

# ADMINISTRATIVE HEARINGS DIVISION

August 17, 2023

## STIPULATED SETTLEMENT AGREEMENTS - LIQUOR VIOLATION CASES

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| 1. Chanda Corporation<br>Hamid Siddiqui, Pres/Dir/Stockholder<br>dba <b>CIDDICI'S PIZZA (L)</b><br>859 Belmont Ave SW, #110<br>Albany, OR 97321 | OAR 845-006-0335(1)(a)(b)(c) – On or about October 14, 2022, Licensee's employee, agent, or representative Steven Boyd failed to verify the age of a minor before allowing her to buy or be served an alcoholic beverage when she reasonably appeared to be under 26 years of age.<br><br>(1 <sup>st</sup> Level Category II(b)) | Note: Licensee was charged with this violation by Notice dated May 16, 2023. The total proposed sanction for this violation was a 10-day suspension or a civil penalty of \$2,500.00. Licensee requested a hearing and now wishes to enter into this settlement agreement. |
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### TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Notice. This was Licensee's first Category II(b) violation within two years. Any subsequent Category II(b) violations within the same two years will be charged starting at the second level. This violation will become a permanent part of each licensee's Commission file, and may be considered in any future application for any license or permit by that licensee.
2. Commission staff originally proposed the standard sanction of a 10-day suspension or a civil penalty of \$2,500.00 for this violation.
3. The Commission will reduce the penalty by three days.
4. Licensee will either pay a \$1,750.00 civil penalty before 5:00 PM on September 15, 2023 or serve an seven-day license suspension beginning at 7:00 AM on September 22, 2023 and ending at 7:00 AM on September 29, 2023.
5. Licensee withdraws its Request for Hearing in this matter
6. If a licensee's interest in the license expires or is transferred before the Commission issues a final order on this allegation, that licensee agrees to accept a Letter of Reprimand for this violation. This reprimand will become a permanent part of the licensee's Commission file and may be considered in any future application for any license or permit by that licensee.
7. This agreement is conditioned upon final approval of the Commission and will be reviewed by the Commissioners at their August 2023 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee's hearing rights, if any, will be restored. If the agreement is accepted and approved in its entirety by the Commission, Licensee waives any and all rights to a contested case hearing under the Administrative Procedures Act (ORS Chapter 183) and to judicial review, or to otherwise challenge this agreement and the final order.

2. Hattenhauer Distributing Co.  
J.D. Hattenhauer, Pres/Dir/Stkhldr  
Marylee Hattenhauer,  
Sec/Treas/Dir/Stkhldr  
dba **REDMOND FUEL STOP/  
GLACIER MARKET (O)**  
712 SW 5th Street  
Redmond, OR 97756

OAR 845-006-0335(1)(a)(b)(c) – On or about  
November 3, 2022, Licensee’s employee, agent,  
or representative Joyce Mills failed to verify the  
age of a minor before allowing her to buy or be  
served an alcoholic beverage when she  
reasonably appeared to be under 26 years of age.  
  
(1<sup>st</sup> Level Category II(b))

Note: Licensee was charged with this violation by  
Notice dated March 28, 2023. The total proposed  
sanction was a 12-day suspension or a \$3,000.00  
civil penalty. Licensee requested a hearing and  
now wishes to enter into this settlement  
agreement.

**AGGRAVATION**

Staff added two days of aggravation because Licensee has  
previously been allowed to purchase age verification  
equipment (AVE) as an offset to a penalty for a previous  
failure to verify the age of a minor, and the AVE was not  
used to prevent the current violation.

**TERMS OF AGREEMENT**

1. Licensee accepts responsibility for the violation as set out in the Notice. This was Licensee’s first Category II(b) violation within two years. Any subsequent Category II(b) violation within the same two years will be charged starting at the second level. This violation will become a permanent part of each licensee’s Commission file and may be considered in any future application for any license or permit by that licensee.
2. The standard sanction for this violation is a 10-day suspension or a \$2,500.00 civil penalty. Staff added two days of aggravation because Licensee has previously been allowed to purchase age verification equipment (AVE) as an offset to a penalty for a previous failure to verify the age of a minor, and the age verification equipment was not used to prevent the current violation. The total proposed sanction was a 12-day suspension or a \$3,000.00 civil penalty.
3. The Commission will reduce the penalty by three days.
4. Licensee will pay a \$2,250.00 civil penalty before 5:00 PM on September 15, 2023 **or** serve a nine-day license suspension beginning at 7:00 AM on September 22, 2023 and ending at 7:00 AM on October 1, 2023.
5. Licensee will be removed from the Responsible Vendor Program effective on the date of entry of the Final Order Incorporating Settlement Agreement (FOISA). Licensee may reapply for the program one year after issuance of the FOISA.
6. Licensee withdraws its Request for Hearing in this matter.
7. If a licensee’s interest in the license expires or is transferred before the Commission issues a final order on this allegation, that licensee agrees to accept a Letter of Reprimand for this violation. This reprimand will become a permanent part of the licensee’s Commission file and may be considered in any future application for any license or permit by that licensee.
8. This agreement is conditioned upon final approval of the Commission and will be reviewed by the Commissioners at their August 2023 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee’s hearing rights, if any, will be restored. If the agreement is accepted and approved in its entirety by the Commission, Licensee waives any and all rights to a contested case hearing under the Administrative Procedures Act (ORS Chapter 183) and to judicial review, or to otherwise challenge this agreement and the final order.

3. Two Shy Brewing, LLC  
Lyle Hruda, Managing Member  
Danielle Hruda, Member  
dba **TWO SHY BREWING (BP)**  
1308 NW Park St, #100  
Roseburg, OR 97470

OAR 845-006-0335(1)(a)(b)(c) – On December 15, 2022, Licensee Danielle Hruda failed to verify the age of a minor before allowing them to buy or be served an alcoholic beverage when they reasonably appeared to be under 26 years of age.

(1<sup>st</sup> Level Category II(b))

Note: Licensee was charged with this violation by Notice dated June 13, 2023. The total proposed penalty was a 12-day license suspension or a \$3,000.00 civil penalty. Licensee wishes to enter into this settlement agreement.

**AGGRAVATION**

Staff added two days aggravation because the violation was committed by Licensee Danielle Hruda.

**TERMS OF AGREEMENT**

1. Licensee accepts responsibility for the violation as set out in the Notice. This was Licensee’s first Category II(b) violation within two years. Any subsequent Category II(b) violations within the same two years will be charged starting at the second level. This violation will become a permanent part of each licensee’s Commission file and may be considered in any future application for any license or permit by the licensee.
2. The standard sanction for this violation is a 10-day suspension or a civil penalty of \$2,500.00. Commission staff added two days aggravation because the violation was committed by Licensee Danielle Hruda. The total proposed penalty was a 12-day license suspension or a \$3,000.00 civil penalty.
3. The Commission will reduce the penalty by three days.
4. Licensee will either pay a \$2,250.00 civil penalty before 5:00 PM on September 15, 2023 **OR** serve a nine-day suspension beginning at 7:00 AM on September 22, 2023 and ending at 7:00 AM on October 1, 2023.
5. If a licensee’s interest in the license expires or is transferred before the Commission issues a final order on this incident, the licensee agrees to accept a Letter of Reprimand for the violation. This reprimand will become a permanent part of the licensee’s Commission file and may be considered in any future application for any license or permit by the licensee.
6. This agreement is conditioned upon final approval of the Commission and will be reviewed by the Commissioners at their August 2023 meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee’s hearing rights, if any, will be restored. If the agreement is accepted and approved in its entirety by the Commission, Licensee waives any and all rights to a contested case hearing under the Administrative Procedures Act (ORS Chapter 183) and to judicial review, or to otherwise challenge this agreement and the final order.

4. Cascade Indoor Sports, LLC,  
Co-Licensee  
Butch Roberts, Managing Mbr  
Jamie Roberts, Member  
NW Karts, LLC, Co-Licensee  
Butch Roberts, Managing Mbr  
Kenny Roberts, Member  
Gary Ross, Member  
dba **CASCADE INDOOR SPORTS /  
K1 SPEED BEND (L)**  
20775 / 20795 High Desert Ln.  
Bend, OR 97701

OAR 845-006-0335(1)(a)(b)(c) - On or about  
November 11, 2022, Licensee's employee, agent,  
or representative Edward Flores failed to verify the  
age of a minor before allowing them to buy or be  
served an alcoholic beverage when they  
reasonably appeared to be under 26 years of age.

(1<sup>st</sup> Level Category II(b))

OAR 845-006-0335(1)(a)(b)(c) – On or about  
January 27, 2023, Licensee's employee, agent, or  
representative Lynsee Swearingen failed to verify  
the age of a minor before allowing them to buy or  
be served an alcoholic beverage when they  
reasonably appeared to be under 26 years of age.

(2nd Level Category II(b))

Note: Licensee was charged with these violations by  
Notice dated May 16, 2023 The total proposed  
sanction was a 40-day suspension or assess a civil  
penalty of \$7,450.00. Licensee requested a  
hearing and now wishes to enter into this  
settlement agreement.

### TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violations as set out in the Notice. This was Licensee's first and second Category II(b) violation within two years. Any subsequent Category II(b) violation within the same two years will be charged at the third level. These violations will become a permanent part of each licensee's Commission file and may be considered in any future application for any license or permit by that licensee.
2. The standard sanction for Violation Number One is a 10-day suspension or a \$2,500.00 civil penalty. The standard sanction for Violation Number Two is a 30-day suspension or a \$4,950.00 civil penalty. The total proposed sanction was a 40-day suspension or assess a civil penalty of \$7,450.00.
3. The Commission will reduce the sanction by 12 days.
4. Licensee will either pay a \$5,215.00 civil penalty before 5:00 PM on September 15, 2023 **or** serve an 28-day license suspension beginning at 7:00 AM on September 22, 2023 and ending at 7:00 AM on October 20, 2023.
5. If a licensee's interest in the license expires or is transferred before the Commission issues a final order on this allegation, that licensee agrees to accept a Letter of Reprimand for this violation. This reprimand will become a permanent part of the licensee's Commission file and may be considered in any future application for any license or permit by that licensee.
6. This agreement is conditioned upon final approval of the Commission and will be reviewed by the Commissioners at their August 2023 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee's hearing rights, if any, will be restored. If the agreement is accepted and approved in its entirety by the Commission, Licensee waives any and all rights to a contested case hearing under the Administrative Procedures Act (ORS Chapter 183) and to judicial review, or to otherwise challenge this agreement and the final order.