



News Release

Oregon Liquor Control Commission
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OLCC Commissioners Ratify Stipulated Alcohol and Bottle Bill Settlements, Hear Contested Case, Make Retail Appointment and Take Action on Administrative Rules

PORTLAND, OR – At its monthly meeting Nov. 30, 2018, the Commissioners of the Oregon Liquor Control Commission heard testimony on the following topics:

Presentation by Evan Sether and Tim Plummer of Oregon State Police on DUII

Commissioners appointed the following incoming retail liquor store agent at a traditional retail liquor location. The store is pre-existing:

Portland, Beaumont #1192 – Amber Ion

Retail liquor agents are private, independent contractors; they are not state employees. The Retail Services Division of the OLCC works closely with liquor agents to help them understand and follow liquor regulations and store operating procedures.

Commissioners heard presentation of oral argument and rendered decision on a contested case:

Twisted Thai, 12306 SE Powell Blvd., Portland. Commission staff proposed that the liquor license application for a Full On-Premises Liquor License be denied. Commission staff agreed with the conclusions of an Administrative Law Judge on the case, which supported the staff recommendation. Commissioners voted in favor of a denial of a Full On-Premises Liquor License. Licensee is Twisted Thai, LLC; Cheryl Lowe, Managing Member.

Commissioners heard staff recommendation, led discussion and rendered decision on the following administrative rule:

Agent Limited License – Retail Sales Agent Eligibility: Staff recommended that the Commission amend OAR 845-015-0115 based upon the lack of a statutory exclusion for Retail Sales Agents. Commissioners voted to defer rulemaking to a future Commission meeting.

Commissioners ratified the following fines based on stipulated settlement:

Center Market #5, 180 NE Main St, Willamina, will pay a \$1,485.00 civil penalty or serve a nine-day suspension for failing 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. Licensee will be removed from the Responsible Vendor Program. Licensee is Raman, Inc.; Bahadur Singh, President/Director/Stockholder.

San Blas Family Mexican Restaurant, 21450 S Salamo Rd., West Linn, will pay a \$1,485.00 civil penalty or serve a nine-day suspension. Licensee permitted an employee to mix, sell or serve alcoholic beverages without a valid service permit issued by the Commission. Licensee is San Blas Mexican Restaurant, LLC; Jose Salazar, Managing Member.

Zien Hong Restaurant, 5314 NE Sandy Blvd., Portland, will pay a \$1,485.00 civil penalty or serve a nine-day suspension. Licensee permitted an employee to mix, sell or serve alcoholic beverages, or supervise those who do, without a valid service permit issued by the Commission. Licensee is Wan, Inc.; Blair Chao, President/Secretary/Director/Stockholder.

MOD Pizza, 4554 NE Cornell Road, Hillsboro, will pay a \$1,815.00 civil penalty or serve an 11-day suspension. Licensee permitted multiple employees to mix, sell or serve alcoholic beverages without a valid service permit issued by the Commission. Licensee is MOD Super Fast Pizza, LLC; MOD Super Fast Pizza Intermediate. Holdings. II, LLC, Managing Member; MOD Super Fast Pizza Intermediate. Holdings. I, LLC, Managing Member; Scott Svenson, Member; Robert Barton, Member.

Rose City Futsal East, 5010 NE Oregon St., Portland, will pay a \$1,155.00 civil penalty or serve a seven-day suspension. Licensee permitted an employee to mix, sell or serve alcoholic beverages, or supervise those who do, without a valid service permit issued by the Commission. Licensee is Rose City Futsal, LLC; Dunlap Futsal, LLC, Managing Member; Eric Dunlap, Managing Member; Tracy Dunlap, Managing Member; Slide Tackle, LLC, Member; Mason Evans, Managing Member.

Rumors, 1206 N Riverside, Medford, will pay a \$1,485.00 civil penalty or serve a nine-day suspension. Licensee and/or its employees, agents or representatives permitted unlawful activities on the licensed premises or in areas the licensee controls that are adjacent to or outside the premises, including the sale and/or distribution of controlled substances, and acts of littering, including urination and defecation in the parking lot. Licensee is Maxy's Buffet, LLC; John Lu, Managing Member; Fang Hua Lu, Member.

Clamity Jae's, 10805 NE Halsey, Portland, will pay a \$1,485.00 civil penalty or serve a nine-day suspension. Licensee and/or its employees, agents or representatives permitted noisy or disorderly activities on the licensed premises or in areas the licensee controls that are adjacent to or outside the premises, when two or more patrons taunted, harassed and yelled at each other during a pool game, which later escalated into a multi-patron assault when three patrons assaulted a fourth by punching and kicking him multiple times, causing injury. Licensee is DBD International, Inc.; Jack Bailey, President/Stockholder; Rhonda Stein, V.P./Secretary/Stockholder; Roger Sizemore, Stockholder.

Commissioners additionally ratified the following stipulated settlement for license applicants:

The Commission will issue the requested Full On-Premises Sales license for **The Keep PDX**, 615 SE Alder Street, Suite B, Portland, with the following restrictions:

1. A patron may possess no more than two containers of alcohol at one time and each container of alcohol will contain no more than 19 ounces of malt beverage, 16 ounces of cider, 6 ounces of wine, or 2 ounces of distilled spirits. Despite this requirement a) a patron may possess one bottle containing no more than 750 millimeters of wine (including champagne); b) a pitcher containing no

- more than 64 ounces of malt beverage may be served to two or more adult patrons; and c) a patron may possess one container of malt beverage containing no more than 22 ounces of malt beverage.
2. The sale of alcohol is prohibited from 12am to 7am. Service of alcohol and patron possession and consumption of alcohol is prohibited from 1am to 7am.

Commissioners ratified the following stipulated settlements for violations of the Oregon Bottle Bill of wilfully refusing to accept empty beverage and refusing to pay the customer the value of those containers:

Oak Market, 711 SE Oak, Roseburg, will pay a \$660 civil penalty or serve a four-day suspension. Licensee is HP Johal, LLC; Major Johal, Managing Member.

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