

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
1511 PONTIAC AVENUE
CRANSTON, RHODE ISLAND 02920

IN THE MATTER OF :
:
:
RED'S DISCOUNT LIQUORS, LLC :
:
:
D/B/A LARRY'S LIQUORS :
:
:
RESPONDENT :
:

CONSENT AGREEMENT

It is hereby agreed between the Commercial Licensing & Racing & Athletics Division ("Division") of the Department of Business Regulation ("Department") and Red's Discount Liquors, LLC. ("Respondent") as follows:

1. Respondent holds a Class A license for the retail sale of alcoholic beverages pursuant to R.I. Gen. Laws § 3-7-3.
2. R.I. Gen Laws § 3-5-21 provides that every license is subject to revocation or suspension and a license is subject to fine by the Department, on its own motion, for breach by the holder of the license of the conditions on which it was issued or for violation by the holder of the license of any statute, rule or regulation applicable.
3. R.I. Gen. Laws § 3-7-3 provides:

The holder of a Class A license shall not on the licensed premises keep for sale or sell any goods, wares, merchandise or any article or thing except the beverages authorized under this license.

Div of Commercial
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Liquor Enforcement

4. Rule 1 of *Commercial Licensing Regulation 8- Liquor Control Administration* provides:

The licensee shall not, on the licensed premises engage in any business, keep for sale or sell any goods, wares, merchandise or any other article or thing except the beverages authorized.

5. Rule 1 of *Commercial Licensing Regulation 8- Liquor Control Administration* provides:

Each holder of a retailer's Class A alcoholic beverage license shall post on the shelf, or at the place where the beverage is offered for sale, the current effective price of each such beverage.

6. On January 14, 2015, an inspector of the Division found on Respondent's premises a display of ping pong balls being offered for sale.

7. On January 14, 2015, an inspector of the Division found that the current effective price was not posted for all the alcoholic beverages offered for sale.

8. Based on the foregoing, the Division has reason to believe that Respondent violated R.I. Gen. Law § 3-7-3 and Rule 1 of *Commercial Licensing Regulation 8- Liquor Control Administration*.

9. The Department has sufficient cause to impose an administrative penalty pursuant to R.I. Gen. Laws § 3-5-21.

10. In an effort to resolve the above-referenced violations and allow the Respondent to maintain its license in good-standing, Respondent agrees to the following:

- A. Respondent understands that the Department is charged with protecting the public by ensuring that its Licensees are competent and trustworthy and are reasonably familiar with the statutes and laws relating to retail alcohol sales.

- B. Respondent shall comply with all terms and requirements for licensure under R.I. Gen. Laws §§ 3-5-1, *et seq.* and 3-7-1 *et seq.*, and *Commercial Licensing Regulation 8- Liquor Control Administration*.

- C. Respondent agrees that a failure to comply with all terms and requirements for licensure as described therein may result in the suspension or revocation of Respondent's license.

- D. Respondent shall pay a fine in the amount of \$250.00, by check, payable to the Rhode Island General Treasurer.
 - E. Respondent voluntarily waives its rights to the hearing process, voluntarily waives its right to appeal to Superior Court, admits that the allegations herein, are true, and agrees to take all necessary action as delineated in this Consent Agreement in order to maintain its license in good-standing.
11. If Respondent fails to comply with the terms of this Consent Agreement, the Department reserves its right to initiate the administrative hearing process to suspend or revoke Respondent's license pursuant to R.I. Gen. Laws §§ 3-5-21 and 42-35-9.

THE DEPARTMENT AND RESPONDENT HEREBY CONSENT AND AGREE TO THE FOREGOING AS TO FORM AND SUBSTANCE:

Department of Business Regulation

Maria D'Alessandro
Maria D'Alessandro, Esq.
Deputy Director of Securities,
Commercial Licensing and
Racing & Athletics

Date: 2/26/15

Respondent

By:

Catherine M. Calapai
Catherine Calapai, Partner

Date: 2/5/15