

STATE OF NEW YORK
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

80 South Swan Street, Suite 900
Albany, NY 12210-8002

317 Lenox Avenue
New York, NY 10027

535 Washington Street, Suite 303
Buffalo, NY 14203

IN THE MATTER OF PROCEEDINGS TO CANCEL OR REVOKE

NOTICE OF PLEADING

1283865, QUEENS L 1283865

963-2018/Case No. 120299

VERNON WINE & LIQUOR INC
BABA WINE & LIQUOR
3-15 27TH AVE
LONG ISLAND CITY, NY 11102

PLEASE TAKE NOTICE, that pursuant to Section 118 of the Alcoholic Beverage Control Law you are required to answer by mail as provided below, or in person with proper photo ID, at the office of the **Division of Alcoholic Beverage Control, Harlem Center, 317 Lenox Avenue, 4th Floor, (between 125th & 126th Streets), New York, New York 10027**, on **05/23/2018, at 11:00 AM**, in connection with proceedings to cancel or revoke the above-referenced license, and to plead to the following charge(s):

1. That on 07/14/2017, the licensee failed to permit an inspection of the licensed premises by a peace officer or representative of the State Liquor Authority during hours when the licensed premises were open for the transaction of business; in violation of subdivision 23 of section 105 of the Alcoholic Beverage Control Law.
2. That on or before 07/14/2017, in violation of subdivision 3-b of section 102 of the Alcoholic Beverage Control Law, the licensee purchased and/or received alcoholic beverages for resale from a person not duly licensed to sell same for resale.

PLEASE TAKE NOTICE THAT YOUR FAILURE TO PLEAD WILL BE DEEMED A "NO CONTEST" PLEA AND NO FURTHER HEARING WILL BE HELD.

PLEASE TAKE FURTHER NOTICE that you may be represented by counsel.

PLEASE TAKE FURTHER NOTICE that you may plead to the charge(s) by mail instead of by personal appearance provided that a letter signed by you or your attorney, setting forth your plea of "Not Guilty" or "No Contest" is received by the Office of Counsel of the Division of Alcoholic Beverage Control at the above New York City address on or before the pleading date specified above.

PLEASE TAKE FURTHER NOTICE that the maximum penalty may be a revocation and forfeiture of the Bond filed by you, and or a civil penalty. In addition, if the Authority revokes the license, the Authority may proscribe the issuance of a license at the premises for a period of two years from the date of revocation of the license.

PLEASE TAKE FURTHER NOTICE: If you plead not guilty to the charge(s), a hearing will thereafter be scheduled at which you may appear with counsel, produce witnesses, and introduce evidence in your behalf.

PURSUANT TO SECTION 301 of the State Administrative Procedure Act and Executive Order Number 26, interpreter services shall be made available to licensees, at no charge, by the Authority:

Licensee's name and residence address

WANG, XIAO

Licensee's Landlord
3N HOLDING CORP
3-13 27TH AVE, ASTORIA, NY 11102

Notice to Landlord: As stated above, in the event the disposition of this case results in a Revocation of the license, the Authority may impose, as part of the penalty, a two year prohibition against the issuance of any alcoholic beverage license at these premises.

Date: 04/30/2018

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Office of Counsel
by: Mariam Sardar
317 Lenox Avenue, 4th Floor
New York, New York 10027

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Certified Mail # 7016 1370 0001 7288 0496

NEW YORK STATE LIQUOR AUTHORITY
FULL BOARD DISPOSITION
MEETING OF 09/12/2018

09/24/2018

VERNON WINE & LIQUOR INC
BABA WINE & LIQUOR
3-15 27TH AVE
LONG ISLAND CITY NY 11102

Re: 1283865, QUEENS L 1283865
DO # 963-2018/Case # 120299
AGENDA ITEM NO. 2018-01825

Dear Licensee:

The Members of the Authority on 09/12/2018 determined as follows with regard to the above captioned matter:

COUNTER OFFER ACCEPTED BY LETTER DATED SEPTEMBER 24, 2018

Penalty is the following:

Civil Penalty: \$20000.00

Penalty Due by: 10/26/2018

If the above penalty is not complied with by 10/26/2018 the following will be imposed:

Bond Claim: \$1000.00
Revocation

NOTE: A civil penalty must be paid in full, no installments, by **OFFICIAL BANK CHECK OR MONEY ORDER** payable to the *State Liquor Authority*. Mail payments to the **New York State Liquor Authority, Secretary's Office, 80 South Swan Street, Suite 900, Albany, New York 12210-8002**, by the above due date. To insure proper credit, please list your license serial number and name on the check.

If the Authority has to impose a Bond Claim, a demand for the bond claim will be made to your bonding company, who will then seek repayment from you and additional expenses may be incurred in connection with the restoration of the bond. You will be required to restore your bond, pursuant to Rule 9.7(b) of the Rules of the State Liquor Authority [9 NYCRR 81.7(b)], which has been forfeited by reason of this penalty, within 10 days. A restoration of the bond will be required to continue in business and avoid further disciplinary proceedings.

THOMAS J. DONOHUE, ESQ.
NEW YORK STATE LIQUOR AUTHORITY
SECRETARY'S OFFICE
80 South Swan Street, Suite 900
Albany, NY 12210
[518] 474-3114
Secretarys.Office@sla.ny.gov

cc: file
HENRY WAROKOMSKI
ATTORNEY AT LAW
492 EAST MEADOW AVENUE
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