

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE CENTER, BLDGS 68-69
1511 PONTIAC AVENUE
CRANSTON, RHODE ISLAND 02920**

<u>IN THE MATTER OF:</u>	:	
	:	
BOROWSKI'S CAFÉ, INC.	:	DBR No.: 15LQ017
	:	
<u>RESPONDENT.</u>	:	

CONSENT AGREEMENT

The Division of Commercial Licensing ("Division") of the Rhode Island Department of Business Regulation ("Department") enters into this Consent Agreement with Borowski's Café, Inc. ("Respondent") to resolve the above-captioned matter pursuant to its authority under R.I. Gen. Laws § 42-35-9(d).

It is hereby agreed by and between the Division and the Respondent that:

1. Respondent is the holder of a liquor license for the premises located at 1626 Main Street, West Warwick, Rhode Island (the "Premises").
2. On September 1, 2015, the Department's Chief Public Safety Inspector ("Inspector") inspected the Premises.
3. The Inspector observed the following brands of alcohol being offered for sale on the Premises: Jim Bean Whiskey, Bacardi Rum, Southern Comfort, Old Grand Dad Whisky, Jack Daniels Whisky, Dewars Scotch Whisky, Skyy Vodka, Pinnacle Vodka, Leroux Spirits, Dekuyper Spirits, Jacquins Spirits, Coors beer, Heineken beer, Pastene wine, Smirnoff

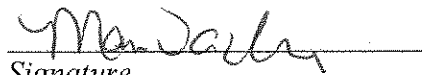
Vodka, Amaretto Di Amore, Dr. McGillicuddy's Schnapps, Nuyens Spirits, Seagrams Whisky, E&J Brandy, Barefoot wine, Allens Spirits, and Sambuca Basilica.

4. The Inspector inspected the wholesaler invoices that were on the Premises and observed no evidence that the listed alcohol had been purchased from a licensed wholesaler.
5. The Inspector contacted Horizon Beverages, R.I. Distributing, Johnston Brothers Distributors, and M.S. Walker Distributors (R.I. licensed wholesalers) and discovered that those wholesalers had not sold the listed alcohol to the Respondent.
6. R.I. Gen. Laws § 3-7-18 provides that “[a]ll holders of retail licenses except retail Class G licenses shall purchase beverages for sale under their licenses only from the holder or holders of wholesale licenses under this title.”
7. R.I. Gen. Laws § 3-5-21 and § 3-5-23 authorize the Department to discipline a liquor licensee for violating any provision of Title 3.
8. To effect a timely and amicable resolution of the violations set forth herein without an administrative hearing, the Respondent agrees to:
 - A. Pay an administrative penalty of \$200.00 payable to “General Treasurer, State of Rhode Island.”
 - B. Cease to sell, serve, or permit consumption of alcohol on the Premises from December 1, 2015 through December 14, 2015.
 - C. Cease and desist from purchasing alcohol other than from a licensed wholesaler.
 - D. Provide copies of invoices from wholesalers to the Department on the first of each month for the next six months.

9. Respondent voluntarily waives any right to an administrative hearing and appeal to Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 *et seq.*

10. If Respondent fails to abide by the requirements of this Consent Agreement, the Department may initiate further administrative proceedings against the Respondent.

For the Division:

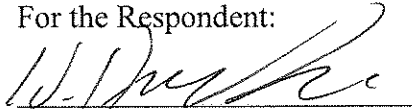


Signature

Date: 11-23-15

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

For the Respondent:



Signature

Date: 11-23-15

Wieslawa Drozdowski
Borowski's Café, Inc.