

ADMINISTRATIVE PROCESS DIVISION

VIOLATION CASES TO BE RATIFIED BY COMMISSION

October 14, 2005

LICENSEE/PERMITTEE

VIOLATION

SANCTION & COMMENTS

1. Mary Yee
THREE GABLES (L)
1495 SW 11TH Street
Bandon OR 97411
(06-04134-L)

OAR 845-006-0335 (1)(a)(b)(c) -
Licensee Mary Yee failed to verify the
age of an OLCC minor decoy before
allowing the decoy to purchase alcohol
when he reasonably appeared to be
under 26 years of age (June 24, 2005).

\$1,980 CIVIL PENALTY - OR - 12-DAY SUSPENSION

AGGRAVATION

1. Licensee personally committed the violation.
2. Licensee made an effort to conceal the violation.

(First, Category III)

MITIGATION

Licensee has operated the restaurant since 1986 with no
violations.

2. Bruce A. Shaffer
COFFEE DUGOUT (L)
742 SW 18TH
Portland, OR 97205
(26-38772-L)

Violation Number One
OAR 845-006-0475 (2)(a) - Licensee
Bruce Shaffer knowingly allowed Evian
DiStefano to obtain an interest in the
licensed business without prior
Commission approval. Evian DiStefano
obtained an unauthorized interest by
purchasing and operating the business
prior to Commission approval (March 25,
2005 to about May 7, 2005).

LETTER OF REPRIMAND

Note: Licensee Bruce Shaffer sold the licensed
premises to Evian DiStefano on March 25, 2005.
Because Bruce Shaffer no longer holds an
interest in the license, Staff recommend the
Commission issue a Letter of Reprimand. This
reprimand will become a permanent part of
Shaffer's Commission file and may be considered
in any future application for a liquor license by
Mr. Shaffer.

(First, Category I)

COFFEE DUGOUT continued

Violation Number Two

AGGRAVATION

ORS 471.360 (1)(b) - Licensee Bruce Shaffer permitted Evian DiStefano to sell, mix, or serve alcohol or supervise employees who sell, mix, or serve alcohol without a valid service permit (March 25, 2005 to about May 7, 2005).

(First, Category III)

Evian DiStefano's date of birth is June 26, 1985, making him 19 years old at the time of the violation. Per OAR 845-005-0325 (7), the Commission may deny an application for a liquor license if the applicant is not at least 21 years old.

3. Bok Ja Kim
YOUNG'S FLAVEL MARKET (O)
7510 SE 52ND #A
Portland OR 97206
(26-00308-O)

OAR 845-006-0426 (1) - Employee Sun Ja Jong was the only employee on the licensed premises and could not communicate effectively with Regulatory Inspectors on the licensed premises during business hours (June 16, 2005).

(First, Category III)

LETTER OF REPRIMAND

Note: Licensee Bok Ja Kim sold the licensed premises and the new owner was licensed on August 18, 2005. Because Bok Ja Kim no longer holds an interest in the license, Staff recommend the Commission issue a Letter of Reprimand. This reprimand will become a permanent part of Ms. Kim's Commission file and may be considered in any future application for a liquor license by Ms. Kim.

4. Diven Malee Enterprises LLC
Michael R. Diven, Member
Deborah M. Diven, Member
VILLAGE BAR & GRILL (FCOM)
57100 Beaver Dr., Suite 100 & 200
Sunriver OR 97707
(09-05417-FCOM)

OAR 845-006-0335 (1)(a)(b)(c) - Employees Brian Malee and Cody Daggett each failed to verify the age of a minor before allowing the minor to buy or be served alcohol when she reasonably appeared to be under 26 years of age (June 18, 2005).

(First, Category III)

\$330 CIVIL PENALTY - OR - 2-DAY SUSPENSION AND CREDIT GIVEN FOR PURCHASE/USE OF AGE VERIFICATION EQUIPMENT.

Note: Licensee's \$330 fine payment was received on August 19, 2005.

AGGRAVATION

Two employees sold or served alcohol to the minor.

MITIGATION

1. Licensee has purchased and will use age verification equipment in accordance with OAR 845-009-0140.
2. The original sanction was mitigated by ten days (or

VILLAGE BAR & GRILL continued

\$1,650) for the purchase/use of age verification equipment.

5. Timothy M. Becken
BECKEN'S WINNING HAND TAVERN
(L/O)
5917 & 5919 SE 82ND Ave.
Portland OR 97266
(26-16857-L/O)

ORS 471.405 (1) - Licensee's employee violated the license restriction by allowing the patio at the licensed premises to remain open after 9:00 PM. The license restriction states that the Licensee will close the outdoor patio area at 9:00 PM daily (June 18, 2005).

(First, Category I)

LETTER OF REPRIMAND

MITIGATION

Licensee Timothy Becken has a lengthy record of good compliance at the premises.

6. The Vat & Tonsure, LLC
Rose Marie Barbeau-Quinn, Managing Member
Jon Joe Justice, Member
THE VAT & TONSURE (L/O)
911 SW Taylor
Portland OR 97205
(26-36509-L/O)

ORS 471.360 (1)(b) - Licensee permitted Employee Thomas Stormont to sell, mix, or serve alcohol without a valid service permit (April 27, 2005).

(First, Category III)

\$1,650 CIVIL PENALTY - OR - 10-DAY SUSPENSION

Note: Licensee was charged with this violation by O.L.C.C. Violation Notice (Fast Track) dated May 13, 2005. The proposed penalty, after the fast track deadline, was a \$1,650 civil penalty **or** a 10-day suspension. Licensee originally requested a hearing and now withdraws that request.

7. Rainbow Lanes, Inc.
John Crosley, Pres/Sec/Stkhldr
Troy Sandberg, Vice Pres/Stkhldr
RAINBOW LANES (L)
2748 19TH Place
Forest Grove OR 97116
(34-10702-L)

ORS 471.360 (1)(b) - Licensee permitted Corporate Principal John Crosley to mix, sell, or serve alcohol on the licensed premises without having a valid service permit (August 10, 2005).

(First, Category III)

\$1,650 CIVIL PENALTY - OR - 10-DAY SUSPENSION

AGGRAVATION

Corporate Principal John Crosley participated in the violation.

MITIGATION

Licensee has a lengthy history of compliance.

