

**STATE OF RHODE ISLAND
DEPARTMENT OF BUSINESS REGULATION
PASTORE COMPLEX
1511 PONTIAC AVENUE
CRANSTON, RHODE ISLAND**

Myles Standish Associates LP,	:	
LMT Realty, LLC,	:	
MJJ Realty Association LLC,	:	
221 Waterman St, Realty,	:	
Waterman 219, LLC,	:	
Waterman Realty, LLC,	:	
Waysquare Associates, LP,	:	
Jennifer Qun Liang,	:	
Stephen Lewinstein,	:	DBR No.: 23LQ009
Bromley Real Estate Corp.,	:	
River Company, LLC,	:	
Eagle Island Investment Group, Inc.,	:	
Charles Smith III,	:	
144 Wayland, LCC,	:	
Appellants,	:	
	:	
v.	:	
	:	
City of Providence, Board of Licenses,	:	
Appellee.	:	
	:	
and George Potsidis d/b/a Estiatorio Fili, Inc.,	:	
Intervenor	:	
	:	

ORDER: RE MOTION FOR STAY

I. INTRODUCTION

This matter arose from an appeal and motion for a stay filed on October 20, 2023 by the above captioned appellants (“Appellants”) with the Department of Business Regulation (“Department”) pursuant to R.I. Gen. Laws § 3-7-21 regarding the decision taken on October 11, 2023 by the City of Providence, Board of Licenses (“Board”) to grant a Class BV liquor license

(“License”) to George Potsidis d/b/a Estiatorio Fili, Inc. (“Intervenor”).¹ A hearing on the Appellants’ motion for a stay was held October 30, 2023 before the undersigned. All parties were represented by counsel.

II. JURISDICTION

The Department has jurisdiction over this matter pursuant to R.I. Gen. Laws § 3-2-1 *et seq.*, R.I. Gen. Laws § 3-5-1 *et seq.*, R.I. Gen. Laws § 3-7-1 *et seq.*, R. I. Gen. Laws § 42-14-1 *et seq.*, and R.I. Gen. Laws § 42-35-1 *et seq.*

III. STANDARD FOR ISSUANCE OF A STAY

Under *Narragansett Electric Company v. William W. Harsch et al.*, 367 A.2d 195, 197 (1976), a stay will not be issued unless the party seeking the stay makes a “strong showing” that “(1) it will prevail on the merits of its appeal; (2) it will suffer irreparable harm if the stay is not granted; (3) no substantial harm will come to other interested parties; and (4) a stay will not harm the public interest.” Despite the ruling in *Harsch*, the Supreme Court in *Department of Corrections v. Rhode Island State Labor Relations Board*, 658 A.2d 509 (R.I. 1995) found that *Harsch* was not necessarily applicable in all agency actions and the Court could maintain the *status quo* in its discretion when reviewing an administrative decision pursuant to R.I. Gen. Laws § 42-35-15(c). The issue before the undersigned is a motion to stay a Decision which is subject to a *de novo* appeal and does not fall under R.I. Gen. Laws § 42-35-15(c). Nonetheless, it is instructive to note that the *Department of Corrections* found it a matter of discretion to hold matters in *status quo* pending review of an agency decision on its merits.

¹ The Intervenor was allowed to intervene by order dated October 25, 2023.

IV. ARGUMENTS

The proposed location is on Waterman Street, between a professional building on the corner of Waterman Street and Wayland Avenue and an apartment building, and the location, is itself, a residential apartment building. The Appellants object to the granting of the License.

The Appellants argued they are abutting landowners and currently there are liquor licenses in Wayland Square on Wayland Avenue and Angell Street but none between Wayland Avenue and Thayer Street. They argued they have a substantial likelihood of success on the merits as the Board relied on guidance that was predicated on adult entertainment cases which were about zoning and free speech while a liquor license is not a constitutional right. They argued the Board has broad discretion to approve a liquor license and the legal guidance given to the Board prior to it making its decision was to only consider health and safety. They argued the Board can consider harm, and they were the only party to have an expert witness testify about harm along with many neighbors who testified against the License. They argued that the *status quo* will be maintained by granting a stay as the Intervenor was ready to open a year ago but has not yet opened.²

The Board argued that almost all the objections were based on not wanting a liquor license in a location that was zoned for liquor licensing. The Board argued the Appellants' expert witness testified about zoning. It argued that the adult entertainment cases found that when an area has been zoned as suitable for a type of activity, the Board cannot revisit that question. Here, the Board argued

² The Appellants raised a constitutional argument regarding the General Assembly's passage of a law exempting the proposed location from the legal remonstrances set forth in R.I. Gen. Laws § 3-7-19. The Intervenor's initial application for a liquor license in 2022 was subject to a legal remonstrance based on the owners that owned a majority of the abutting land objecting to the grant of the license. Thus, the General Assembly passed the law exempting the Intervenor's location from the provisions of R.I. Gen. Laws § 3-7-19. The Appellants argued that under Article XIII of the Rhode Island Constitution, the General Assembly's passage of exemption statute needs to be approved by the electors of Providence. However, a determination of unconstitutionality of a statute is not an issue that is properly before an administrative agency. *Easton's Point Association et al v. Coastal Resources Management Council et al.*, 522 A.2d 199 (RI 1987). Thus, the undersigned declines to address this argument as it is not an issue that is properly before an administrative agency.

the proposed location is a C-2 zone so liquor is a permitted use. The Board argued that it will grant liquor licenses to applicants who do not have experience as the Board will receive information regarding appropriate managers, etc. The Board did not take a position on the motion for a stay.

The City agreed with the Board's position about the guidance given the Board at the hearing. It argued that the adult entertainment cases apply to zoning and the Board's power, and the testimony before the Board was that the objectors did not think a liquor license should be in that location.

The Intervenor argued the location is zoned to allow a restaurant and a liquor license. It argued that it wants to be treated like the other nine (9) licensed restaurants in the area. It argued that while no one testified on its behalf, there were 115 people in favor of granting the License between letters in support and comments on Facebook. It argued the objectors seemed to think that this would be a late night rowdy bar but that is only speculation. It argued that the guidance given the Board was appropriate because the Board needs an actual bases to reject an application, and instead there was only a general concern about the License. It argued that the Appellants' objections were speculative so they would suffer no irreparable harm, and they do not have a strong likelihood of success on the merits. It argued they will suffer irreparable harm if cannot open.

In rebuttal, the Appellants argued it is within the Board's discretion to consider the Appellants' objections. They argued that the guidance given the Board foreclosed that consideration by the Board. They argued they provided unrebutted evidence as to harm. They argued that they will suffer irreparable harm in loss of good will from their tenants.

In rebuttal, the Intervenor argued that the Appellants' expert witness' testimony was not unrebutted as its cross-examination undermined his credibility. It also argued that the Board did not rely on its legal counsel's guidance but could make its own decision.

V. **ADULT ENTERTAINMENT CASES AND THE BOARD'S AUTHORITY**

Cadillac Lounge, LLC v. City of Providence, et al., 763 A.2d 993, 996-997 (R.I. 2001)

found as follows:

In *DiRaimo v. City of Providence*, 714 A.2d 554 (R.I.1998), this Court addressed the constitutionality of the Providence Adult Entertainment Ordinance and held that the ordinance represented a content neutral time, place, and manner regulation, and, was thus, a constitutional exercise of the city's legislative power. This case presents the Court with the question of whether, having enacted a zoning classification that permits the activity without exception, another licensing board may deny a license based upon the same factors. . . . Inasmuch as the council is required to develop a zoning plan that promotes the public health, safety, morals, and general welfare of the city and has determined that an M-1 district is an appropriate area for this activity, another licensing board may not apply the same criteria and find the location to be unsuitable.

“[The Providence] zoning provisions were plainly designed to reduce crime, encourage revitalization of a decaying downtown zone, maintain property values, and to preserve the quality of urban life, and not to eliminate opportunities to whatever expression is communicated by nude dancing.” *Id.* at 564. Clearly, in designating the Charles Street area an M-1 zoning district, the council fully considered the public health, safety, morals, and general welfare, including potential secondary effects and concluded that this area was an appropriate location for this activity. Neither this Court nor a municipality's licensing board may second-guess this legislative determination.

Obviously, the council was bound to consider the city's comprehensive plan for the overall development of the city when it enacted the city's zoning ordinance. . . . As an exercise of its legislative authority, the council determined that an adult entertainment nightclub was an appropriate use in an M-1 zoning district and legislated accordingly. However, the board, at the urging of the remonstrants, chose to conduct its own examination into the suitability of the location for adult entertainment and to consider potential adverse secondary effects that may arise from the issuance of the license. We are of the opinion that this was an inappropriate area for the board's consideration and that the board was without authority to reexamine a legislative determination of the city council. . . . Although, the board is certainly vested with the authority to deny a license for reasons of public health and safety; it may not do so solely on the board's determination that the location is unsuitable.

Further, we are not persuaded that G.L.1956 § 5-22-5 vests the board with the authority to deny the license in this case. Although G.L. § 5-22-5 vests the licensing authority of the state's cities and towns with the power to deny, revoke, or refuse to renew any license, that power is likewise limited to licenses for activities or locations that present a danger to the public health or safety. ***

Certainly, the undersigned agrees that the Board is not vested with the authority to decide that a proposed location that is zoned for a restaurant and a liquor license should not be zoned as such and is never suitable for a liquor license. In terms of the Board's consideration of suitability, the issue it is whether an applicant is suitable for a liquor license with various reasons that can be considered why or why not such a license should or should not be granted.

However, R.I. Gen. Laws § 5-22-5³ is not applicable to this situation. That statute speaks of the licensing of shows and exhibits (etc.), in other words, entertainments. Not only that but it applies to denials and revocations of entertainment licenses. In contrast, this is an application for a liquor license under R.I. Gen. Laws § 3-7-1 *et seq.* An application for a new liquor license is treated differently from a revocation of a liquor license which must be based on cause. *Chernov Enterprises, Inc. v. Sarkas*, 109 R.I. 283 (1971). As discussed below, liquor licensing looks at more than public health or safety as detailed in R.I. Gen. Laws § 5-22-5.

It is a matter of law that local licensing boards have broad discretion in deciding whether or not to grant a liquor license application. "The granting or denying of such licenses is in no sense an exercise of the judicial process. On the contrary it is purely administrative. In performing that function the board (sic) act as agents of the legislature in the exercise of the police power. . . . [I]t is a matter of discretion whether or not they shall grant the license and this court has no control over their decision." *Bd. of Police Comm'rs v. Reynolds*, 86 R.I. 172, 176 (1957).

³ R.I. Gen. Laws § 5-22-5 provides as follows:

Local licensing of amusements Any city or town council, the board of police commissioners, or in the case of the city of Providence, the bureau of licenses, or any other licensing board or authority in any city or town may require a license for any place within its respective city or town at which any performances, shows, exhibitions, public roller skating, dances, or balls are presented or conducted for any term not exceeding one year, and may deny, revoke, or refuse to renew any such license only upon the ground that the place presents a danger to the public health or safety.

The Department has the same broad discretion in the granting or denying of liquor licenses. *Id.*, at 177. See *Domenic J. Galluci, d/b/a Dominic's Log Cabin v. Westerly Town Council*, LCA-WE-00-04 (10/25/00); *Donald Kinniburgh d/b/a Skip's Place v. Cumberland Board of License Comm'rs*, LCA-CU-98-02 (8/26/98). However, the Department will not substitute its opinion for that of the local town but rather will look,

for relevant material evidence rationally related to the decision at the local level. Arbitrary and capricious determinations, unsupported by record evidence, will be considered suspect. Since the consideration of the granting of a license application concerns the wisdom of creating a situation still non-existent, reasonable inferences as to the effect a license will have on a neighborhood must be logically and rationally drawn and related to the evidence presented. A decision by a local board or this Office need not be unassailable, in light of the broad discretion given to make the decision. *Kinniburgh*, at 17.

In discussing the discretionary standard enunciated in *Kinniburgh*, the Department has also found as follows:

[T]he Department, often less familiar than the local board with the individuals and/or neighborhoods associated with the application, will generally hesitate to substitute its opinion on neighborhood and security concerns if there is evidence in the record justifying these concerns. To this end, the Department looks for relevant material evidence supporting the position of the local authority. (citation omitted). *Chapman Street Realty, Inc. v. Providence Board of License Commissioners*, LCA-PR-99-26 (4/5/01), at 10.

As articulated through liquor licensing decisions at the State court level and the Departmental level, the standard of review for a new license or a transfer of license is subject to the discretion of the issuing authority. Arbitrary and capricious determinations not supported by the evidence are considered suspect. *Infra*. See *W&D Parkview Enterprise, Inc. d/b/a Parkview v. City of Providence, Board of Licenses*, DBR No.: 19LQ021 (12/12/19).

As cited above in *Chapman*, there must be evidence supporting community concerns. In *International Yacht Restoration School Inc. and Jose F. Batista v. Newport City Council and*

Dockside North, LLC et al., DBR No. 02-L-0037 (6/30/03), the Department found that the Newport licensing authority had not abused its discretion in granting that license despite 42 neighbors' objections because the local authority found the application represented a desirable business proposal for an additional business establishment in the wharf area in Newport. The decision further found that the Newport applicant had operated liquor establishments for six (6) years without any significant violations of local or State law. The decision found that the neighbors did not "focus on specific incidents attributable to [the applicant] or its management, but rather on unruly behavior emanating" from the area. *Id.*, at 10.

In *Krikor S. Dulgarian Trust v. Providence Board of Licenses*, DBR No.: 08-L-0175 (6/18/09), the abutter appellant had broad concerns regarding traffic, parking, safety, noise, and late night liquor closings in the area. However, the decision upheld the local authority's grant of a license because it found that there was no evidence from the objecting neighbors that linked the applicant to the various concerns. See also *Liquor Depot v. City of East Providence, et al.*, DBR No. 08-L-0250 (6/2/09) (Class A license denial overturned since objections were speculative).

However, neighborhood objections can demonstrate the negative impact a proposed licensee may have. In *Crazy 8's Bar/Billiards v. Providence Board of Licenses*, DBR No.: 09-L-0042 (8/24/09), the Department upheld the local authority's denial of application because the location had a history of problems, and the applicant had no relevant business experience. In *Domenic J. Galluci*, the local authority found that 1) the prior liquor license located at the proposed location was linked to disorderly conduct, assaults, and traffic issues; 2) the applicant was associated with past licensee; and 3) local licensing authority could reasonably infer from the evidence that reopening the establishment could have a similar negative effect on the neighborhood.

In *Corina Street Café v. City of Providence, Board of Licenses*, LCA-PR-96-20 (11/25/96), the Department upheld the denial of the application for a liquor license. Said decision found that the applicant wanted to change the character of its business (from a deli to a bar/restaurant), but the majority of neighbors opposed the application regardless of the applicant's responsibility and good faith intentions. The decision found that the City had a specific policy to eliminate liquor licenses in the area by not issuing new licenses and not replacing those licenses that had been eliminated because of the area's history of problems with liquor licensees and alcohol consumption. That decision pointed out that community opinion is not sacrosanct but in that matter community opposition, previous issues associated with liquor licensing in that area and the city's resulting licensing policy as well as the applicant's inexperience supported the denial of the application because the license would not be in the best interests of the neighborhood.

Subsequent to the adult entertainment Rhode Island Supreme Court case regarding the Cadillac Lounge, its liquor license came before the Department. In *Cadillac Lounge, LLC v. City of Providence*, LCA-PR-99-15 (10/18/02), the Department found that the substantial neighborhood opposition was based on the detailed problems of an existing licensee and its relation to the transfer application at issue. The Department also found that the applicant had "[a] sketchy business plan." *Id.*, at 10. The Department concluded that a liquor licensee takes a neighborhood as it finds it and the local authority has the right to review how an application may alter local conditions which in that matter consisted of troubled conditions.

In *DeCredico v. City of Providence, Board of License Commissioners*, DBR No. LCA-PR94-27 (1/20/95) ("*DeCredico I*"), the applicant's liquor license application was rejected because neighbors were concerned about the growing number of liquor-serving facilities in the vicinity and that the establishment would be "almost identical" to a past problematic bar at the proposed location.

The Department⁴ found that at night the proposed establishment would attract a crowd similar to the previously problematic bar. The Department found that the applicant was a proven restaurant operator but did not have the requisite experience of managing a late-night, full-bar drinking establishment to be able to handle the potential problems that had plagued the area in the past.

Conversely, in *DeCredico v. City of Providence, Board of License Commissioners*, DBR No. LCA-PR94-26 (1/23/95) (“*DeCredico I*”) upheld by *DeCredico v. City of Providence Board of Licenses*, 1996 WL 936872 (R.I. Super.), the applicants presented a well-financed project to open an upscale jazz club. Many neighbors objected to the application because of past problems with liquor licensees in the neighborhood. The decision found that the proposed club was likely to attract a different clientele from the patrons of the establishments that created problems for the neighborhood in the past. Thus, the liquor license application was approved despite objections from the neighbors. The decision found that a licensing authority can move a neighborhood forward without duplicating past errors by denying application requests to those that are poorly planned or whose plan and locus are similar or identical to past problem spots.

In *Crazy 8's* and *DeCredico I*, neither applicant had the requisite experience to run their proposed new establishments differently than the prior licensees. In *DeCredico II*, the applicants had the experience and a plan. The Department has previously upheld the rejection of a liquor license based on location and an unacceptable business plan.

The Department’s decision, *Douglas, Inc. and Derby Liquors, Inc. v. Pawtucket Board of License Commissioners* (3/14/83), found “[w]e are of the opinion that in the proper circumstances, community sentiment, not just the fitness of the applicant, may properly be heard and should be given thoughtful consideration with regard to a transfer of an alcoholic beverage license.” *Id.*, at

⁴ At the time of *DeCredico I*, the Liquor Control Administrator adjudicated said appeal. The position of Liquor Control Administrator was abolished by P.L. 1996, ch. 100 art. 36 § 4 with the Department assuming those functions.

4-5. Similarly in *Vel-Vil, Inc. v. Pastore*, WL 732870 (R.I.Super.1986), the Department⁵ overturned the local granting of a license finding that the applicant had not sustained its burden that there was an additional need to serve alcohol in the proposed location's neighborhood and that another liquor license might threaten the areas's ongoing revitalization and there were three (3) liquor establishments in the immediate vicinity and twenty (20) within fifteen (15) blocks.

The Department reviews whether a local licensing authority has abused its discretion by failing to have relevant material evidence in support of its decision. If a local licensing authority finds there is no community need, it must articulate what is meant by community need; otherwise, the term is too vague. *Douglas* also spoke of the need to carefully consider community sentiment. The Department has continuously considered community sentiment but ensures that such sentiment is based on evidence and not just speculation.⁶

In reviewing the many cases that have come before the Department over the years since *Douglas* and *Vel-Vil* that address "community sentiment," the Department has not sought proof by a local licensing authority when it grants a license that the applicant is providing a needed service of selling liquor. Nor has the Department reviewed a denial of a license and upheld the denial if there is no proof that the applicant is needed to provide liquor sales. Instead, the Department will uphold denials when a local authority has found based on the evidence that a community does not need another license because of past problems, traffic, etc. The concept of community need must

⁵ The undersigned relies on the Superior Court case to summarize the Department's findings.

⁶ Indeed, the Board has in the past imposed conditions on a licensee as agreed to by an applicant and neighbors so that the neighbors would not object to the granting of the liquor license. In *Krikor S. Dulgarian Trust v. Providence Board of Licenses, Chipotle Mexican Grill, LLC, Intervenor*, DBR No.: 10-L-0143 (6/4/11), the applicant agreed to a limited liquor license and to stop serving at 10:00 p.m. The Board imposed those conditions on the grant of the liquor license, and the Department upheld the grant of the liquor license.

In *Newport Checkers Pizza, Inc. d/b/a Scooby's Neighborhood Grille v. Town of Middletown*, LCA-MI-00-10 (12/7/00), the Department upheld Town's condition of an early closing of 11:00 p.m. as reasonable under *Thompson v. East Greenwich*, 512 A.2d 837 (R.I. 1986), to balance interests of neighbors and licensee).

be based on a specified reason why the license would not benefit the area.⁷ As discussed, the local authorities have broad discretion in making such determinations.

The undersigned agrees that the Board may not second guess zoning by deciding a location zoned for liquor should never have a liquor license. However, the zoning of a location is not the only factor before the Board. As detailed above, the Board has broad discretion to consider the evidence before it when determining whether a liquor license should be granted. These considerations are broader than just the fitness of the applicant but rather may be based on the interplay of the location, neighborhood, and applicant. *Supra*. Neighborhood objections can demonstrate the negative impact a proposed licensee may have on a neighborhood. Such impact may fall under the umbrella of health and safety. But such objections must be based on evidence and not just speculation.

On October 11, 2023, the Board granted the License. The undersigned listened to the decision hearing as well as the full hearing on August 31, 2023.⁸ During the decision hearing, guidance was given to the Board that it cannot deny the License on the basis that it is unsuitable for the neighborhood without some nexus for public safety or health. The guidance was that the Board was only entitled to look at the fitness of the license applicant and its plan. The guidance was that the Board cannot use the same criteria as zoning.

⁷ After the end of prohibition of liquor within the United States, Rhode Island implemented a new system of statewide control of liquor coupled with local authority to grant certain licenses. See P.L. 1933 ch. 2013. The intent of the new system was to eliminate the old unsupervised system of local regulation that resulted in a lack of uniformity and instead vested broad powers of control and supervision in a state system. See *Baginski v. Alcoholic Beverage Commission*, 4 A.2d 265 (R.I. 1939). The purpose of this system is to safeguard the public.

⁸ <http://providenceri.iqm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=14131&Format=Minutes> (October 11, 2023 hearing).

The undersigned listened to the Board's decision on October 11, 2021 hearing as well as the August 31, 2023 hearing. <http://providenceri.iqm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=14120&Format=Minutes> (August 31, 2023).

Public health and safety are considerations for licensing but those are broader than just the fitness of an applicant. Under the liquor licensing statute, the Board has broad discretion in making its decision that do not step on the zoning decision for the proposed location. E.g. problematic past licensee at the location, problems in the neighborhood associated with liquor service, unqualified applicants, poor business plans, etc. Obviously, a big concern for the Board is the fitness of the applicant. The Board also reviews business plans as not every plan for a liquor license would be found to be appropriate for a location. The Board indicated a concern about noise when imposing the conditions on the License of no outside service, 11:00 p.m. closure Sunday to Thursday and 12:00 p.m. closure on Friday and Saturday and Sunday before a legal holiday and no amplified sound outside the premises and no loitering after 10:00 p.m.⁹

While some reasons for denial would not seem to apply here, e.g. past problematic licensee, the Board should review all evidence allowed for within its discretion for liquor licensing. To ensure that all relevant evidence was considered by the Board, the matter is remanded to the Board for reconsideration of its decision of October 11, 2023.¹⁰ Like in *Dulgarian Trust* (2009), the Board may find that all the objections are speculative, and there is no evidence to support the Appellants' arguments about harm or fitness of the applicant. Nonetheless, a remand ensures that the Board exercises its broad discretion in liquor licensing consistent with Supreme Court and Department cases as discussed above.

For the short time that this matter is remanded to the Board, the granting of a stay maintains the *status quo* pending the remand.


⁹ It is noted that a December 1, 2022, amendment to the Class B licensing statute, R.I. Gen. Laws § 3-7-7, allows the Board to give permission to a liquor licensee to stop the service of food after 10:00 p.m. R.I. Gen. Laws § 3-7-7(c). But it must be by permission of the Board. Otherwise, by statute and the Department's liquor licensing regulation, § 1.4.5 of 230-RICR-30-10-1, *Liquor Control Administration* food must be served when liquor is being served.

¹⁰ This is just for the Board to discuss the application again. It is not for a further full hearing on the application.

VI. RECOMMENDATION

Based on the foregoing, the undersigned recommends that the Appellant’s motion for a stay of the grant of the License applicant be granted pending the remand to the Board for reconsideration.

Dated: November 1, 2023



Catherine R. Warren
Hearing Officer

INTERIOR ORDER

I have read the Hearing Officer’s Recommended Order in this matter, and I hereby take the following action with regard to the Recommendation:

ADOPT
 REJECT
 MODIFY

Dated: 11/1/2023


Elizabeth Kelleher Dwyer, Esquire
Director

NOTICE OF APPELLATE RIGHTS

THIS ORDER CONSTITUTES AN INTERLOCUTORY ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO R.I. GEN. LAWS § 42-35-15. PURSUANT TO R.I. GEN. LAWS § 42-35-15, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE MAILING DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A PETITION FOR REVIEW IN SUPERIOR COURT. THE FILING OF THE COMPLAINT DOES NOT ITSELF STAY ENFORCEMENT OF THIS ORDER. THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON THE APPROPRIATE TERMS

CERTIFICATION

I hereby certify on this 1st day of November, 2023 that a copy of the within Order and Notice of Appellate Rights were sent by email and first class mail, postage prepaid, to the following: Mario Martone, Esquire, City of Providence Law Department, 444 Westminster Street, Suite 220, Providence, R.I. 02903, Andrew M. Teitz, Esquire, Ursillo, Teitz & Ritch, Ltd., 2 Williams Street, Providence, R.I. 02903, and Louis A. DeSimone, Jr., Esquire, 1554 Cranston Street, Cranston, R.I. 02920 and by electronic delivery to Pamela Toro, Esquire, Department of Business Regulation, Pastore Complex, 1511 Pontiac Avenue, Cranston, R.I. 02920.

Megan Mikava
