

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

_____	:	
Pitino Fine Foods, Inc. d/b/a	:	
El Destacamento,	:	
Appellant,	:	
	:	DBR No. 24LQ003
v.	:	
	:	
City of Providence, Board of Licenses,	:	
Appellee.	:	
_____	:	

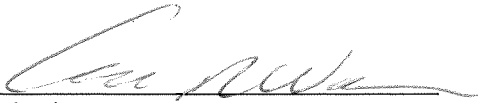
ORDER OF MODIFICATION OF DECISION

On March 15, 2024, the City of Providence, Board of Licenses (“Board”) issued a decision against Pitino Fine Foods, Inc. d/b/a El Destacamento (“Appellant”) in relation to its Class BVX liquor license. On March 18, 2024, pursuant to R.I. Gen. Laws § 3-7-21, the Appellant appealed the Board’s decision to the Director of the Department of Business Regulation (“Department”). After hearing, a decision (“Decision”) was issued by the Department on May 21, 2024. Said decision is hereby incorporated by reference. The Department has jurisdiction over this matter pursuant to R.I. Gen. Laws § 3-2-1 *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.*

The Decision ordered the Appellant to pay an administrative penalty of \$4,000 by the 31st day after execution of the Decision. On May 28, 2024, the Appellant moved to modify the Decision to allow payment of the administrative penalty within 45 days of the execution of the Decision (so 45 days from May 21, 2024). Neither the City nor the Board objected to the Appellant’s motion.

Therefore, based on the foregoing, the undersigned recommends that the Decision be modified so that payment of the administrative penalty is due within 45 days of May 21, 2024 (July 5, 2024).

Dated: May 29, 2024

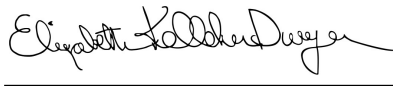

Catherine R. Warren
Hearing Officer

ORDER

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

ADOPT
 REJECT
 MODIFY

Dated: May 30, 2024


Elizabeth Kelleher Dwyer, Esquire
Director

NOTICE OF APPELLATE RIGHTS

THIS DECISION CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO R.I. GEN. LAWS § 42-35-12. 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 30th day of May, 2024 that a copy of the within Decision and Notice of Appellate Rights was sent by first class mail, postage prepaid and by electronic delivery to the following: Mario Martone, Esquire, City of Providence Law Department, 444 Westminster Street, Suite 220, Providence, R.I. 02903; Louis A. DeSimone, Jr., Esquire, 1554 Cranston Street, Cranston, R.I. 02920; and Peter Petrarca, Esquire, Petrarca & Petrarca, 330 Silver Spring Street, Providence, R.I. 02904, and by electronic delivery to Pamela Toro, Esquire, Department of Business Regulation, Pastore Complex, 1511 Pontiac Avenue, Cranston, R.I. 02920.


Megan Mihara