

ADMINISTRATIVE HEARINGS DIVISION
January 21, 2021

STIPULATED SETTLEMENT AGREEMENTS FOR MARIJUANA LICENSE APPLICANT

1. Blue Heritage, LLC
Nina Shahin, Member
dba **HOME GROWN
APOTHECARY**
1937 NE Pacific Street
Portland, OR 97232 (Application
for a Marijuana Retail License)

ORS 475B.045(2) states, in relevant part:

The Commission may refuse to issue a license or may issue a restricted license to an applicant under the provisions of ORS 475B.010 to 475B.545 if the Commission makes a finding that the applicant:

(f) Does not have a good record of compliance with ORS 475B.010 to 475B.545 or any rule adopted under ORS 475B.010 to 475B.545.

Commission staff proposed to issue the requested Marijuana Retail license with the following restrictions:

1. Licensee will not allow Randa Shahin Larkin to take any part in the operation or management of the business.
2. Licensee will not allow Randa Shahin Larkin to be an employee or agent of the business or otherwise act in a representative capacity on behalf of the business.
3. Licensee will not allow Randa Shahin Larkin to be on the licensed premises at any time.

Note: Applicant was issued a Notice of Proposed License Restrictions dated December 29, 2020. Applicant accepts the imposition of the listed restrictions and wishes to dispose of this licensing matter by settlement.

SYNOPSIS: Pursuant to a settlement agreement with the Commission resolving a notice of proposed license cancellation, the formerly-licensed entity agreed to surrender its license. A new application was filed for the premises, and the applicant was proposing to lease the premises from a member of the formerly-licensed entity. Because that member was deemed to have a financial interest in the new business due to her role as a landlord and the fact that she would be collecting rent, it was determined that there was a basis to deny the application for the new license based on the landlord's poor record of compliance. To overcome the denial basis, applicant agreed to the imposition of restrictions on the license, prohibiting the landlord from participating in the licensed business in any way or from being on the licensed premises.

TERMS OF AGREEMENT

1. The Commission will issue Applicant a Marijuana Retailer License with the listed restrictions after this agreement is ratified and after Staff determine that the application is complete.

(continue **HOME GROWN APOTHECARY**)

2. Applicant accepts the imposition of the listed restrictions on the license identified in this agreement without any conditions or reservations.
3. Applicant waives any and all rights to a contested case hearing under the Administrative Procedures Act (ORS Chapter 183), to judicial review, and to otherwise challenge this agreement or the Final Order resulting from it.
4. This agreement is conditioned on the final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at a commission meeting. If the Commission does not accept and approve this agreement in its entirety, it is deemed null and void, and Applicant's hearing rights, if any, will be restored. If the Commission accepts and approves this agreement in its entirety, Applicant withdraws any request for hearing.

2. McLanahan Investments, LLC
Thomas McLanahan, Member
dba **DARKSTAR EXTRACTIONS**
(Application for a Marijuana
Processor License)

ORS 475B.045(2) states, in relevant part:

The Commission may refuse to issue a license or may issue a restricted license to an applicant under the provisions of ORS 475B.010 to 475B.545 if the Commission makes a finding that the applicant: ***

- (f) Does not have a good record of compliance with ORS 475B.010 to 475B.545 or any rule adopted under ORS 475B.010 to 475B.545.

Commission staff proposed to issue the requested Marijuana Processor license with the following restrictions:

1. Licensee will not allow STEPHEN M DAY, JR to take any part in the operation or management of the business or to provide any services to the business.
2. Licensee will not allow STEPHEN M DAY, JR to be on the licensed premises at any time.

Note: Applicant was issued a Notice of Proposed License Restrictions dated December 29, 2020. Applicant accepts the imposition of the listed restrictions and wishes to dispose of this licensing matter by settlement.

SYNOPSIS: This application for a recreational marijuana license was proposed for restriction by licensing staff because Stephen M Day Jr was found to be the property owner and lessor of the proposed licensed premises. As the lessor, Mr. Day is deemed to be a person with a financial interest in the proposed licenses, and Mr. Day has a poor record of compliance with the Commission based on prior violations. Licensing staff proposed, and the independent applicant wants to accept, a license with the restrictions against involvement or presence of Mr. Day.

TERMS OF AGREEMENT

1. The Commission will issue Applicant a Marijuana Processor License with the listed restrictions after this agreement is ratified and after Staff determine that the application is complete.
2. Applicant accepts the imposition of the listed restrictions on the license identified in this agreement without any conditions or reservations.
3. Applicant waives any and all rights to a contested case hearing under the Administrative Procedures Act (ORS Chapter 183), to judicial review, and to otherwise challenge this agreement or the Final Order resulting from it.
4. This agreement is conditioned on the final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at a commission meeting. If the Commission does not accept and approve this agreement in its entirety, it is deemed null and void, and Applicant's hearing rights, if any, will be restored. If the Commission accepts and approves this agreement in its entirety, Applicant withdraws any request for hearing.

3. McLanahan Investments, LLC
Thomas McLanahan, Member
dba **OREGON CANNABIS
WHOLESALE**
(Application for a Marijuana
Wholesaler License)

ORS 475B.045(2) states, in relevant part:

The Commission may refuse to issue a license or may issue a restricted license to an applicant under the provisions of ORS 475B.010 to 475B.545 if the Commission makes a finding that the applicant: ***

- (f) Does not have a good record of compliance with ORS 475B.010 to 475B.545 or any rule adopted under ORS 475B.010 to 475B.545.

Commission staff proposed to issue the requested Marijuana Retail license with the following restrictions:

3. Licensee will not allow STEPHEN M DAY, JR to take any part in the operation or management of the business or to provide any services to the business.
4. Licensee will not allow STEPHEN M DAY, JR to be on the licensed premises at any time.

Note: Applicant was issued a Notice of Proposed License Restrictions dated December 29, 2020. Applicant accepts the imposition of the listed restrictions and wishes to dispose of this licensing matter by settlement.

SYNOPSIS: This application for a recreational marijuana license was proposed for restriction by licensing staff because Stephen M Day Jr was found to be the property owner and lessor of the proposed licensed premises. As the lessor, Mr. Day is deemed to be a person with a financial interest in the proposed licenses, and Mr. Day has a poor record of compliance with the Commission based on prior violations. Licensing staff proposed, and the independent applicant wants to accept, a license with the restrictions against involvement or presence of Mr. Day.

TERMS OF AGREEMENT

1. The Commission will issue Applicant a Marijuana Wholesaler License with the listed restrictions after this agreement is ratified and after Staff determine that the application is complete.
2. Applicant accepts the imposition of the listed restrictions on the license identified in this agreement without any conditions or reservations.
3. Applicant waives any and all rights to a contested case hearing under the Administrative Procedures Act (ORS Chapter 183), to judicial review, and to otherwise challenge this agreement or the Final Order resulting from it.
4. This agreement is conditioned on the final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at a commission meeting. If the Commission does not accept and approve this agreement in its entirety, it is deemed null and void, and Applicant's hearing rights, if any, will be restored. If the Commission accepts and approves this agreement in its entirety, Applicant withdraws any request for hearing.

