

FINDINGS OF FACT

1. JOAN CURRY has held a service permit since August 1982.

2. Curry has been charged by the Commission with violation of ORS 471.385(1)(a) (made false statement in application).

3. Curry applied for, and was granted, a service permit in August 1982. On her permit application she listed her date of birth as December 19, 1960.

4. For some reason Curry applied for another permit on November 16, 1983. On that application she listed her date of birth as December 19, 1961, which is her true date of birth.

5. After the conflicting application statements were discovered, Enforcement Division inspectors interviewed Curry. She told them she had misrepresented her birth date on the first application because she needed a job and it was only two months before her 21st birthday.

6. Curry's notice of her April 18, 1984 hearing was sent March 26, 1984 by certified mail, return receipt requested. A receipt showing delivery on March 27, 1984 and bearing the signature "Joan J. Curry" was returned to the Commission by the Postal Service.

ULTIMATE FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Commission may revoke or suspend a service permit . . . if it finds or has reasonable grounds to believe any of the following to be true:

(a) That the permittee has made any false statement in the application for the permit. ORS 471.385(1)(a).

In her August 1982 service permit Curry falsely stated her date of birth.

ULTIMATE CONCLUSIONS OF LAW

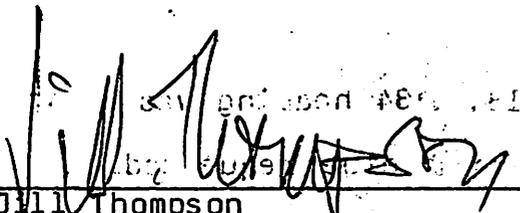
Curry violated ORS 471.385(1)(a) (false statement on application). Although the misrepresentation was apparently intended to deceive an employer rather than the Commission, Curry did not appear at the hearing or provide any evidence of mitigating circumstances.

FINAL ORDER

It is hereby ordered that the service permit issued to Joan J. Curry, 1708 SW 25th, No. 16, Portland, Oregon, be CANCELLED.

It is further ordered that due notice of such action, stating the reasons therefor, be given as provided by law.

Dated this 27th day of August, 1984.


Jill Thompson
Hearings Examiner
Hearings Division


C. Dean Smith
Administrator
OREGON LIQUOR CONTROL COMMISSION

NOTICE: You are entitled to Judicial Review of this Order. Judicial Review may be obtained by filing a Petition for Review within 60 days from the service of this Order. Judicial Review is pursuant to the Provisions of ORS Chapter 183.