that they still have not attended the course in office; that the rules must be followed.

Mr. Camacho moved to find the licensee in violation of not attending a mandated Alcohol Awareness training and fine the business \$3,000 and that they must attend the next Alcohol Awareness training on March 26, 2020 in the office, seconded by Mr. Miles and made unanimous by Ms. Norman, Ms. Sparkman and Ms. Turpin Forbes.

In the matter of Chung Soon Lee, President/Secretary/Treasurer, M & P Investments, Inc., t/a **Lee's Deli Mini Mart**, 5400 Marlboro Pike, Forestville, 20747, Class D(Off), Beer and Wine, is summonsed to show cause for an alleged violation of Section 26-208 of the Alcoholic Beverage Article of the Annotated Code of Maryland and Rule 35 of the Rules and Regulations for Prince George's county, to wit; That on or about February 4, 2020 at approximately 6:10 p.m., the licensee displayed, on the outside premise, the trade name 24/7 Best Tobacco & Beer Wine, that did not match the trade name on the license without approval; this was noticed Inspectors Warren Bagby, Haywood North and Jacqueline Bowden. Licensee is represented by Abraham Hurdle, Esquire.

Abraham Hurdle, Esquire stated that they admit to the violation; that they have taken down the sign; that the people who are purchasing the business got ahead of themselves; that he is sure the Inspector's have pictures and there is no denying the violation occurred; that he doesn't want to waste anyone's time.

Inspector Warren Bagby stated that he is an Inspector with the Prince George's County Board of License Commissioners.

Inspector Haywood North stated that he is an Inspector with the Prince George's County Board of License Commissioners.

Inspector Jacqueline Bowden stated that she is an Inspector with the Prince George's County Board of License Commissioners.

Abraham Hurdle, Esquire stated that they admit that the prospective licensee got overzealous; that he understands the trade name change was not approved; that he has talked to the incoming licensee; that he explained that they must get the approval before putting the sign up and it has been taken down.

Ms. Turpin Forbes stated that the incoming licensee stated they understood the Rules and Regulations.

Inspector Warren Bagby read his report into the record.

Mr. Camacho stated that they had a prior violation in 2019.

Abraham Hurdle, Esquire stated that he is requesting mercy for Ms. Lee; that Ms. Lee is responsible for the violation, but this was not done at her direction.

Mr. Camacho moved to find the licensee in violation of Trade Name and to fine the business \$3,000, seconded by Ms. Norman and made unanimous by Mr. Miles, Ms. Sparkman and Ms. Turpin Forbes.

In the matter of Harjinder Singh, Member/Authorized Person, Sunanda S. Rana, Member-Manager, Adelphi Spirits, LLC, **t/a El Toro Liquors**, 9107 Riggs Road, Adelphi, 20783, Class A, Beer, Wine and Liquor, is summonsed to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about June 28, 2018 a transfer of application for a Class A, Beer, Wine and Liquor was filed, that on or about August 28, 2018 approval by the Board was granted to the issuance of the license; the license has not been placed in operation after six months following approval being granted.

Licensee is represented by Robert Kim, Esquire.

Robert Kim, Esquire stated that he is here to represent the licensee's in their request for additional time.

Harjinder Singh stated that he is a resident of Germantown.

Sunanda S. Rana stated that she is a resident of Virginia.

Michael Arrington stated that he is a resident of Upper Marlboro.

Luis Gutierrez stated that he is a resident of Virginia.

Robert Kim, Esquire stated that Mr. Arrington is a fixer of problems and is a go between for Department of Permitting, Inspections and Enforcement; that everyone here is working to complete this project; that he has submitted a package that includes documents and photos showing the current progress; that the delays in opening are not from a lack of activity; that the project has been progressing; that they did not obtain possession of the building until three months after they had the hearing to approve the transfer of location; that they had to wait until

the transfer of location was approved before they could negotiate the lease; that they are not trying to give excuses but a timeline of the events; that they went through four different revisions of the building plan with the landlord; that this is a 50 year old building; that this location is the old Golden Bull; that the architect was not familiar with the county initially; that the permitting process takes four to six months; that the building is 9,800 square feet; that the liquor store was 7,500 square feet alone; that the rest of the space was a restaurant; that they have tried to provide the Board with updates; that they received the demolition permit September 2019 and received the building permit January 2020; that there is still lots of work needed; that they needed a new roof and new HVAC; that the project has required more money than they initially anticipated; that there have been delays; that they can't argue that there hasn't been; that they believe they can get their Occupancy Permit by the end of May or beginning of June; that if the Board permits they believe they can get the project done soon afterwards; that they have been working hard; that this was bigger project than they expected due to the size and the age of the building.

Mr. Camacho asked if they thought they would be done at the end of May or beginning of June; asked if WSSC is involved.

Robert Kim, Esquire stated that WSSC has done the initial review of the sprinkler; that they are not required to change the sprinkler system; that they already have water coming in and don't anticipate there being an issue; that they may be optimistic, but weather should not be a problem since the remaining work is inside.

Benjamin Rupert, Esquire stated that this license is a Class A license.

Mr. Camacho stated that they must take that into consideration.

Ms. Turpin Forbes stated that they are requesting an extension.

Ms. Norman asked if they need more time than May.

Louis Guterrez stated that with the sprinkler they are approximately three months out; that there could be issues.

Mr. Camacho asked if they need 180 days, an additional six months; that they understand this is a Class license.

Robert Kim, Esquire stated that if they work hard, they will be finished by August 31, 2020.

Mr. Camacho moved to allow an additional six months through August 31, 2020 to place the license in use, seconded by Ms. Norman and made unanimous by Mr. Miles, Ms. Sparkman and Ms. Turpin Forbes.

In the matter of Rosa Isabel Cruz Granados, President, Martin Granados Sanchez, Vice President/Secretary/Treasurer, Ku & Shim, Inc., **t/a The Store**, 3811 Hamilton Street, Hyattsville, 20783, Class D(Off), Beer and Wine, is summonsed to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code of Maryland and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about May 23, 2019 a transfer application for the Class D(Off), Beer and Wine license was filed, that on or about July 23, 2019 approval by the Board was granted to the transfer of the license; that the transfer has not been effectuated within six months following being granted approval.

Licensee is represented by Linda Carter, Esquire.

Carla Romera stated that she is a resident of Hyattsville.

Rosa Isabel Cruz Granados stated that she is a resident of Hyattsville.

Martin Granados Sanchez stated that he is a resident of Hyattsville.

Linda Carter, Esquire stated that her clients purchased this business not represented by counsel; that they found problems with purchasing the existing business and inherited the previous owner's problems; that the corporation is now in good standing and they have their Article of Incorporation.

Ms. Turpin Forbes asked if they have brought their paperwork.

Linda Carter, Esquire stated that they have brought their paperwork.

Mr. Camacho stated that the Board can give them until the end of the month to finish their paperwork and if the license is not placed in use by March 24, 2020 the license will be officially expired during the Administrative Voting Session.

Mr. Camacho moved to give additional time though March 24, 2020 to place the license in use and if not, the license will officially be expired, seconded by Ms. Norman and made unanimous by Mr. Miles, Ms. Sparkman and Ms. Turpin Forbes.

In the matter of Ronald Covington, Managing Member, Rodney Chambers, Managing Member, Sky High Sports & Entertainment, LLC, **t/a Party HQ**, 15606 Emerald Way, Bowie, 20716, Class BLX, Beer, Wine and Liquor, is summonsed to show cause for alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code of Maryland and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about May 22, 2019 an application for a new Class BLX, Beer, Wine and Liquor license was filed, that on or about July 23, 2019 approval by the Board was granted to the issuance of the license; that the license has not be placed in operation within six months following being granted approval.

Rodney Chambers stated that he is a resident of Hanover.

Ronald Covington stated that he is a resident of Hanover.

Rodney Chambers stated that he apologizes that they are requesting an extension; that there have been issues; that he did not anticipate the permitting to take five to six months; that they took over the food court in the mall; that they found mold during the demolition; that the Bowie Town Center is a 20 year old building; that the roof leaks and the mall only allows once contractor for repairs; that they have received Stop Orders for work; that they had to get the county to handle the harassment; that the second level added 2,400 square feet of steel; that they have been moving fast now; that they have a time line; that they are having a hiring fair with the county on March 14, 2020; that the contractor believes they will be done with construction by the end of March; that they are requesting an extension through the end of May; that they have submitted several documents; that they need to get more documents including the Use and Occupancy Permit; that they are getting their Sales and Use Tax License by the end of the month and will receive the release from the Comptroller with the license; that they need to get the CPA information corrected as well.

Ronald Covington stated that they have submitted their cancelled checks, notarized invoices.

Rodney Chambers stated that they have invested two million dollars so far; that they have received assistance from the County with spending money; that the mall had told them the HVAC system was five to seven years old, but it is more like twenty years old; that they had to replace the system and have spent \$300,000 to replace.

Mr. Camacho stated that the cancelled checks are not enough.

Rodney Chambers stated that they have been working to correct this issue.

Ms. Norman stated that they have submitted receipts and contracts, but the letter from the package does not state they certify, and the documents are not enough.

Ronald Covington stated that the contracts are notarized.

Ms. Norman stated that they are not contradicting that they have done work, but she recommends that they get with a Certified Public Accountant to certify the investment; that the Board has reviewed the documents and pictures that were submitted; that they don't believe the project will be done by the end of March; that they understand and respect the amount of investment they have made.

Ms. Turpin Forbes stated that the letter is not what is needed to effectuate the license.

Ronald Covington stated that they will get a Certified Public Accountant to give an audit.

Rodney Chambers stated that they asked what they need, and they were told a letter.

Benjamin Rupert, Esquire stated that the Certified Public Accountant must verify the investment by reviewing the cancelled checks.

Ms. Norman stated that they will accept a certified review.

Terence Sheppard stated that the issue is the letter does not verify anything; that they don't stand behind the investment.

Ms. Turpin Forbes stated that they are then putting the responsibility on the Board to verify.

Ms. Norman stated that then the Board will need the cancelled checks.

Ms. Turpin Forbes stated that they reviewed the rule to verify what is needed and what can be used for the requirement.

Ronald Covington stated that he reviewed the letter and that they do certify the investment.

Ms. Turpin Forbes stated that they do not certify the investment per this letter.

Mr. Camacho stated that when it has gone past 180 days the Board typically withdraws their approval; that the applicants then will need to reapply; that it is easy to obtain a Class BLX license; that they could reapply when they are closer to completion since they do not have a guaranteed completion date.

Rodney Chambers stated that he requests for an extension through the end of May.

Mr. Camacho asked if they would rather reapply than receive an extension.

Ronald Covington stated that they don't want to open without their alcoholic beverage license.

Mr. Camacho stated that they can reapply and have the license by the end of May.

Rodney Chambers stated that the contract agreement states that they will be done with construction by the end of March.

Mr. Camacho stated that based on the pictures it appears construction will take much longer.

Rodney Chambers stated that at this point construction is going much quicker; that they believe they will be done by then.

Ms. Turpin Forbes asked if they believe construction will be done by March and they will be open by mid-April.

Ms. Norman stated that they still need their Use and Occupancy Permit.

Rodney Chambers stated that they don't want to open without being able to serve alcohol.

Mr. Camacho asked if they give until March 24, 2020 if they can then check on the status.

Ms. Turpin Forbes stated that they provided paperwork with a completion date of March 24, 2020; that if the work is completed, they can have additional time; that if the work is not completed April 1, 2020, they will have a hearing to reevaluate.

Rodney Chambers stated that they would like to have until April 1, 2020 instead of March 24, 2020 to get the work completed.

Ms. Norman asked that in reviewing the timeline they provided who told them it would take two days to receive a Use and Occupancy Permit.

Rodney Chambers stated that their contractor told them it could be done.

Ms. Turpin Forbes stated that they are still in the same position.

Ronald Covington asked what is wrong with extending until the end of April.

Ms. Norman stated that it goes against the rules.

Ronald Covington stated that it is hard to do business in this county; that they are passionate about their project; that they have already invested \$3 million dollars.

Ms. Norman stated that unfortunately the Board knows the issues; that they know the time issues; that they want the business to be successful; that they want them to set realistic time frames.

Benjamin Rupert, Esquire stated that he believes they are in the same situation as Pennyroyal; that if the license is expired, they can't open without the license; that if they're given 60 days to place the license in use then the license will automatically expire.

Ms. Norman stated that they will give 60 days.

Ms. Turpin Forbes stated that they will give until May 4, 2020 to place the license in use.

Benjamin Rupert, Esquire stated that if the business is not open and the license in use, the approval will be withdrawn, and the license will expire without the licensee having to come back.

Ms. Turpin Forbes stated that she wants to be sure everyone understands what will happen; that they will extend until May 3, 2020 to place the license in use; that if the license is not ready do, they understand what will happen.

Rodney Chambers stated that the Board will withdraw their approval without prejudice and allow them to reapply at the end of May for a hearing date in July.

Terence Sheppard stated that they also will have additional costs by going through this process.

Benjamin Rupert, Esquire stated that if they are not sure they will open within the 60 days then perhaps they should request to have the approval withdrawn now and reapply.

Rodney Chambers stated that they will be open.

Mr. Camacho stated that they just want to make sure that they understand what will happen if the license is not placed in use.

Rodney Chambers stated that they will prove the Board wrong and get the work done; that they jump hurdles.

Ms. Turpin Forbes stated that they want the businesses to succeed; that the Board believes it will take longer to complete the work than they think.

Mr. Camacho moved to allow for additional time to place the license in used through May 3, 2020 and if the license is not placed in use by this time, the Board's approval will be withdrawn without prejudice, seconded by Ms. Norman and made unanimous by Mr. Miles, Ms. Sparkman and Ms. Turpin Forbes.

Respectfully Submitted,

Nikole Bennett
Administrative Aide

Adjourned 8:32 p.m.