



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

In the matter of)
7-ELEVEN, INC. (A TEXAS CORPORATION))
& MOHAMMAD M. RAHMAN)
D/B/A 7-ELEVEN #13461-C)
1179 Baldwin Ave) Business ID No. 14232
Pontiac, MI 48340-2709)
)
Oakland County)

At the February 21, 2019 hearing of the Michigan Liquor Control Commission in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

PENALTY HEARING ORDER

Under MCL 436.1903(1), the Commission shall hold a Penalty Hearing and impose a suspension or revocation of the 2018 Specially Designated Merchant license with Sunday Sales Permit (A.M.) held by 7-Eleven, Inc. (A Texas Corporation) and Mohammad M. Rahman, d/b/a 7-Eleven #13461-C (“licensee”) at the above-noted address, as the licensee was found liable for three (3) violations of MCL 436.1801(2) on different occasions within a 24-month period. Those violations occurred on May 6, 2016, September 1, 2016 and November 14, 2017.

The penalty hearing was held on February 21, 2019 at the Commission’s Southfield office. Representing Mohammad Rahman at the hearing was Attorney Jason Canvasser. Mohammad Rahman was also present.

After reviewing the record of the three (3) violations within a consecutive 24-month period which necessitated the penalty hearing, hearing arguments from Attorney Canvasser and Mr. Rahman, and review of the MLCC file, the Commission finds that revocation of the license is not necessary in this matter. However, the Commission further finds that a suspension of the license is required, and the licensee has demonstrated reasons to order a suspension in this matter for the following reasons:

- The Commission finds that the license was originally issued to 7-Eleven, Inc. at this location on January 8, 1974. Mohammad M. Rahman was licensed as a co-licensee on May 3, 2001.
- The Commission finds that the minor in the first sale that occurred on May 6, 2016 was 18 years of age. The clerk asked the decoy if he was 21 and the decoy stated that his age was on his identification. The clerk did not ask the decoy to produce his identification and completed the sale. Further, when MLCC investigators informed the clerk of the violation the clerk failed to cooperate by producing his identification as requested. An expired liquor license was also posted in the establishment at the time of this incident.
- The Commission finds that the minors in the second and third sales were 19 and 20 years of age. In both incidents when the clerk requested identification, each decoy responded that they did not have any. The clerk then asked for their date of birth, an incorrect birthdate was given, and the sales occurred.
- The Commission finds that the licensee has demonstrated a policy is in place requiring employees to check identification of all customers purchasing alcoholic beverage products, and to scan identification prior to completing the sale. The licensee indicated that the override function on the point of sale system has been disabled to aid in the prevention of the sale of alcohol to minors.
- The Commission finds that the licensee indicated that signage is posted in the establishment to remind employees of the legal age to purchase alcohol.
- The Commission finds that the licensee has demonstrated that all employees involved in the sale of alcohol to minors were terminated.
- The Commission finds that the licensee has passed three (3) controlled-buy operations for alcohol, which occurred on June 25, 2004, December 22, 2016 and July 25, 2018.
- The Commission finds that in addition to the violations addressed in the penalty hearing proceedings, the licensee was found responsible for a

sale to minor violation that occurred on November 13, 2014. Prior to that, 7-Eleven, Inc. was found responsible for four (4) sale to minor violations that occurred on July 26, 1980, July 10, 1986, December 15, 1990 and May 24, 2000.

Under MCL 436.1903(1), the Commission shall issue a penalty of suspension or revocation in this matter. The Commission finds that a ten (10) consecutive day suspension is warranted for the reasons stated on the record, to be served Monday, March 11, 2019 through Wednesday, March 20, 2019; with the license to be returned on Thursday, March 21, 2019.

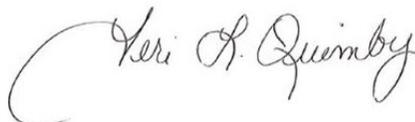
THEREFORE, IT IS ORDERED that:

- A. The 2018 Specially Designated Merchant license with Sunday Sales Permit (A.M.) held by 7-Eleven, Inc. (A Texas Corporation) and Mohammad M. Rahman, d/b/a 7-Eleven #13461-C, at the subject address is SUSPENDED for ten (10) consecutive days, to be served Monday, March 11, 2019 through Wednesday, March 20, 2019; with the license to be returned on Thursday, March 21, 2019.
- B. The suspension is to run consecutively and not concurrently with any other suspension ordered by the Michigan Liquor Control Commission for this licensee.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner

A handwritten signature in cursive script, appearing to read "Dennis Olshove".

Dennis Olshove, Commissioner

Date Mailed: February 26, 2019

tlc