

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

**Tara Foods LLC d/b/a Chennai Tiffins,
Appellant,**

v.

**Town of Lincoln Council,
Appellee.**

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DBR No.: 26LQ001

ORDER OF DISMISSAL

I. INTRODUCTION

This matter arose from an appeal filed on June 5, 2026 by Tara Foods LLC d/b/a Chennai Tiffins (“Appellant”) with the Department of Business Regulation (“Department”) pursuant to R.I. Gen. Laws § 3-7-21 regarding the Town of Lincoln’s (“Board”) decision of May 19, 2026 to deny the Appellant’s application for a Class BV liquor license. This matter came before the undersigned in her capacity as Hearing Officer delegated by the Director of the Department of Business Regulation (“Department”). This order is based on the filings.

II. JURISDICTION

The Appellant has filed an appeal with the Department pursuant to R.I. Gen. Laws § 3-7-21.

III. DISCUSSION

Before scheduling a hearing on the appeal, it is necessary to determine whether the appeal was timely filed since if it was not, the Department does not have jurisdiction to hear the appeal.

R.I. Gen. Laws § 3-7-21 states in part as follows:

Appeals from the local boards to director. – (a) Upon the application of any petitioner for a license, or of any person authorized to protest against the granting of a

license, including those persons granted standing pursuant to § 3-5-19, or upon the application of any licensee whose license has been revoked or suspended by any local board or authority, the director has the right to review the decision of any local board, and after hearing, to confirm or reverse the decision of the local board in whole or in part, and to make any decision or order he or she considers proper, but the application shall be made within ten (10) days after the making of the decision or order sought to be reviewed. Notice of the decision or order shall be given by the local or licensing board to the applicant within twenty-four (24) hours after the making of its decision or order and the decision or order shall not be suspended except by the order of the director.

The Board denied the Appellant's application for a Class BV liquor license on May 19, 2026. The Appellant was present at the Board's meeting when the denial was orally made.¹ The Board forwarded a letter dated June 1, 2026 to the Appellant that memorialized the Board's decision of May 19, 2026. The Appellant filed its appeal with the Department on June 5, 2026. Ten (10) days from May 19, 2026 was May 29, 2026.

The Department has previously ruled that an oral notice of a decision following a hearing is sufficient notice pursuant to R.I. Gen. Laws § 3-7-21. *Certain Property Owners and the Door v. Pawtucket Board of License Commissioners*, LCA-PA-99-12 (5/11/00) upheld by the Superior Court in *Certain Prop. Owners v. Pawtucket Bd. of License Comm'rs*, 2002 R.I. Super. LEXIS 116. In upholding that Department decision, the Court found that "the filing of an appeal application from a decision by a liquor-licensing Board to the Director is jurisdictional. Accordingly, the Director lacks jurisdiction to review de novo a Board's decision if an appeal to the Director is filed too late." *Id.* at *7. Furthermore, the Court found that there was no requirement within the statute that a decision of a liquor licensing board must be written to be effective or to start the running of time within which an appeal to the Director must be filed. See also *Cielo d/b/a Club Luv v. City of Providence, Board of Licenses*, DBR 19LQ005 (2/14/19); *Jacques, Ltd. v. City of Providence, Board of Licenses*, DBR No.: 18LQ007 (4/16/18); and *Garry Crum d/b/a Club Litt v. City of*

¹ Video of the Board's May 19, 2026 meeting. See <https://lincolnri.portal.civicclerk.com/event/5414/media>.


Providence, Board of Licenses, DBR No.: 14LQ054 (11/6/14) (dismissing appeals filed pursuant to R.I. Gen. Laws § 3-7-21 for failing to file the appeal within the ten (10) day period).

The Board made its decision (orally) on May 19, 2026 so that pursuant to the statute the appeal had to be filed by May 29, 2026. The Appeal was filed on June 5, 2026.

V. **RECOMMENDATION**

Based on the foregoing, the undersigned recommends that this appeal be dismissed as the Department lacks jurisdiction to hear this appeal since the appeal was not filed within the statutorily required ten (10) days.


Dated: June 11, 2026


Catherine R. Warren
Hearing Officer

ORDER

I have read the Hearing Officer's recommendation and I hereby ADOPT/REJECT/MODIFY the recommendation of the Hearing Officer in the above-entitled Order of Dismissal.

Dated: June 11, 2026


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 11th day of June, 2026 that a copy of the within Order was sent by electronic delivery and first class mail, postage prepaid, and certified mail, return receipt requested to the following: Alex Sivagnanam and Priya Marthankandy, Chennai Tiffins, 359 Old River Road, Manville, R.I. 02838 and to chennaitiffins2@gmail.com and by first class, post prepaid and electronic delivery to Anthony DeSisto, Esquire, 450 Veterans Memorial Pkwy, Ste. 103, East Providence, R.I. 02914 and to tony@adlawllc.net and by electronic delivery to Pamela Toro, Associate Director, Department of Business Regulation, Pastore Complex, 1511 Pontiac Avenue, Building 69-1, Cranston, R.I. 02920.

Megan Mihara
