



Ministry of Public Safety and Solicitor General  
Liquor Control & Licensing Branch

Mailing Address:  
PO Box 9292 Stn. Prov. Govt  
Victoria, BC V8W 9J8  
Telephone: 250-387-1254  
Fax: 250-387-9184

No. \_\_\_\_\_

### COMPLIANCE MEETING

Inspector's Name: **Edward Osei-Appiah**

Date: **November 3<sup>rd</sup>, 2010**

Office Locations: **100 – 133 East 8<sup>th</sup> Avenue, Vancouver, BC V5T 1R8**

#### ESTABLISHMENT INFORMATION:

Establishment Name: **HOWARD JOHNSON PLAZA HOTEL**

Establishment Address: **395 Kingsway  
VANCOUVER, BC**

Licensee No.: **009663**

License Class: **LP**

Expiry Date:

Licensee Name: **0801414**

#### MEETING DETAILS:

Attendees at compliance meeting:

Name: **Edward Osei-Appiah** - Association/Position: **Liquor Inspector** Contact No.: **(604) 775-0059**

Name: **Alex Clarke** - Association/Position: **VPD Liquor Coordinator** Contact No.:

*Darins Minwalla GM 778-822-2458*

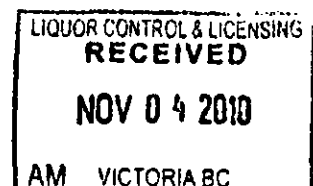
Licensee provided a copy of Updated March 2010 - Liquor Primary Terms and Conditions –  
Appendix One – Penalty Schedule Four

Reason compliance meeting was convened to discuss:

This is a follow-up to Oct 1<sup>st</sup>, 2010 Multi Agency Inspection Team routine regarding: Permit intoxicated person to remain, Permit unlawful activities and conduct.

#### Other Meeting Topics:

- **Failing to take reasonable measures**
- **Noise**



☒ **Relevant section(s) of the Liquor Control and Licensing Act:**

**12 (1) The general manager, having regard for the public interest, may, on application, issue a licence for the sale of liquor.**

**(b) designate the areas of an establishment, both indoor and outdoor, where liquor may be sold and served,**

**(d) designate the areas within an establishment where minors are permitted,**

**(f) exempt a class or category of licensee from requirements with respect to serving food and non-alcoholic beverages in an establishment,**

**(l) Control signs used in or for an establishment.**

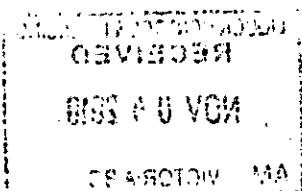
**Training**

**13 (1) The general manager must not issue, transfer or renew a licence in a prescribed category unless the applicant or licensee to whom the licence will be issued, transferred or renewed satisfies the general manager that he or she has successfully completed a prescribed training program.**

**(2) If the applicant or licensee is a corporation, the condition set out in subsection (1) is met if the prescribed training program is successfully completed by a director, officer or employee of the corporation who will have responsibility for controlling the sale of liquor.**

**(3) A person must not manage a licensed establishment unless the person has successfully completed a prescribed training program.**

**(4) A person must not serve liquor in a licensed establishment unless the person has successfully completed a prescribed training program.**



## **Action against a licensee**

**20 (1) In addition to any other powers the general manager has under this Act, the general manager may, on the general manager's own motion or on receiving a complaint, take action against a licensee for any of the following reasons:**

- (a) the licensee's contravention of this Act or the regulations or the licensee's failure to comply with a term or condition of the licence;**
- (b) the conviction of the licensee of an offence under the laws of Canada or British Columbia or under the bylaws of a municipality or regional district, if the offence relates to the licensed establishment or the conduct of it;**
- (c) the persistent failure to keep the licensed establishment in a clean and orderly fashion;**
- (c.1) a failure by the licensee to take reasonable measures to ensure that the operation of the establishment is not contrary to the public interest and does not disturb persons in the vicinity of the establishment;**
- (d) the existence of a circumstance that, under section 16, would prevent the issue of a licence;**
- (e) the suspension or cancellation of a municipally, regionally, provincially or federally granted licence, permit or certificate that the licensee is required to hold in order to operate the licensed establishment.**

**(2) If the general manager has the right under subsection (1) to take action against a licensee, the general manager may do any one or more of the following, with or without a hearing:**

- (a) [Repealed 1999-36-13.]**
- (b) impose terms and conditions on the licensee's licence or rescind or amend existing terms and conditions on the licence;**
- (c) impose a monetary penalty on the licensee in accordance with the prescribed schedule of penalties;**
- (d) suspend all or any part of the licensee's licence in accordance with the prescribed schedule of licence suspensions;**
- (e) cancel all or any part of the licensee's licence;**

(f) order the licensee to transfer the licence, within the prescribed period, to a person who is at arm's length from the licensee.

(2.1) The general manager may, if he or she is satisfied that it is in the public interest to do so,

(a) impose a monetary penalty under subsection (2) (c) that is greater than the amount provided for in the prescribed schedule of penalties, or

(b) suspend a licensee's licence under subsection (2) (d) for a period longer than that provided for in the prescribed schedule of suspensions.

attend before the general manager and answer on oath, unless the general manager directs otherwise, all questions touching the subject matter of the hearing, and produce all documents, writings, books, deeds and papers in accordance with the summons.

(4.3) When the general manager exercises a power under subsection (4.1), a person who fails or refuses to comply with subsection (4.2) is liable, on application to the Supreme Court, to be committed for contempt as if in breach of an order or judgment of the Supreme Court.

(5) [Repealed 1999-36-14.]

## Public safety

**22** (1) If in a licensed establishment the conduct of the licensee's patrons or employees is of a riotous, violent, drunken or disorderly nature, or the safety of one or more persons in the licensed establishment is threatened, the general manager may, without a hearing, suspend the licence and order the immediate removal of patrons and closure of the licensed establishment for a period not exceeding 24 hours.

## Temporary suspensions or conditions

**23** (1) The general manager may, without a hearing, suspend or impose terms and conditions on a licence for a period not exceeding 24 hours if, in the general manager's opinion, it is in the public interest to do so.

(2) [Repealed 1999-36-16.]

(2.1) The general manager may, without a hearing, suspend a licence or impose terms and conditions on a licence for a period not exceeding 14 days, if the general manager has reasonable grounds to believe that it is in the public interest to prevent the licensed establishment from continuing to operate as a result of extraordinary circumstances existing at, or being associated with the operation of, the licensed establishment.



**(2.2) If under subsection (2.1), the general manager suspends a licence or imposes terms and conditions on a licence, the general manager must**

**(a) provide the licensee with written notice of the suspension of the licence or imposition of terms and conditions on the licence,**

**(b) set out in the notice the reasons for taking the action, and**

**(c) set out in the notice the details of the action including, if a suspension is imposed, the period of the suspension and the dates of the suspension.**

**(3) If as a result of the suspension of, or imposition of terms and conditions on, a licence under this section the licensed establishment of the licensee is required to be vacated, the licensee must take all reasonable steps to ensure that the licensed establishment is immediately vacated**

### **Prohibition against certain conduct**

**36 (1) [Repealed 2010-21-132.]**

**(2) A person holding a licence or the person's employee must not authorize or permit in the licensed establishment**

**(a) drunkenness or violent, quarrelsome, riotous or disorderly conduct, or**

**(b) any unlawful activities or conduct.**

### **Drunkenness in public place**

**41 (1) A person who is intoxicated must not be or remain in a public place.**

**(2) A peace officer may arrest, without a warrant, a person found intoxicated in a public place**

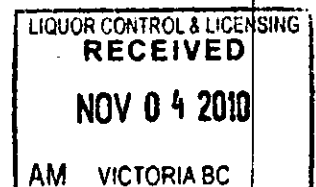
### **Drunkenness**

**43 (1) A person must not sell or give liquor to an intoxicated person or a person apparently under the influence of liquor.**

**(2) A licensee or the licensee's employee must not permit**

**(a) a person to become intoxicated, or**

**(b) an intoxicated person to remain in that part of a licensed establishment where liquor is sold, served or otherwise supplied.**



## Request to leave licensed establishment

**46** (1) A licensee or the licensee's employee may

(a) request a person to leave, or

(b) forbid a person to enter

a licensed establishment if for any reason he or she believes the presence of that person in the licensed establishment is undesirable or that person is intoxicated.

(2) A licensee or the licensee's employee, in reaching an opinion under subsection (1), must not contravene the *Human Rights Code*.

(3) A person must not

(a) remain in a licensed establishment after he or she is requested to leave by the licensee or the licensee's employee,

(b) enter a licensed establishment within 24 hours after the time he or she was requested to leave the licensed establishment by the licensee or the licensee's employee, or

(c) without lawful excuse, the proof of which lies on the person, possess a knife, firearm or weapon in a licensed establishment.

(4) A person who contravenes subsection (3) commits an offence and is liable on conviction to a fine of not less than \$500.

(5) A peace officer may arrest, without warrant, a person contravening or suspected of contravening subsection (3).

### ☒ Relevant section(s) of the Liquor Control and licensing Regulations:

#### **Beverage service training**

**43** (1) For the purposes of this regulation and section 13 of the Act, training program means the training program entitled "Serving It Right: The Responsible Beverage Service Program", delivered under the auspices of a person or organization approved by the general manager.

(2) For the purposes of section 13 (1) of the Act, the following licence categories are prescribed:

(c) liquor primary licences, liquor primary club licences, food primary licences, licensee retail store licences and special occasion licences.

(3) For the purposes of section 13 of the Act, the training program is prescribed.

(5) Successful completion of the training program by each person must be evidenced by a certificate of completion issued in the name of that person by an authority approved by the general manager.

(6) Repealed. [B.C. Reg. 133/2007, s. (a).]

(e) a server who

(i) has successfully completed a liquor server training program required by another province and approved by the general manager, and

(ii) is able to provide documentary proof of his or her successful completion of the program when requested to do so by the general manager, an officer of the Liquor Control and Licensing Branch or a peace officer.

☒ **Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual:**

## **Permitting an Intoxicated Person to Remain**

### ***Policy Rationale***

To avoid the possibility of further liquor consumption and avoid any harm to other patrons or staff, a licensee must not permit a person who is intoxicated to remain in the part of the establishment where liquor is served. To ensure their safety, intoxicated persons may remain in unlicensed areas of an establishment while waiting for assistance or a ride home.

### ***Policy***

#### **Prohibition against permitting an intoxicated person to remain**

A licensee must not permit an intoxicated person to remain in that part of the establishment where liquor is sold, served or otherwise supplied.

Control and Licensing Act, section 43(2)(b)]

## **Authorizing or Permitting Unlawful Activities**

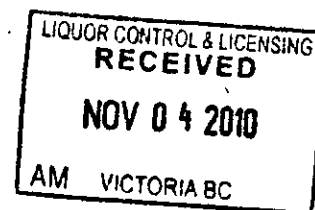
### ***Policy Rationale***

Illegal activities in licensed establishments, such as trafficking drugs or fencing stolen property, may present safety concerns for staff, patrons and the surrounding community. These types of activities also impact a licensee's ability to manage and control the establishment. Licensees must take positive action to prevent these activities and stop them if they occur.

### ***Policy***

#### **Prohibition against unlawful activities or conduct**

A licensee must not authorize or permit any unlawful activities or conduct in the licensed establishment.



### **Licensee responsibility to notify police of unlawful activities**

If a licensee knows or suspects that unlawful activities are occurring in the licensed establishment, the licensee must notify the police immediately. Failing to contact police may be evidence that the licensee either permitted or authorized the activities.

[Liquor Control and Licensing Branch Policy]

## **Introduction**

Section 20(1)(c.1) of the Act allows the general manager to take enforcement action against a licensee who fails to take reasonable measures to ensure that the operation of their establishment does not disturb the surrounding community. Policies and procedures for identifying this contravention are outlined in this section under the heading:

Failing to Take Reasonable Measures.

## **Failing to Take Reasonable Measures**

### ***Policy Rationale***

Noise emanating from a licensed establishment or from patrons entering or exiting the establishment may disturb neighbouring businesses and residents. Indecent or illegal behaviour by patrons entering or exiting the establishment may result in property damage and / or public safety concerns.

Regard for community standards is one of the two operating principles that guide the branch's regulation of liquor. While it is not the intention of the branch to make licensees responsible for policing the streets around their establishments, the operational practices of licensees influence whether an establishment has a negative or positive effect on the surrounding community. Licensees cannot prevent every incident occurring around establishments, but they do have an influence over the number and severity of incidents and their effect on people in the vicinity.

### ***Policy***

### **Failing to take reasonable measures**

The general manager may take action against a licensee who fails to take reasonable measures to ensure that the operation of the establishment is not contrary to the public interest and does not disturb people in the vicinity.

[Liquor Control and Licensing Act, section 20(1)(c.1)]

☒ **Relevant section(s) of the Guide to Liquor Licensees Provided a Copy of: June 2007 edition – Terms and conditions and RBS responsibilities.**

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### **Controlling Your Establishment**

#### **Your responsibilities**

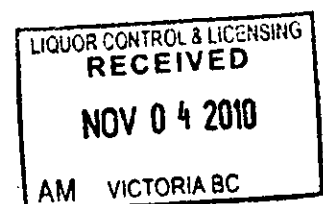
You and your employees are responsible for managing and controlling the behaviour of patrons. You must ensure that other patrons, your staff and members of the community are not harmed as a result of liquor misuse or criminal activity in your

establishment, and you are required to take steps to ensure your business does not disturb the surrounding community.

If your staff, patrons or members of the community have reason to be concerned that there is a threat to their safety, you must act on these concerns. If criminal or riotous conduct has occurred, or you suspect it may, then you must notify police immediately.

An individual who has been asked to leave, or who has been barred from entering your establishment, must not return for at least 24 hours. If a person does this, he or she is committing an offence and may be arrested.

Section 22 of the Act allows the general manager to suspend a liquor licence for 24 hours and order the immediate removal of patrons where there is an imminent threat to people's safety. In this situation, you are required to take all reasonable steps to ensure that customers vacate the premises immediately.



### **Over-service and intoxicated patrons**

It is your responsibility to make sure patrons do not become intoxicated while in your establishment.

You must not let a person who is apparently under the influence of alcohol or drugs enter or remain in your establishment. You must refuse the person service, have the person removed and see that he or she departs safely.

You also must write down all incidents of intoxicated patrons and the action you took in an incident log, and have the information available for the liquor inspector or police officers.

### **Disorderly or riotous conduct**

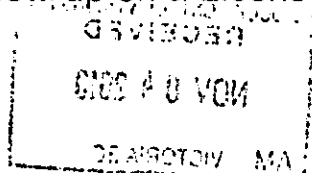
You must not allow violent, quarrelsome, riotous or disorderly conduct or unlawful activities to take place in your establishment. This includes behaviour that might cause a reasonable person to believe his or her safety is threatened.

If you know or suspect that this kind of behaviour has taken place, is currently taking place or may take place, then you must notify the police immediately.

### **Licensed Establishments**

Branch liquor inspectors conduct regular, unannounced inspections of licensed establishments to make sure licensees are following the Act and Regulations and their licence terms and conditions, and to make sure there are timely consequences when they don't. In addition, a liquor inspector may conduct an inspection:

- in response to a complaint from a member of the public, another licensee, a local government/First Nation, police or any other agency, or
- to follow-up on a Licensed Premises Check (LPC) issued by a police officer.



## **Minors**

Minors (in B.C., that is anyone under 19 years of age) are allowed in food-primary establishments on their own, and in a restaurant lounge if accompanied by an adult. However, it is against the law for you or your employees to sell, serve, or supply liquor to a minor. We expect you and your staff to put effective systems in place to meet this obligation. Minors employed in food-primary establishments who are 16 or older may serve liquor but may not open bottles, pour or mix liquor. Minors serving liquor must be under the supervision of adult staff.

## **ID requirements**

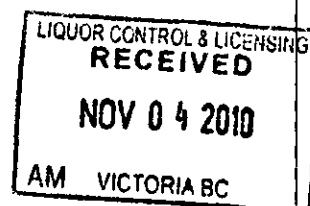
You must demonstrate that you are preventing minors from obtaining liquor. When you verify a customer's age, you and your employees must ask for **two** pieces of identification.

### **The first piece of identification must:**

- be issued by a government agency (e.g. a passport or driver's licence), and
- include the person's name, signature, birth date and picture.

### **The second piece must:**

- include an imprint or the holder's name (e.g. a credit card or Care Card), and
- include the person's signature and/or picture.



If the person cannot produce two pieces of acceptable identification that proves they are 19 or older, you must refuse service. You must cooperate with a liquor inspector if the inspector asks you or your staff to determine whether a person is a minor. You are encouraged (but not required) to retain identification that is clearly false and to turn it over to your liquor inspector. Where possible, the inspector will return the identification to the agency that issued it. (If the patron insists you return the ID, you should do so, but we encourage you to take a photocopy of it first to give to your liquor inspector.)

## **Entry of Liquor Inspectors and Police Officer**

You must give liquor inspectors and police officers immediate access to all areas of your establishment on request. It is a serious contravention to refuse or delay providing access to an inspector or police officer.

## **Compliance Meeting**

A compliance meeting is a meeting between you and the inspector – and possibly others, such as members of your staff, local police, government and fire officials. The purpose of the meeting is to promote voluntary compliance with the liquor licensing rules and to assist you in anticipating, and creating solutions for, potential problems. The inspector will prepare a written record of what is discussed including any procedures you intend to put in place to deal with the problem, and when they will come into effect. Once you and the inspector have signed it, you will receive a copy, and a second copy will be placed in your establishment's file. Compliance meetings are not required step before the branch takes enforcement action.

## **Contravention Notice**

If a liquor inspector believes that you or your staff are contravening the Act, its Regulations or the terms and conditions of your licence, the inspector must issue a Contravention Notice to you, that identifies the alleged contravention. The inspector will then review the evidence and circumstances of the contravention in conjunction with the Liquor Control and Licensing Branch's file for your establishment. Based on that review, the inspector will decide whether to recommend that the general manager take enforcement action against you, as the licensee. If the inspector does not recommend enforcement action, he or she will keep the Contravention Notice in the branch's file on your establishment, and may require you to attend a Compliance Meeting.



## **Action**

If the adjudicator decides the contravention occurred, they may • suspend the liquor licence for a period of time

- impose a monetary penalty
- cancel a liquor licence
- impose, rescind or amend the terms and conditions of a licence, and
- order a licensee to transfer a licence.

If the adjudicator finds that either a licence suspension or monetary penalty is warranted, they may not impose a penalty less than the minimums set out in Schedule 4 of the Regulation. They may impose higher penalties when it is in the public interest to do so. They are not bound by the penalties proposed in the Notice of Enforcement Action. The type of enforcement action imposed will depend on a number of factors, including the nature of the contravention, the circumstances of the contravention, your establishment's compliance history, and your compliance history as a licensee. Any enforcement action imposed will form part of the compliance history of the licence and the licensee.

## **APPENDIX 1**

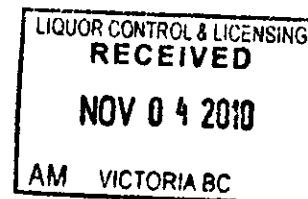
### **Penalty Schedule**

#### **Schedule 4**

#### **11**

**A breach of section 43(2)(b) of the Act by permitting an intoxicated person to remain in that part of the licensed establishment where liquor is sold or served**

1 <sup>st</sup> offence	2 <sup>d</sup> offence	3 <sup>rd</sup> offence	Monetary Penalty
4 - 7	10 - 14	18 - 20	\$5 000 - \$7 000



A breach of section 36(2)(b) of the Act by authorizing or permitting, in the licensed establishment, any unlawful activities or conduct

1 <sup>st</sup> offence	2 <sup>d</sup> offence	3 <sup>rd</sup> offence	Monetary Penalty
10-15	20-30	30-60	\$ 7500-10 000

### **Commitments made by Licensee:**

A licensee must not permit a person to become intoxicated in Licensed premises. Failure to do so will result in future enforcement action against licensee.

A licensee must not allow intoxicated patrons into Licensed premises. Failure to do so will result in future enforcement action against licensee.

A licensee must not allow intoxicated patrons to remain in Licensed premises. Failure to do so will result in future enforcement action against licensee.

Licensee must utilize control signs instructing patrons to keep noise level at a minimum and not to congregate in front of residential buildings during events.

Licensee must not allow patrons to engage in unlawful activities in or on a Licensed premise. Failure to do so will result in future enforcement action against licensee.

Licensee must provide Staff Meeting Notes in regards to: Unlawful activities in establishment and Patron intoxication to Liquor Inspector by December 30<sup>th</sup>, 2010

Licensee must follow terms and conditions of Liquor Primary license. Failure to do so will result in future enforcement action against licensee.

03/12/2010

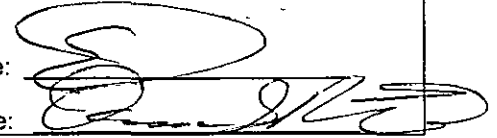
0105 1 0 VOM

Licensee and all of his staff must take the "Responsible Beverage Service" course and provide Inspector Osei-Appiah with a copy of their Serving It Right numbers no later than November 20th, 2010.

Inspector Name: Edward Osei-Appiah

E. Osei Appiah

Inspector Signature:

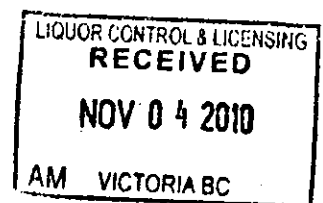


Licensee Name:

Paris Minwawa

Licensee Signature:







**BRITISH  
COLUMBIA**

Liquor Control and Licensing Act  
and Regulation 244/2002

No. B000596

**CONTRAVENTION NOTICE**

Liquor Control and Licensing Branch,  
Ministry of Public Safety and Solicitor General

Establishment name: Howard Johnson Plaza Hotel

Establishment address: 395 Kingsway, VAN, BC, V5T 3T7

Licensee name: 0801414 B.C. LTD

Licence #: 009663 Date CN issued: 10/05/10

Date and time of alleged contravention(s): 10/01/10 2045

On the date noted above, the following alleged contravention(s) of the  
Liquor Control and Licensing Act or regulation were identified:

	Contravention	Section	
1	<u>Patron intoxicated person to remain</u>	<u>543</u>	<input type="checkbox"/> Act
		<u>(2)(h)</u>	<input type="checkbox"/> Reg
2	<u>Patron unlawful activities</u>	<u>536</u>	<input type="checkbox"/> Act
	<u>/conduct</u>	<u>(2)(a)</u>	<input type="checkbox"/> Reg
3			<input type="checkbox"/> Act
			<input type="checkbox"/> Reg
4			<input type="checkbox"/> Act
			<input type="checkbox"/> Reg

Details: During routine inspection on Oct 1/10;  
Patron observed smoking drugs in  
licensee area; Male patron intoxicated  
inside establishment (sleeping with  
head on table)

Inspector name: E. Osa Appiah Badge #: 87

Telephone: 604-775-0059 LPC #: \_\_\_\_\_

Management acknowledgement (name and title): \_\_\_\_\_

The general manager may proceed with enforcement action on the basis of this  
contravention notice. The licensee will generally be notified within 45 days if  
enforcement action is proposed.

**COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)**

No. B 006109



BRITISH  
COLUMBIA

Liquor Control and Licensing Act  
and Regulation 244/2002

**CONTRAVENTION NOTICE**

Liquor Control and Licensing Branch,  
Ministry of Public Safety and Solicitor General

Establishment name: Howard Johnson Plaza 1141

Establishment address: 395 Kingsway  
Vancouver, BC V5T 7T7

Licensee name: 636608 DL (LH)

Licence #: 009667 Date CN issued: 01/01/2008

Date and time of alleged contravention(s): 01/01/2008 00:00

On the date noted above, the following alleged contravention(s) of the  
Liquor Control and Licensing Act or regulation were identified:

	Contravention	Section
1	own crowding beyond	<input type="checkbox"/> Act <input checked="" type="checkbox"/> Reg
2	person under 21	<input type="checkbox"/> Act <input type="checkbox"/> Reg
3	thru occ. land	<input type="checkbox"/> Act <input type="checkbox"/> Reg
4		<input type="checkbox"/> Act <input type="checkbox"/> Reg

Details: Police called out due to noise  
enclosed & overheard  
No staff, 3 documents  
and lack of control

Inspector name: C. Ose Apple Badge #: 87

Telephone: 604-775-0059 LPC #: 168121

Management acknowledgement (name and title): \_\_\_\_\_

The general manager may proceed with enforcement action on the basis of this  
contravention notice. The licensee will generally be notified within 45 days if  
enforcement action is proposed.

**COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)**

## COMPLIANCE MEETING

Inspector's Name: Edward Oscar Appiah Date: June 7/07  
Office Location: Vancouver - Office - 100-133 Court St

### ESTABLISHMENT INFORMATION:

Establishment Name: Kings Landing - Howard Johnson Plaza Hotel  
Establishment Address: 395 Kensington Ave. D.C. V5T 5S7  
Licence No.: 009613 Licence Class: LP Expiry date: March 2/08  
Licensee Name: Howard Johnson Plaza Hotel

### MEETING DETAILS:

Attendees at compliance meeting:

Name: <u>Deepak Dora</u>	Association/Position: <u>General Manager</u>	Contact No: <u>872-5252</u>
Name: _____	Association/Position: _____	Contact No: _____
Name: <u>Edward Oscar Appiah</u>	Association/Position: <u>lig Inspector</u>	Contact No: <u>775-0019</u>
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____

Reason compliance meeting was convened (cite CN # if relevant): Noise Complaint

Information reviewed at the meeting:

- ☐ Relevant section(s) of the Liquor Control and Licensing Act
- ☐ Relevant section(s) of the Liquor Control and Licensing Regulations
- ☐ Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual
- ☒ Relevant section(s) of the Guide to Liquor Licensees Terms of License
- ☐ Other \_\_\_\_\_

Provide a copy of my Primary Terms / Conditions  
and where id sign.

Commitments made by licensee: Noise levels - Close window doors, for

parties, Advise parties to keep noise level down  
and sign to limit excessive noise parties.

Minors - No minors on to premises; Check for two

Other: print of id, counsel staff meeting to educate  
employees.

Inspector Name: Edward Oscar Appiah Inspector Signature: \_\_\_\_\_

Licensee Name: Edward Oscar Appiah Licensee Signature: \_\_\_\_\_

## COMPLIANCE MEETING

Inspector's Name: Edward Osei Appiah Date: June 7/07  
Office Location: Vancouver - Office - 100-133 East 6th

### ESTABLISHMENT INFORMATION:

Establishment Name: King, George - Howard Johnson Plaza Hotel  
Establishment Address: 295 Mainway, North D.C. V5T 5J7  
Licence No.: 107612 Licence Class: L.P. Expiry date: March 31/08  
Licensee Name: Howard Johnson Plaza Hotel

### MEETING DETAILS:

Attendees at compliance meeting:

Name: <u>Deborah, Neece</u>	Association/Position: <u>General Manager</u>	Contact No: <u>604-9152</u>
Name: _____	Association/Position: _____	Contact No: _____
Name: <u>Edward Osei Appiah</u>	Association/Position: <u>Liq Inspector</u>	Contact No: <u>775-0019</u>
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____

- Reason compliance meeting was convened (cite CN # if relevant): None (complaints)  
Minor on premises alleged to be

Information reviewed at the meeting:

- ☐ Relevant section(s) of the Liquor Control and Licensing Act - none of the
- ☐ Relevant section(s) of the Liquor Control and Licensing Regulations \_\_\_\_\_
- ☐ Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual \_\_\_\_\_
- ☒ Relevant section(s) of the Guide to Liquor Licensees Terms / Conditions
- ☐ Other \_\_\_\_\_

Provide a copy of the Primary Terms / Conditions  
and which I'd sign.

Commitments made by licensee: None (but) - close window doors for  
parking, advise system to keep lights and doors  
closed, sign to report excessive parking.

Other: Inspector on premises, check for two  
employees.

Inspector Name: Edward Osei Appiah Inspector Signature: [Signature]  
Licensee Name: [Signature] Licensee Signature: [Signature]



BRITISH  
COLUMBIA

# CONTRAVENTION NOTICE

Establishment name: Howard Johnson Plaza Hotel

Establishment address: 395 Kingsway, VAN. B.C.

Licensee name: Howard Johnson Plaza Hotel

Licence #: 009667 Date CN issued: 01/11/2007

Date and time of alleged contravention(s): 10/04/2017 10:0025

On the date noted above, the following alleged contravention(s) of the *Liquor Control and Licensing Act* or regulation were identified:

	Contravention	Section
1	Tennis/Conventions (Lump, from 2011)	<input type="checkbox"/> Act <input type="checkbox"/> Reg
2		<input type="checkbox"/> Act <input type="checkbox"/> Reg
3		<input type="checkbox"/> Act <input type="checkbox"/> Reg
4		<input type="checkbox"/> Act <input type="checkbox"/> Reg

Details: Conducted motor inspection.

On Jan 4, 2007 - AS B 1001A

we tracked two distinct signs

Advertising - Happy Hour Specials

Inspector name: Edward D. Applegate Badge #: 87

Telephone: 604-775-0059 LPC #: \_\_\_\_\_

Management acknowledgement (name and title): \_\_\_\_\_

The general manager may proceed with enforcement action on the basis of this contravention notice. The licensee will generally be notified within 45 days if enforcement action is proposed.

**COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)**

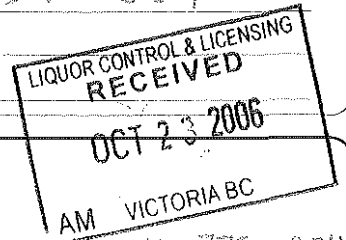


## COMPLIANCE MEETING

Inspector's Name: ED RUDEK Date: OCT 19/06  
Office Location: #100 - 133 EAST 8TH AVE. VANCOUVER B.C.

### ESTABLISHMENT INFORMATION:

Establishment Name: THE HOWARD JOHNSON PLAZA HOTEL (PKA RILTMORE)  
Establishment Address: 395 KINGSWAY VAN. B.C. V5T-3J7  
Licence No.: 009663 Licence Class: L.P Expiry date: Entered in 2005  
Licensee Name: AS ABOVE



### MEETING DETAILS:

Attendees at compliance meeting:

Name: <u>ED RUDEK</u>	Association/Position: <u>C&amp;E OFFICER</u>	Contact No: <u>604-775-0243</u>
Name: <u>STEVE BARRON</u>	Association/Position: <u>" "</u>	Contact No: <u>604-775-0093</u>
Name: <u>T.J. GILL</u>	Association/Position: <u>" "</u>	Contact No: <u>" "</u>
Name: <u>Mark Thompson</u>	Association/Position: <u>" "</u>	Contact No: <u>" "</u>
Name: <u>Brandon Loughery</u>	Association/Position: <u>" "</u>	Contact No: <u>" "</u>
Name: <u>" "</u>	Association/Position: <u>" "</u>	Contact No: <u>" "</u>

Reason compliance meeting was convened (cite CN # if relevant): VPD REPORTS (AUG 26/06 & SEPT 27/06)

Information reviewed at the meeting: VPD RESPONDED TO TWO 911 CALLS AS A RESULT OF ASSAULTS / STABBING  
& WEAPONS INFRACTIONS.

- ☒ Relevant section(s) of the Liquor Control and Licensing Act SECTION 36(2) LICENSEE MUST NOT
- ☐ Relevant section(s) of the Liquor Control and Licensing Regulations PERMIT DISORDERLY OR RIOTOUS CONDUCT
- ☐ Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual SECTION 3.47 WEAPONS.
- ☐ Relevant section(s) of the Guide to Liquor Licensees C&E MANUAL SECTION 13 DISORDERLY OR
- ☒ Other RIOTOUS CONDUCT - A LICENSEE MUST NOT AUTHORIZE  
OR PERMIT DISORDERLY OR RIOTOUS CONDUCT IN THE LICENSED  
ESTABLISHMENT. - C&E MANUAL SECTION 13.1.2 LICENSEE

Commitments made by licensee: RESPONSIBILITY TO NOTIFY POLICE OF DISORDERLY OR  
RIOTOUS CONDUCT. SEE ATTACHED!

- LICENSEE RESPONSIBLE FOR DISTURBANCE OF  
PERSONS IN THE VICINITY

VIDEO SURVEILLANCE CAMERAS MUST BE INSTALLED BY NOV 30/06.

Other VIDEO SURVEILLANCE CAMERAS INSTALLED OCT 5/06 (GDS).

Extra lighting to improve front entrance viewing. Added 2 extra swings  
front entrance walk in now.

Inspector Name: ED RUDEK Inspector Signature: [Signature]

Licensee Name: T.J. GILL Licensee Signature: [Signature]

## COMPLIANCE MEETING

Inspector's Name: ED PODEK Date: JUNE 26/06  
Office Location: #100 - 133 EAST 8<sup>th</sup> AVE VANCOUVER

### ESTABLISHMENT INFORMATION:

Establishment Name: HOWARD JOHNSON PLAZA HOTEL  
Establishment Address: 395 KINGSWAY AVE VAND. B.C. V5T-3T7  
Licence No.: 009113 Licence Class: L.P. Expiry date: \_\_\_\_\_  
Licensee Name: As Above

### MEETING DETAILS:

#### Attendees at compliance meeting:

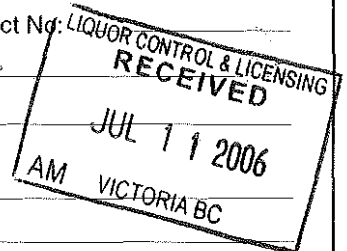
Name: <u>ED PODEK</u>	Association/Position: <u>C&amp;E OFFICER</u>	Contact No: <u>604-775-0740</u>
Name: <u>BOB NIJAR</u>	Association/Position: <u>MANAGER</u>	Contact No: _____
Name: <u>TS GILL</u>	Association/Position: <u>MANAGER</u>	Contact No: _____
Name: <u>JEFF TRACY</u>	Association/Position: <u>ASST MANAGER</u>	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____

Reason compliance meeting was convened (cite CN # if relevant): CN# B005223

FAIL TO REQUEST ID

#### Information reviewed at the meeting:

- ☒ Relevant section(s) of the Liquor Control and Licensing Act S.45(2)
- ☒ Relevant section(s) of the Liquor Control and Licensing Regulations
- ☒ Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual 11.3.1 FAIL TO REQUEST ID
- ☐ Relevant section(s) of the Guide to Liquor Licensees FROM A PERSON APPEARING UNDER
- ☐ Other THE AGE OF 25 YEARS



Commitments made by licensee: STAFF MEETINGS, PROVIDER SOB DUTIES  
\* RESPONSIBILITIES FOR ALL STAFF, SECURITY, BARTENDER ETC.  
BDS/SIR ALL STAFF HAVE CERTIFICATES. - 3 MONTH PROBATION PERIOD  
THE PRACTICE OF OFFERING MONEY TO DOORPERSON TO MOVE  
Other TO THE HEAD OF THE LINE UP WILL NO LONGER BE IN USE.  
VIP CARDS WILL BE ISSUED. LACAP DRINK SPECIALS  
WILL NOT BE AVAILABLE. SPOA CHECKS ON SECURITY/DOORPERSON

Inspector Name: ED PODEK Inspector Signature: [Signature]  
Licensee Name: BOB NIJAR Licensee Signature: \_\_\_\_\_

No. B 005223



Liquor Control and Licensing Act  
and Regulation 244/2002

### CONTRAVENTION NOTICE

Liquor Control and Licensing Branch,  
Ministry of Public Safety and Solicitor General

Establishment name: HOWARD JENNISON PUB LTD

Establishment address: 345 Kingsway Van B.C.

V5T-3S7

Licensee name: As Above

Licence #: 009663 Date CN issued: MM/DD/YY

Date and time of alleged contravention(s): MM/DD/YY 10:00 PM

On the date noted above, the following alleged contravention(s) of the  
Liquor Control and Licensing Act or regulation were identified:

	Contravention	Section
1	FAIL TO REQUEST ID	<input type="checkbox"/> Act <input type="checkbox"/> Reg
2		<input type="checkbox"/> Act <input type="checkbox"/> Reg
3		<input type="checkbox"/> Act <input type="checkbox"/> Reg
4		<input type="checkbox"/> Act <input type="checkbox"/> Reg

Details: TWO YOUNG FEMALES PATRONS

Female Patronage, Big of beer

Twenty pounds to the door man

one female Patron had no ID. (Seppin)

JOHN PAID TWO TWENTY TO GET IN.

Inspector name: Paul P... Badge #: 68

Telephone: 604-775-0240 LPC #:

Management acknowledgement (name and title):

The general manager may proceed with enforcement action on the basis of this  
contravention notice. The licensee will generally be notified within 45 days if  
enforcement action is proposed.

COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)

**Howard Johnson Plaza Hotel  
Ice Bar  
395 Kingsway Ave.  
Vancouver B.C. V5T 3J7**

June 28, 2006

**Reasons for No Enforcement Action Recommended (NEAR) for the above establishment, Liquor License #009663**

Contravention NoticeB005223 issued for Failure to request ID from a person appearing under 25 years.

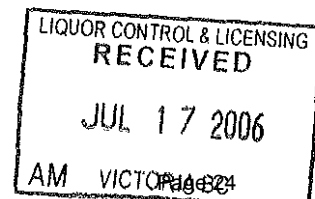
The contravention was issued on May 19<sup>th</sup>, 2006 at 11:20PM, the incident occur at the front doors of the establishment, two patrons were witnessed handing a twenty dollar bill to the front door person. The inspection team did not witness the request for ID, which the doorperson claims to have done. The patrons were permitted entry, the patrons then stopped at the coat check to check their coats and backpack. The inspection team went back in to the establishment and proceeded to ask the patrons for ID. One patron produced her ID, and was of age, the second patron could not produce her ID. The second patron told the VPD and the C&E officer that she lost her ID at the doorway. The team try to locate her ID to no avail. VPD escorted patron outside to discuss ID and personnel information, the patron would not give her name or any identification. When the VPD officers finally received information from the patron, it was found she had an outstanding warrant. The patron was then taken to the police station.

The Manager Jeff Traversy, informed C&E officer the following week that the patron had produced ID at the door, and when the patron saw the VPD officers she quickly place her ID in the backpack that was checked at the door. The patron was attempting to remain anonymous in fear of being arrested if her ID was found.

Licensees attended a Compliance Meeting on June 27<sup>th</sup>, 2006, statements from staff, doorpersons was submitted, stating that the patron had produce ID and the ID was located in her backpack. Further issues were discussed at the meeting, the licensee provided copies of policy for Staff/Doorpersons and Bartenders. Regular staff meeting are held nightly and any incidents are logged in an incident report book.

The licensee has installed 8 (GDS) video surveillance cameras around the establishment and is in the process of installing video cameras at the front entrance, the video records will be saved for one week.

The proposed name for the club will be Kings Crossing (Sports Bar), the club will no longer serve jugs of beer and the door security will issue VIP cards instead of accepting money as a way to bypass the line up. These changes are an attempt to improve their cliental.



The above information is the reason to change the contravention to a NEAR instead of an EAR.



BRITISH  
COLUMBIA

LIQUOR CONTROL & LICENSING  
RECEIVED

MAR - 9 2006

AM VICTORIA BC

Ministry of  
Public Safety and  
Solicitor General

Liquor Control and  
Licensing Branch

Mailing Address:  
PO Box 9292 Stn Prov Govt  
Victoria, B.C. V8W 9J8  
Telephone: (250) 387-1254  
Facsimile: (250) 387-9184

No. C002681

Entered in POSSE

## COMPLIANCE MEETING

Inspector's Name: ED PODEK Date: MAR 7/06  
Office Location: #100 - 133 EAST 8th AVE VAN. B.C.

### ESTABLISHMENT INFORMATION:

Establishment Name: HOWARD JOHNSON PLAZA HOTEL  
Establishment Address: 395 KINGSWAY AVE B.C. V5T-3J7  
Licence No.: 009003 Licence Class: L.P. Expiry date: MAR 31/06  
Licensee Name: HOWARD JOHNSON - 636608 B.C. LTD

### MEETING DETAILS:

Attendees at compliance meeting:

Name: <u>ED PODEK</u>	Association/Position: <u>C&amp;E OFFICER</u>	Contact No: <u>604-776-0210</u>
Name: <u>BOB NITTA</u>	Association/Position: <u>OWNER/OPERATOR</u>	Contact No: <u>604-828-1951</u>
Name: <u>J.J. GILL</u>	Association/Position: <u>MANAGER</u>	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____

Reason compliance meeting was convened (cite CN # if relevant): B008377 ISSUED AGAINST ESTABLISHMENT  
- REASON: PERMIT INTOXICATED PATRON TO REMAIN S.43(2)(b)

Information reviewed at the meeting:

- ☐ Relevant section(s) of the Liquor Control and Licensing Act S 42(2)(b)
- ☐ Relevant section(s) of the Liquor Control and Licensing Regulations
- ☒ Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual C&E MANUAL SECTION 14.3.1
- ☒ Relevant section(s) of the Guide to Liquor Licensees PERMITTING A PERSON INTOXICATED PERSON
- ☐ Other TO REMAIN. STAFF/MANAGEMENT ARE RESPONSIBLE TO  
ENSURE PATRONS DO NOT BECOME INTOXICATED & ALLOW TO REMAIN

LIGHTING TO BE INCREASED IN BACK AREA BY 15 FEET  
THE BEER SEATING AREA IS VERY DARK, UNABLE  
Commitments made by licensee: TO SEE PROPERLY.

LIGHTING INCREASE, STAFF WILL PAY SPECIAL ATTENTION  
TO THIS AREA. - PRICE OF BEER INCREASED TO 4.50  
Other REVIEW FLOOR PLANS, STRUCTURAL CHANGE (N/A) NO USE OF  
FOSS.

Inspector Name: ED PODEK Inspector Signature: [Signature]  
Licensee Name: P. NITTA Licensee Signature: [Signature]

## Compliance Meeting

Date: Mar 07, 2006 Permit intoxicated person to remain, s. 43(2)(b)

Effective Start Date:

Effective End Date:

### Details

Date: Mar 7, 2006

Comments: Compliance Meeting #C002681

Howard Johnson Plaza Hotel

Issued CN# B008377 for Permitting intoxicated patron to remain. s.43(2)(b)  
C&E Manual Section 14.3.1 Permitting a intoxicated patron to remain.

Attendees: Ed Pudek C&E Officer  
Licensee Bob Nijjar, T.J. Gill and Security Manager Jeff Traversly

Staff/Management are responsible to ensure patrons do not become intoxicated. Staff are also responsible if a intoxicated patron is allow to remain. The Patron must be removed to a unlicensed area for the safety others and themselves. Staff should make arrangements to ensure patron is providing safe transportation home.

The lighting in the area where the patron was located was nonexistent. Licensee will increase lighting for the entire licensed area.

Other commitments made by licensee; They will no longer have cheap beer nights(\$1.50) beer will be price at 4.50 a pint instead. Jugs will no longer be used, just pint glasses.

009663

Licence

Project ID

Topic: C Permit intoxicated person to remain, s. 43(2)(b)

### Inspectors

### Licence

Job	Type	Status	Created	Issued	Completed
External File Number	Address	Description			
000712780-001	Liquor Primary	Howard Johnson Plaza Hotel - 395 King	Nov 19, 1962	Feb 15, 1982	Feb 15, 1982
009663	Howard Johnson Plaza Hotel	Howard Johnson Plaza Hotel - 395 Kingsway	VANCOUVER, BC	V5T 3J7	

### Legal Entity

No. B 008377



BRITISH  
COLUMBIA

Liquor Control and Licensing Act  
and Regulation 244/2002

**CONTRAVENTION NOTICE**

Liquor Control and Licensing Branch,  
Ministry of Public Safety and Solicitor General

Establishment name: HOWARD JOHNSON AKA BILMOR

Establishment address: 395 KINGSWAY AVE.  
VAN. B.C. V5T-3J7. (636608 BC H1D)

Licensee name: HOWARD JOHNSON PLAZA HOTEL

Licence #: 009663 Date CN issued: MM/BB/YY

Date and time of alleged contravention(s): MM/BB/YY 00:00

On the date noted above, the following alleged contravention(s) of the  
Liquor Control and Licensing Act or regulation were identified:

	Contravention	Section
1	PERMIT INTOXICATION	<input type="checkbox"/> Act <input type="checkbox"/> Reg
2	PATRON TO REMAIN 3.43/2/15	<input type="checkbox"/> Act <input checked="" type="checkbox"/> Reg
3		<input type="checkbox"/> Act <input type="checkbox"/> Reg
4		<input type="checkbox"/> Act <input type="checkbox"/> Reg

Details: INTOXICATED PATRON LOCATED

AT BACK OF BAR. DJ & STAFF

IN VIEW OF INTOXICATED PATRON.

STAFF REMOVING PATRON.

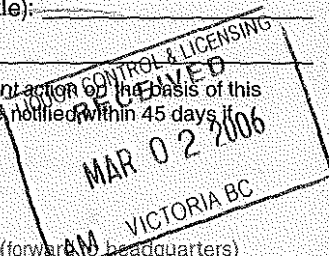
JEFF - MANAGER.

Inspector name: E. RUBEN Badge #: 68

Telephone: 604-775-0240 LPC #: \_\_\_\_\_

Management acknowledgement (name and title): \_\_\_\_\_

The general manager may proceed with enforcement action on the basis of this  
contravention notice. The licensee will generally be notified within 45 days if  
enforcement action is proposed.



COPY 3: LCLB HEADQUARTERS COPY (forwarded to headquarters)



## No Enforcement Action Recommended

**Re: Contravention Notice Number:** B008377

**Contravention Notice Date:** Feb 25, 2006

**Job No:** 000712780-049

**Inspector:** Ed Pudek

**Date**

**Prepared:** Feb 28, 2006

**Office Location:** Vancouver

**Submitted To:** Lee Murphy

---

### Establishment Information:

**Establishment Name:** Howard Johnson Plaza Hotel

**Establishment Address:** 395 Kingsway  
VANCOUVER, BC V5T 3J7

**Licence No:** 009663

**Licence Class:** Liquor Primary

**Expiry Date:** Mar 31, 2006

**Licensee Name:** Private Corporation: 636608 B.C. Ltd. c/o Khanna, Baldev

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### Terms and Conditions noted on licence face:

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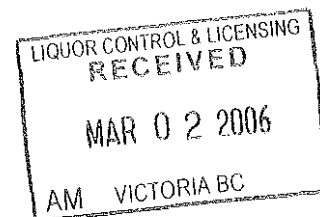
### Contravention Information:

**Contravention Name (e.g. supplying to minors)**

**Date and Time identified**

1. Permit intoxicated person to remain, s.  
43(2)(b)

1. Feb 25, 2006 12:10 AM
- 



---

## Review and Analysis:

I have reviewed:

Facts and circumstances of the contravention

☒ Yes

☐ No

Establishment compliance history

☒ Yes

☐ No

\* Number of contravention notices on file: 14

\* Number of contravention notices in past 12 months: 1

\* Name, date(s) of any proved contravention(s) and the enforcement action taken:

\* Fail to request ID, Reg. s. 45(2), January 09, 2003, 3 day suspension

\* Fail to request ID, Reg. s. 45(2), January 04, 2003, 3 day suspension

\* Minors in premises, s. 35, November 23, 2002, 1 day suspension

\* Supply to minors, s. 33, November 23, 2002, 4 day suspension

\* Supply to minors, s. 33, November 15, 2002, 5 day suspension

\* Supply to minors, s. 33, November 09, 2002, 5 day suspension

Licensee compliance history

☒ Yes

☐ No

\* If no, please explain:

Other file information

☒ Yes

☐ No

Compliance and Enforcement Program, Policy and Procedures Manual

☒ Yes

☐ No

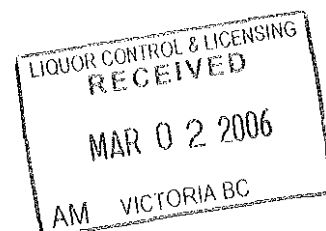
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## Reasons no enforcement action recommended:

First contravention of this type for this establishment.

I'm not recommending enforcement action at this time due to recent changes that management is attempting to do. This includes creating a better environment and atmosphere of the establishment by appealing to a different clientele. Spoke with new Manager Jeff Traversly, manager informed the C&E officer of the changes to the establishment are forthcoming. The establishment will be going through a complete renovations, changing to a sports bar. Discuss issues at a compliance meeting, schedule for March 7/06 at 11:00am.

---





Ministry of  
Public Safety and  
Solicitor General

Liquor Control and  
Licensing Branch

Mailing Address:  
PO Box 9292 Stn Prov Govt  
Victoria, B.C. V8W 9J8  
Telephone: (250) 387-1254  
Facsimile: (250) 387-9184

No. C002628

## COMPLIANCE MEETING

Inspector's Name: ED PUBEK Date: JAN 24/06  
Office Location: SUITE 100 - 133 EAST 8<sup>th</sup> AVE. VAN. B.C.

### ESTABLISHMENT INFORMATION:

Establishment Name: HOWARD JOHNSON PLAZA HOTEL  
Establishment Address: 395 KINGSWAY AVE. VAN. B.C. V5T-3J7  
Licence No.: 009663 Licence Class: L.P. Expiry date: MAR 31/06  
Licensee Name: HOWARD JOHNSON PLAZA HOTEL 636608 B.C. LTD.

### MEETING DETAILS:

Attendees at compliance meeting:

Name: <u>T.J. Gill</u>	Association/Position: <u>G.M.</u>	Contact No: <u>778-895-2224</u>
Name: <u>Bob Nijjar</u>	Association/Position: <u>OWNER</u>	Contact No: <u>604-828-1951</u>
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____

Reason compliance meeting was convened (cite CN # if relevant): CN# B008375 ISSUED FOR VPD

Information reviewed at the meeting: INCIDENT THAT OCCURRED NOV 19/05 - PATRONS SURROUNDED POLICE & ASSAULTED OFFICER WHILE PATRONS WERE EXITING ESTABLISHMENT @ 3:15 AM. LIQUOR SERVICE ENDED @ 2:00 AM.

- ☐ Relevant section(s) of the Liquor Control and Licensing Act
- ☒ Relevant section(s) of the Liquor Control and Licensing Regulations 44(1)(a) FAIL TO CLEAR PATRONS WITHIN 1/2 HOUR AFTER LIQUOR SERVICE ENDS. C & E MANUAL 19.2.1
- ☐ Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual
- ☐ Relevant section(s) of the Guide to Liquor Licensees
- ☒ Other VPD CASE FILE# 05-279103 & FILE# 06-4591

NOV 19/05 - ASSAULTS (PATRONS & VPD) COMMUNITY SAFETY ISSUES  
JAN 06 - SHOOTING (PATRONS FROM EST). " " "  
SEE ATTACHED REPORTS IN EST. FILE.

Commitments made by licensee:

(1) Release previous Management Fined  
(2) Will Send you new business Plan we took over Jan 19

Other MODES TO BE FORWARDED TO BE FORWARDED TO LICENSEES TO INSTALL WEAPON DETECTORS AND VIDEO CAMERAS.

Inspector Name: ED PUBEK

Licensee Name: RS/H

LIQUOR CONTROL & LICENSING  
RECEIVED  
JAN 26 2006

Inspector Signature: [Signature]

Licensee Signature: [Signature]

## Compliance Meeting

Date: Jan 24, 2006 Fail to clear patrons within 1/2 hours after liquor service hours, Reg. s. 44(1)(a)

Effective Start Date:

Effective End Date:

### Details

Date Jan 24, 2006  
Comments Howard Johnson Night Club (AKA Biltmore Ice Night club)

Recent incidents created a need to hold a compliance meeting.

Vancouver Police Dept had to attend three separate incidents that occurred at the above establishment, first one was to do with patron assaults and VPD (Nov 19/05), 2nd indecent was a shooting (Jan 7/06), and the 3rd one resulted in a stabbing (Jan 20/06).

This establishment is returning to it's old ways. Serious public safety issues are at stake. The local community is at risk due to the criminal behavior taking place at this establishment.

LCLB Officer Ed Pudek issued CN# B008375 for Fail to Clear Patrons 1/2 hour after liquor service ends. Police report indicated on Nov 19/05 at 0300- 0315 hours(early Sunday morning Nov 20/05) A fight between Patrons occurred and VPD attended. VPD were trying to bring some order to the crowd coming out of the Bar and were surrounded and assaulted by patrons. VPD report shows that 0315 patrons were still exiting the establishment.

Attendees : T.J. Gill GM new Manager as of Jan20th/06

Bob Nijjar Owner

Ed Pudek C&E Officer

Lou Helmes C&E Officer

Items discussed- VPD reports(3) Community safety concerns

Failing to clear Patrons 1/2 hour after liquor service ends.

Commitments by Licensee: Released previous Manager

s. 22

s. 22

viii provide new policy and procedures for staff and their new business plan.(to be forwarded this week)

Licensees will install weapon detectors and video surveillance cameras.

009663

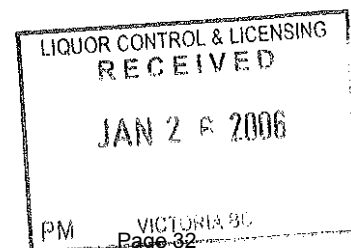
Licence  
Project ID  
Topic C Fail to clear patrons within 1/2 hours after liquor service hours, Reg. s. 44(1)(a)

### Inspectors

### Licence

Job	Type	Status	Created	Issued	Completed
External File Number	Address	Description			
000712780-001	Liquor Primary	Howard Johnson Plaza Hotel - 395 King	Nov 19, 1962	Feb 15, 1982	Feb 15, 1982
009663	Howard Johnson Plaza Hotel	Howard Johnson Plaza Hotel - 395 Kingsway VANCOUVER, BC	V5T 3J7		

### Legal Entity



NO. B 008375

BRITISH  
COLUMBIALiquor Control and Licensing Act  
and Regulation 244/2002**CONTRAVENTION NOTICE**Liquor Control and Licensing Branch,  
Ministry of Public Safety and Solicitor GeneralEstablishment name: HOWARD JONASSEN PLAZAEstablishment address: 395 KINGSTOWN AVE.VAN. B.C. V5T-3J7  
67500 B.C. LTB.Licensee name: AS ABOVE (LP BAR)Licence #: 009663 Date CN issued: 01/10/05Date and time of alleged contravention(s): 01/10/05 00:05On the date noted above, the following alleged contravention(s) of the  
Liquor Control and Licensing Act or regulation were identified:

	Contravention	Section
1	FAIL TO CLEAR PATRONS	<input type="checkbox"/> Act <input type="checkbox"/> Reg
2	UNLAW 1/2 HOUR AFTER LAST SERVICE	<input type="checkbox"/> Act <input type="checkbox"/> Reg
3	HOURS. LIQUOR SERVICE ENDS 44(1)(a)	<input type="checkbox"/> Act <input checked="" type="checkbox"/> Reg
4	@ 2:00 AM.	<input type="checkbox"/> Act <input type="checkbox"/> Reg

Details: VPD REPORT CASE# 05-279103PATRONS ASSAULTED. VPD RESPONDED.PATRONS SUBSEQUENTLY ASSAULTED VPDOFFICER. PATRONS STILL EXITING BAR@ 2:15 AM.Inspector name: ED PUDER Badge #: 42Telephone: 604-775-0240 LPC #: \_\_\_\_\_

Management acknowledgement (name and title): \_\_\_\_\_

LIQUOR CONTROL & LICENSING  
The general manager may proceed with enforcement action on the basis of this  
contravention notice. The licensee will generally be notified within 45 days if  
enforcement action is proposed.

JAN 31 2006

COPY 3: LCLBC HEADQUARTERS COPY (forward to headquarters)  
PM VICTORIA BC

## No Enforcement Action Recommended

**Re: Contravention Notice Number:** B008375

**Contravention Notice Date:** Jan 24, 2006

**Job No:** 000712780-048

**Inspector:** Ed Pudek

**Date**

**Prepared:** Jan 25, 2006

**Office Location:** Vancouver

**Submitted To:** Lee Murphy

---

### Establishment Information:

**Establishment Name:** Howard Johnson Plaza Hotel

**Establishment Address:** 395 Kingsway  
VANCOUVER, BC V5T 3J7

**Licence No:** 009663

**Licence Class:** Liquor Primary

**Expiry Date:** Mar 31, 2006

**Licensee Name:** Private Corporation: 636608 B.C. Ltd. c/o Khanna, Baldev

**Terms and Conditions noted on licence face:**

---

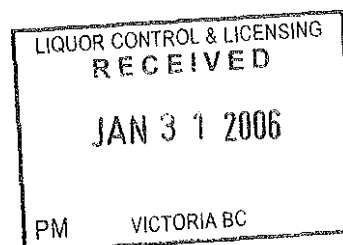
### Contravention Information:

**Contravention Name (e.g. supplying to minors)**

**Date and Time identified**

- I. Fail to clear patrons within 1/2 hours after  
liquor service hours, Reg. s. 44(1)(a)

- I. Nov 20, 2005 3:05 AM
- 



---

**Review and Analysis:**

I have reviewed:

Facts and circumstances of the contravention

☒ Yes☐ No

Establishment compliance history

☒ Yes☐ No

\* Number of contravention notices on file: 13

\* Number of contravention notices in past 12 months: 0

\* Name, date(s) of any proved contravention(s) and the enforcement action taken:

\* Fail to request ID, Reg. s. 45(2), January 09, 2003, 3 day suspension

\* Fail to request ID, Reg. s. 45(2), January 04, 2003, 3 day suspension

\* Minors in premises, s. 35, November 23, 2002, 1 day suspension

\* Supply to minors, s. 33, November 23, 2002, 4 day suspension

\* Supply to minors, s. 33, November 15, 2002, 5 day suspension

\* Supply to minors, s. 33, November 09, 2002, 5 day suspension

Licensee compliance history

☒ Yes☐ No

\* If no, please explain:

Other file information

☒ Yes☐ No

Compliance and Enforcement Program, Policy and Procedures Manual

☒ Yes☐ No

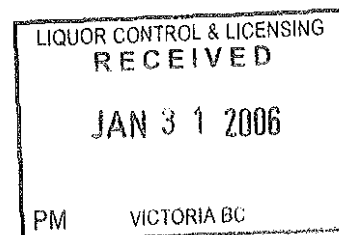
---

**Reasons no enforcement action recommended:**

Three separate incidents (VPD) has drawn the attention of the LCLB to this establishment, The Howard Johnson has gone through some changes recently, changes to Management from the Biltmore to the Howard Johnson.

This establishment has nor received a Contravention since 2004 for Fail to request Id. A compliance meeting was completed on Jan 24/06. The Manager of the Bar has been released of his duties. a New Manager has be hired, a new business plan for establishment is being developed. Weapon detectors and video surveillance will be installed. Increased inspections will take place. Therefor I am not recommending enforcement at this time.

---





FILE COPY

October 7, 2004

Biltmore Motor Hotel  
395 Kingsway  
Vancouver, BC V5T 3J7

Liquor Licence : 009663  
Establishment Type: Liquor Primary

RE: Section 45 (2)  
Liquor Control & Licensing Regulations  
Failure to Request Identification

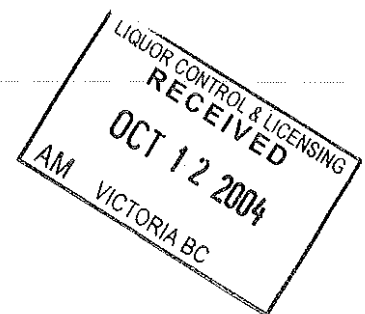
This is to advise that recently, agents of the Liquor Control & Licensing Branch were employed to determine the level of compliance with the above regulation within your establishment. These agents are all between the ages of 19-25 and all appear to be under the age of 25. They all carried the required 2 pieces of approved identification and were under the supervision of a Liquor Inspector. The details of the date and time of the contravention are contained in the attached Contravention Notice.

**The result of this inspection showed that your establishment was in not in compliance with Section 45 (2) LCL Regs., in that the agents were not asked for the required 2 pieces of approved identification. The agents were able to enter your establishment and to purchase alcohol without producing the required 2 pieces of approved identification.**

I must remind you that the Branch takes the issue of access by minors to alcohol as a serious public safety issue. The regulations require the **mandatory** ID check on all persons who appear to be under 25, every time they enter the premises. We expect that you will take immediate steps to come into compliance, as these inspections will be carried out on a continuous basis.

A Liquor Inspector will be reviewing your compliance history to determine if further enforcement action is necessary, and if so you will be advised accordingly. If you require further details, please feel free to contact the Inspector who issued the Contravention Notice.

Lee Murphy, Regional Manager  
Compliance and Enforcement Division  
Liquor Control and Licensing Branch - Vancouver Regional Office







BRITISH  
COLUMBIA

No. B004738

Liquor Control and Licensing Act  
and Regulation 244/2002

**CONTRAVENTION NOTICE**

Liquor Control and Licensing Branch,  
Ministry of Public Safety and Solicitor General

Establishment name: Biltmore Hotel  
Establishment address: 395 Kingsway Ave  
Licensee name: 636608 BC LTD.  
Licence #: 009663 Date CN issued: MM/DD/YYYY  
Date and time of alleged contravention(s): MM/DD/YYYY 00:00:00

On the date noted above, the following alleged contravention(s) of the  
*Liquor Control and Licensing Act* or regulation were identified:

	Contravention	Section
1	<u>Fail to Request I.D.</u>	S.45(2) <input type="checkbox"/> Act <input checked="" type="checkbox"/> Reg
2		<input type="checkbox"/> Act <input type="checkbox"/> Reg
3		<input type="checkbox"/> Act <input type="checkbox"/> Reg
4		<input type="checkbox"/> Act <input type="checkbox"/> Reg

Details: Minors project

Inspector name: M. Tremblay Badge #: 76  
Telephone: 604-775-0071 LPC #: \_\_\_\_\_  
Management acknowledgement (name and title): mailed

The general manager may proceed with enforcement action on the basis of this  
contravention notice. The licensee will generally be notified within 45 days if  
enforcement action is proposed.

COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)

## **Martin, Shirley SG:EX**

---

**From:** Rioux, Mandy SG:EX  
**Sent:** Tuesday, August 17, 2004 11:39 AM  
**To:** Martin, Shirley SG:EX  
**Subject:** RE: Biltmore Hotel EH 04-020

Hi,

Yes, the letter should be in your inbox. The reason is lack of evidence. Can you tell me if there's a lawyer for the Biltmore?

Thanks,  
Mandy

-----Original Message-----

**From:** Martin, Shirley SG:EX  
**Sent:** Monday, August 16, 2004 10:07 AM  
**To:** Rioux, Mandy SG:EX  
**Subject:** FW: Biltmore Hotel EH 04-020

Hi,

Will I be receiving a withdrawal letter for this soon, and if so in order to enter in Posse I need a reason for the withdrawal such as one of the following:

- Time Delay
- Lack of Evidence
- Policy Change
- Act/Regulation Change

Please advise.  
Thanks,  
Sam

-----Original Message-----

**From:** Noorani, Shahid SG:EX  
**Sent:** Wednesday, August 11, 2004 10:06 AM  
**To:** Tatchell, Mark SG:EX; Barker, Elizabeth SG:EX  
**Cc:** Barron, Stephen SG:EX; Murphy, Lee I SG:EX; Martin, Shirley SG:EX  
**Subject:** Biltmore Hotel EH 04-020

I have advised the licensee by telephone this morning of the Branch's decision to withdraw the allegation of minor on the premise and cancel the hearing for tomorrow.

Mark, does the standard withdrawal letter need to be delivered to the licensee?

Thanks..Shahid



August 12, 2004

BY FAX: (604) 874-5252

636608 B.C. Ltd  
c/o Baldev Khanna  
395 Kingsway  
Vancouver, BC V5T 3J7

Dear Baldev Khanna:

**RE: Biltmore Motor Hotel, 395 Kingsway, Vancouver, BC  
Liquor Primary, Liquor Licence No. 009663**

**EH04-020**


The purpose of this letter is to inform you that the Liquor Control and Licensing Branch is no longer pursuing enforcement action for the following contravention(s):

No	Contravention Name	Section of Act / regulation / term and condition of the licence	Date of alleged Contravention	Contravention Notice Number	Date of NOEA
1.	Minors in premises, s.35	LCLA s. 35	January 25, 2004	B001258	March 30, 2004

Although the contravention(s) identified above will no longer proceed to an enforcement hearing, please be advised that the Contravention Notice issued will remain on your file.

If you have any questions about the matters covered in this letter please contact Stephen Barron, the liquor inspector responsible for your area at (604) 775-0093.

Yours truly,

  
Mark Tatchell  
A/Deputy General Manager  
Compliance and Enforcement

cc: Lee Murphy, Regional Manager  
Stephen Barron, Liquor Inspector  
Elizabeth Barker, Registrar  
Shahid Noorani, Branch Advocate  
Shirley Martin, Case Management Administrator

Ministry of Public  
Safety and Solicitor  
General

Liquor Control and  
Licensing Branch

Mailing Address:  
PO Box 9292 Stn Prov Govt  
Victoria BC V8W 9J8  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor, 1019 Wharf Street  
Victoria BC

<http://www.ag.gov.bc.ca/lclb/>



May 18, 2004

Bhupinder Nijjar 636608 B.C. Ltd. c/o Biltmore Motor Hotel 395 Kingsway Vancouver, BC V5T 3J7  Phone: (604) 872-5252 Fax: (604) 874-3003	Shahid Noorani, Branch Advocate Liquor Control and Licensing Branch Surrey Regional Office 101-9180 King George Hwy Surrey, BC V3V 5V9  Phone: (604) 586-2649 Fax: (604) 586-2640
---------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Re: Biltmore Motor Hotel, Vancouver, BC**  
**"Liquor Primary" Licence No. 009663**

**Case # EH04-020**

This letter confirms our conversation of today and your agreement for the Branch to re-locate the enforcement hearing scheduled August 12, 2004, to the Surrey Regional Office.

**Status**

Enforcement Hearing Date:

**August 12, 2004, commencing at 9:30 A.M.**  
(Please note that the hearing date will only be postponed in exceptional circumstances).

Hearing Location:

**Liquor Control and Licensing Branch  
Surrey Regional Office  
101 – 9180 King George Hwy.  
Surrey, BC  
(604) 586-2648**

Hearing Adjudicator:

**Edward W. Owsianski**

Thank you. If you have any questions, please contact me at (250) 356-0010.

Yours truly,

**Shirley A. Martin**  
Case Management Administrator

cc: Adjudicator Edward W. Owsianski  
Liquor Inspector Stephen Barron

**Ministry of Public Safety  
and Solicitor General**

**Liquor Control and  
Licensing Branch**

**Mailing Address:**  
PO Box 9292 Stn Prov Govt  
Victoria BC V8W 9J8  
**Telephone:** 250 387-1254  
**Facsimile:** 250 387-9184

**Location:**  
Second Floor, 1019 Wharf Street  
Victoria BC

**http://www.pssg.gov.bc.ca/lclb**

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hp officejet d155xi  
printer/fax/scanner/copier

**Fax-History Report for**

May 18 2004 11:08am

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**Last Transaction**

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
May 18	11:07am	Fax Sent	816048743003	0:58	2	OK

---



**Ministry of Public Safety  
and Solicitor General**

**Liquor Control and Licensing**

PO BOX 9292 STN PROV GOVT

VICTORIA BC V8W 9J8

Telephone: 250 387-1254

Fax: 250 387-9184

**This facsimile may be CONFIDENTIAL, and is intended only for the use of the person to whom it is addressed. Any distribution, copying or other use by anyone else is strictly prohibited. If you have received this facsimile in error, please telephone us immediately and destroy it.**

DATE: May 18, 2004 URGENT: NO: \_\_\_\_\_ YES: X  
CONFIDENTIAL: NO: \_\_\_\_\_ YES: X

TO: .Bob Nijjar  
OFFICE: Biltmore Hotel  
PHONE: (604) 872-5252  
FAX: (604) 874-3003  
CC: \_\_\_\_\_

RE: Letter confirming re-locating the hearing to the Surrey Regional Office.

With Thanks,

Shirley

FROM: Shirley Martin  
A/Case Management Administrator  
OFFICE: Liquor Control & Licensing Branch  
PHONE: (250) 356-0010  
FAX: (250) 356-1254

NUMBER OF PAGES BEING TRANSMITTED (INCLUDING THIS ONE): \_\_\_\_\_  
**If all pages are not received please telephone the sender.**

HARD COPY TO FOLLOW: NO: \_\_\_\_\_  
BY MAIL: \_\_\_\_\_  
BY COURIER: \_\_\_\_\_  
BY HAND: \_\_\_\_\_



April 27, 2004

BY FAX: (604) 874-5252

636608 B.C. Ltd  
c/o Baldev Khanna  
395 Kingsway  
Vancouver, BC V5T 3J7

Dear Baldev Khanna:

**RE: Biltmore Motor Hotel, 395 Kingsway, Vancouver, BC**  
**Liquor Primary, Liquor Licence No. 009663**

**EH04-020**

The purpose of this letter is to inform you that the Liquor Control and Licensing Branch is no longer pursuing enforcement action for the following contravention(s):

No	Contravention Name	Section of Act / regulation / term and condition of the licence	Date of alleged Contravention	Contravention Notice Number	Date of NOEA
1.	Fail to request ID	Reg. s. 45(2)	January 25, 2004	B001258	March 18, 2004

Although the contravention(s) identified above will no longer proceed to an enforcement hearing, please be advised that the Contravention Notice issued will remain on your file.

This does not affect the enforcement action being pursued for the following contraventions identified:

No	Contravention Name	Section of Act / regulation / term and condition of the licence	Date of alleged Contravention	Contravention Notice Number	Date of NOEA
2.	Minors in premises	s.35	January 25, 2004	B001258	March 18, 2004

Ministry of Public  
Safety and Solicitor  
General

Liquor Control and  
Licensing Branch

Mailing Address:  
PO Box 9292 Stn Prov Govt  
Victoria BC V8W 9J8  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor, 1019 Wharf Street  
Victoria BC

<http://www.ag.gov.bc.ca/lclb/>

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If you have any questions about the matters covered in this letter please contact Stephen Barron, the liquor inspector responsible for your area at (604) 775-0093.

Yours truly,

A handwritten signature in black ink, appearing to read 'Mark Tatchell', with a long horizontal stroke extending to the right.

Mark Tatchell  
A/Deputy General Manager  
Compliance and Enforcement

cc: Lee Murphy, Regional Manager  
Stephen Barron, Liquor Inspector  
Elizabeth Barker, Registrar  
Shahid Noorani, Branch Advocate  
Shirley Martin, Case Management Administrator





April 26, 2004

Bhupinder Nijjar 636608 B.C. Ltd. c/o Biltmore Motor Hotel 395 Kingsway Vancouver, BC V5T 3J7  Phone: (604) 872-5252 Fax: (604) 874-3003	Shahid Noorani, Branch Advocate Liquor Control and Licensing Branch Surrey Regional Office 101-9180 King George Hwy Surrey, BC V3V 5V9  Phone: (604) 586-2649 Fax: (604) 586-2640
---------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Re: Biltmore Motor Hotel, Vancouver, BC**  
**"Liquor Primary" Licence No. 009663**

**Case # EH04-020**

This letter records the results of a telephone pre-hearing conference held on April 26, 2004, attended by

Bhupinder Nijjar	Licensee
Shahid Noorani	Branch Advocate

**Status**

Enforcement Hearing Date: **August 12, 2004**, commencing at **9:30 A.M.**  
(Please note that the hearing date will only be postponed in exceptional circumstances).

Hearing Location: Liquor Control and Licensing Branch  
Vancouver Regional Office  
101 – 133 East 8<sup>th</sup> Avenue  
Vancouver, BC  
(604) 660-7723

Hearing Adjudicator: To be determined

Final Date for Production of Documents and Witness names: July 26, 2004

Ministry of Public Safety  
and Solicitor General

Liquor Control and  
Licensing Branch

Mailing Address:  
PO Box 9292 Stn Prov Govt  
Victoria BC V8W 9J8  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor, 1019 Wharf Street  
Victoria BC

[http:// www.pssg.gov.bc.ca/clb](http://www.pssg.gov.bc.ca/clb)  
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### **Failure to attend**

If the licensee fails to appear at the hearing, the Enforcement Hearing Adjudicator may adjourn the hearing or conduct the hearing without the licensee. When the hearing proceeds without the licensee, the adjudicator will make findings based on the evidence presented by the Branch advocate without the benefit of the licensee's evidence and argument. If the adjudicator decides that the contravention(s) did occur and that enforcement action is appropriate, he or she may accept the penalty recommended in the Notice of Enforcement Action (the "NOEA"), impose a higher penalty, impose a lesser penalty or impose no penalty.

### **Alleged Contravention and Recommended Enforcement Action**

The Branch's allegations and recommended enforcement action are set out in the Notice of Enforcement Action dated March 30, 2004, which the licensee acknowledges having received. The Branch alleges that

1. On January 25, 2004, the licensee contravened section 35 of the *Liquor Control and Licensing Act* by permitting a minor to enter on or to be on premises where liquor is sold or kept for sale. The recommended enforcement action is a three (3) day suspension of the liquor licence.
2. On January 25, 2004, the licensee contravened section 45(2) of the *Liquor Control and Licensing Regulations* by failing to request two (2) pieces of identification from a person appearing to be under the age of 25 before allowing the person to enter the licensed establishment. The recommended enforcement action is a three (3) day suspension of the liquor licence.

The Branch advocate stated that the Branch will withdraw the section 45(2) *Regulations* contravention and will only proceed with the contravention of section 35 of the *Act*. The Branch advocate will send the licensee a written confirmation of this.

The licensee disputes the contravention and would like the opportunity to explain to the decision maker about its clientele and the steps that it has taken to comply with what the legislations says about minors.

### **Witnesses**

The Branch advocate stated that he will call liquor inspectors Stephen Barron and Doug Dyck to testify at the hearing.

The licensee stated that he will testify as will Keith Collimore, manager, and Craig States, manager.

### **Disclosure of Evidence**

At the time that he received the NOEA and its appendices, the licensee was provided with documentation which included CN #B001258, the license, the floor plan and the Enforcement Hearing Rules. However, he was not sent copies of the previous contravention notices that are listed in Appendix A of the NOEA.

The Branch advocate will provide the licensee with copies of:

- The contravention notices mentioned in the NOEA;
- Policy materials regarding the terms and conditions of the license;
- A copy of the seized Native Status card;
- The liquor inspectors' notes.

The Branch advocate did not request any documentation from the licensee.

I directed that the Branch advocate provide the above documentation to the licensee by July 26, 2004. Copies of any other documents that the licensee or the Branch intends to produce at the hearing must be provided to the other party by no later than **July 26, 2004**. This is also the final date for confirmation of any changes to the list of witnesses who will be called to testify at the hearing.

Failure to produce documents or identify witnesses within the timeframe set out above may result in the evidence being ruled inadmissible by the adjudicator.

Please bring to the hearing a copy of all documents for the adjudicator to use as the official exhibit copy.

**Other**

If the Licensee wishes to retain legal counsel, he should make immediate arrangements. The hearing will only be postponed in exceptional circumstances, so it is important that the Licensee find legal counsel who can actually attend the hearing date that has been set.

Thank you for your participation in the pre-hearing conference. If you disagree with the above summary of today's pre-hearing conference or if you have any questions, please contact either myself or Shirley Martin, Case Management Administrator, at (250) 356-0010.

Yours truly,



Elizabeth M. Barker  
Branch Registrar

cc: Adjudicator  
Liquor Inspector Stephen Barron



April 1, 2004

**Via Facsimile: (604) 874-3003**

Bhupinder Nijjar  
636608 B.C. Ltd.  
c/o Biltmore Motor Hotel  
395 Kingsway  
Vancouver, BC V5T 3J7

Phone: (604) 872-5252

Dear Licensee:

**Re: Biltmore Motor Hotel, Vancouver, BC  
"Liquor Primary" Licence No. 009663**

**Case # EH04-020**

The General Manager of the Liquor Control and Licensing Branch (the "Branch") plans to hold an enforcement hearing within the next 60 days. The hearing is to determine if the contravention(s) set out in the attached Notice of Enforcement Action took place and, if so, what enforcement action or penalty, if any, will be imposed.

**Pre-hearing Conference**

Before choosing a hearing date, a pre-hearing telephone conference will be held to:

- Explain the enforcement hearing process and answer any questions;
- Make sure that everyone understands the issues that will be addressed at the enforcement hearing;
- Identify and discuss the evidence that you and the Branch will present at the enforcement hearing. This includes providing the names of any witnesses that you will bring to testify, explaining briefly what they will say at the hearing, and discussing their availability to attend the hearing;
- Arrange for you and the Branch to provide each other with copies of any outstanding documents or other evidence that you will use at the enforcement hearing;
- Set a date for the enforcement hearing.

Elizabeth Barker, the Branch Registrar, will conduct the pre-hearing conference by way of a telephone conference call and Shahid Noorani, the Branch Advocate, will represent the Branch. The pre-hearing conference will take place on:

**Monday, April 26, 2004, at 10:30 A.M.** At that time, the Registrar will contact you at **(604) 872-5252** unless you provide another number where you prefer to be reached.

During the pre-hearing conference, you should be prepared to provide dates when you and your witnesses are available to attend an enforcement hearing.

### **Lawyer or Representative**

If you wish to have someone else represent you at the pre-hearing conference, we require your prior written consent for this person to speak on your behalf. Please choose a representative who is available for the date of the pre-hearing conference. In general, the unavailability of your representative on the date of the pre-hearing conference is not considered justification for rescheduling.

### **Language Interpreter**

If you need a language interpreter to help you, please arrange this in advance of the pre-hearing conference and let us know who this person will be. Unless you and your interpreter are going to use the same telephone line, we need to know what number to call in order to connect your interpreter into the pre-hearing conference.

### **Rescheduling**

The pre-hearing conference will only be postponed if there are special circumstances that justify rescheduling. To obtain a postponement please provide the case management administrator with a written request explaining your reasons and proposing alternative dates. A request for postponement must be received at least two full business days prior to the scheduled pre-hearing conference. The registrar will consider your request, obtain further information if necessary, and make a decision on whether to postpone the pre-hearing conference to a later date.

### **Failure to Attend Pre-Hearing Conference**

Should you fail to attend the pre-hearing conference, the General Manager may make a decision without conducting an enforcement hearing. Such decisions are based on the Notice of Enforcement Action and any written material that you submit in response.

### **Waiver**

You may sign a waiver and accept the recommended enforcement action or penalty if you agree that the alleged contraventions took place. To do so, you must promptly contact the liquor inspector whose name and number appears in the Notice of Enforcement Action to arrange an appointment to sign a waiver form. The pre-hearing conference and enforcement hearing will not be required if a waiver is signed.

### **Additional Background**

A fact sheet briefly outlining the Branch's enforcement process is enclosed. Please refer to our Enforcement Hearing Rules for more detail. Recent Branch enforcement decisions can also be reviewed at [www.pssg.gov.bc.ca/lclb/decision/index.htm](http://www.pssg.gov.bc.ca/lclb/decision/index.htm). They are a useful reference for the sorts of evidence presented at enforcement hearings and the types of penalties that may be impose.

If you have any questions or concerns regarding this matter, please feel free to contact me by phone (250) 356-0010 or facsimile (250) 356-1254. Thank you.

Yours truly,

A handwritten signature in cursive script, reading "Shirley A. Martin".

Shirley A. Martin  
Case Management Administrator

cc: Elizabeth M. Barker, Registrar  
Shahid Noorani, Branch Advocate

Attachments:

- Notice of Enforcement Action
- Fact Sheet



## NOTICE OF ENFORCEMENT ACTION

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

March 30, 2004

File No: EH04-020

Job No: 000712780-042

636608 B.C. Ltd.  
c/o Baldev Khanna  
395 Kingsway  
Vancouver, BC V5T 3J7

Telephone: (604) 872-5252  
Fax: (604) 874-5252

Dear Baldev Khanna :

**Re: Licence Number 009663**

Biltmore Motor Hotel  
395 Kingsway  
VANCOUVER, BC V5T 3J7

The purpose of this notice is to inform you that the general manager is scheduling an enforcement hearing in order to review whether to take enforcement action for the alleged contravention(s) of the Liquor Control and Licensing Act, the regulations, and/or the terms and conditions of the licence set out in this notice.

### ROLE OF THE LIQUOR CONTROL AND LICENSING BRANCH

The role of the Liquor Control and Licensing Branch as the regulator of licensed establishments is to help provide an orderly and problem-free environment for licensed establishments. When an infraction occurs, the general manager of the Liquor Control and Licensing Branch will take whatever enforcement action is necessary:

- to protect the public interest,
- to ensure future compliance with the Act, the regulations, and/or the terms and conditions of a licence, and
- to ensure that licensees, employees, patrons and the community recognize the seriousness of contraventions.

The general manager is responsible for supervising the conduct and operation of every licensed establishment in British Columbia. The enforcement powers of the general manager are expressed in section 20(2) of the Liquor Control and Licensing Act as follows:

---

**Ministry of  
Public Safety and  
Solicitor General**

Liquor Control and  
Licensing Branch

Mailing address:  
PO Box 9292 Stn Prov Govt  
Victoria, BC V8W 9J8

Toll Free: 1 866 209-2111  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor  
1019 Wharf Street  
Victoria BC

<http://www.pssg.gov.bc.ca/lclb>

- 20 (2) If the general manager has the right under subsection (1) to take action against a licensee, the general manager may do any one or more of the following, with or without a hearing:
- (repealed)
  - impose terms and conditions on the licensee's licence or rescind or amend existing terms and conditions on the licence;
  - impose a monetary penalty on the licensee in accordance with the prescribed schedule of penalties;
  - suspend all or any part of the licensee's licence in accordance with the prescribed schedule of licence suspensions;
  - cancel all or any part of the licensee's licence;
  - order the licensee to transfer the licence, within the prescribed period, to a person who is at arm's length from the licensee.

#### THE ALLEGED CONTRAVENTION(S)

No.	Contravention name	Section of Act/regulation and term and condition of the licence	Date and time of alleged contravention	Recommended enforcement action
1	Minors in premises, s. 35	s. 35	Jan 25, 2004 1:45 AM	3 day suspension
2	Fail to request ID, Reg. s. 45(2)	Reg. s. 45(2)	Jan 25, 2004 1:45 AM	3 day suspension

PROCEED TO 16TH  
WITHDRAWN

These alleged contraventions are described in full in the attached Appendix A.

#### Proposed enforcement action

The general manager may impose a penalty for a contravention of the Act, the regulations, and/or the terms and conditions of the licence(s). The general manager has the authority to cancel a licensee's licence, in whole or in part, if circumstances warrant a cancellation. Enforcement action may also include imposing terms and conditions for a contravention of the Act and the regulations.

When determining the appropriate penalty for a contravention, the general manager will consider:

- the type of contravention
- the facts of the contravention
- the establishment's history of compliance
- the compliance history of the licensee.

The general manager will also consider what action best serves the public interest.

The penalty schedule, set out in schedule 4 to the Liquor Control and Licensing Regulations, describes the penalty range for each contravention. A copy of the *Liquor Control and Licensing Act and Regulations* can be obtained on the Liquor Control and Licensing Branch website at <http://www.pssg.gov.bc.ca/lclb/>. While the general manager usually stays within this schedule, if the general manager concludes that it is in the public interest to do so, the general manager may impose a higher penalty than the penalty set out in the penalty schedule.



### **Suspension penalty falls within penalty schedule**

For the alleged contravention of Minors in premises, s. 35 (Contravention Notice Number b001258) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a suspension penalty of 3 days is warranted. The suspension will be served starting on a Saturday and will continue on successive business days until completed.

### **Suspension penalty falls within penalty schedule**

For the alleged contravention of Fail to request ID, Reg. s. 45(2) (Contravention Notice Number b001258) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a suspension penalty of 3 days is warranted. The suspension will be served starting on a and will continue on successive business days until completed.

This proposed suspension penalty falls within the penalty range set out in schedule 4 of the regulations for a first incident of the alleged contravention.

The reasons for this proposed penalty are set out in Appendix A and B.

The establishment's history of compliance and the compliance history of the licensee are described in the attached Appendix B

### **LICENSEE OPTIONS**

1. The licensee may accept the proposed enforcement action(s) for any or all of the contraventions set out above and waive the opportunity for an enforcement hearing on those contraventions. This process is described in more detail under heading Option to Waive Enforcement Hearing below.
2. The licensee may attend an enforcement hearing for the purpose of contesting the occurrence of the contravention(s) and/or the proposed enforcement action(s). Please note, at an enforcement hearing the general manager may decline to take any enforcement action, take the proposed enforcement action set out in this letter, or take enforcement action that is less than or greater than the proposed enforcement action set out in this letter.

#### **Option to waive enforcement hearing**

The licensee may waive the opportunity for an enforcement hearing and accept the enforcement action(s) proposed in this letter. If the licensee chooses this option, it is necessary to sign a waiver notice. By signing the waiver notice, the licensee expressly and irrevocably:

- agrees that the licensee has committed the contravention(s)
- accepts the enforcement action(s) proposed in this letter
- waives the opportunity to an enforcement hearing on these matters
- agrees that the finding(s) of contravention and the specified enforcement action(s) will form part of the compliance history of the licensee.

If the licensee plans to sign a waiver notice, branch staff will prepare the notice. In most situations, the waiver notice must be signed within 14 days of the date of this letter. If the licensee plans to sign a waiver notice, please contact the writer to arrange an appointment as soon as possible.

**Date, time, and place of the enforcement hearing**

The case management administrator will be contacting the licensee shortly to discuss the hearing process. If the licensee signs a waiver notice, the enforcement hearing will be cancelled.

The case management administrator contact information is:

Shirley Martin; (250) 356-0010; Shirley.Martin@gems3.gov.bc.ca

**CONTACT NUMBER**

If you have any questions regarding this letter, please contact the writer at (604) 775-0093 or Stephen.Barron@gems6.gov.bc.ca for clarification.

Yours truly,

Stephen Barron  
Inspector, Vancouver

**Attachments:**

Appendices A & B

Copy of Enforcement Hearing Rules

Copy of Liquor Licence

Copy of Contravention Notice 001258

Copy of Red line Floor Plan

## Appendix A

### Licence Information

Licence number: 009663

Licence type: Liquor Primary

Terms and conditions of the licence:

Licence expiry date: March 31, 2005

### BRANCH WITNESSES

At the enforcement hearing, the branch will be calling the following witnesses to present evidence of the alleged contravention. The following table lists the witnesses and a summary of the evidence that they will present.

	Name	Summary of Evidence
1	Stephen Barron (Inspector)	Will provide evidence that he seized false identification from female patron, that she was unable to produce any other ID, and that the patron who produced the card looked like the photograph on the card, and that the manager agreed that the identification was a poor copy.
2	Doug Dyck (Inspector)	Will provide evidence that he viewed false identification from female patron, that she was unable to produce any other ID, and that the patron who produced the card looked like the photograph on the card.

### DETAILS OF THE CONTRAVENTION NOTICE (SUMMARY OF EVIDENCE)

Inspectors Barron and Dyck conducted a routine inspection of this establishment on morning of Sunday, January 25, 2004, business day of Saturday, January 24th.

The Inspectors entered the premises at 0145 hours. There were three doormen outside the premise, one of whom was conversing with a female on the opposite side of the street when the inspectors drove up.

The establishment was busy, but not overcrowded. Both inspectors walked around the establishment to observe the conduct of the patrons, and to look for young patrons. In the area outside of the Designated Smoking Room, both inspectors viewed two young females that appeared to be under the age of 25 years, and both inspectors agreed that they had concerns about whether they were the legal drinking age.

Inspector Barron asked a male staff person (identified as Brian) to request the identification from the two female patrons.

The first patron produced a B.C. Driver's License with s. 22 as well as MSP card. Both inspectors were satisfied with this identification.

The second female produced a Native Status card, and it appeared to be fake (poor computer scan of original, with date altered on back of card). The card was numbered s. 22 with the name of s. 22. She stated that she did not have any other identification. The card was retained as evidence by Inspector Barron.

Barron has since confirmed that this card is an altered scan of the original card, and that the birthdate had been altered. Monica Jacobs, Director of Registry of the Squamish Nation, has advised that the correct birthdate associated with this registration number is s. 22. She has also verified that the photo and signature on the card match the ones that she has on file for this band member.

The patron was asked to leave and was escorted out of the premises by the staff. As the patron was leaving, Barron gave her his business card, and advised that she could call him at the office if she had any concerns. She asked "Who should I have call you, my parents or the band office?" Barron advised that she could call him herself if she wished.

The manager on duty, Craig States was shown the card, and agreed that it was a very poor scanned copy. He appeared upset with his doormen.

CN B001258 was issued to manager Craig States.

#### **SUMMARY OF ALLEGED CONTRAVENTIONS**

The following is a summary of each alleged contravention and the circumstances surrounding each contravention. At the enforcement hearing, the general manager will be considering this information when deciding whether each contravention occurred and the penalty, if any, for that contravention.

## CONTRAVENTION #1

Contravention notice number	Date contravention notice issued	Name of contravention and section of Act or regulations	Recommended enforcement action	Start date of suspension to be served
b001258	Jan 25, 2004	Minors in premises, s. 35	3 day suspension	Saturday

### Reasons for Recommended Enforcement Action:

Allowing minors access to liquor often contributes to youth crimes, including serious driving offences, assault, sexual assault, and theft.

This licensee was issued a Contravention Notice for fail to request identification as a result of the Minor's Project in October 2003. No enforcement action was pursued; the manager of this establishment attended a compliance meeting in December 2003, at which time he committed to "having a staff meeting with all staff to insure this doesn't happen again. We'll educate them on what is proper ID"

In December 2003, the Branch received an anonymous complaint regarding minors and illegal activity inside this establishment. In response to this, the manager of the establishment provided the branch with a letter signed by staff agreeing to a zero tolerance of patrons without proper identification.

Enforcement action is being recommended based on the compliance history of this licensee, and the other types of contraventions that have taken place. This establishment has a lengthy compliance history, with a 21 day suspension being served in April 2003. There is a pattern and practice of noncompliance with regards to minors and failing to request identification at these premises.

The blatant disregard for the identification regulations has resulted in minors being allowed into the establishment. Previous attempts by the Branch to have voluntary compliance have failed.

### Reasons for Proposed Penalty:

This is the maximum penalty for a first proven contravention of this type and falls within the guidelines in Schedule 4 of the Liquor Control and Licensing Regulation.

This suspension will provide a clear message to the licensee that they must comply with the Act and Regulation.

## CONTRAVENTION #2

Contravention notice number	Date contravention notice issued	Name of contravention and section of Act or regulations	Recommended enforcement action	Start date of suspension to be served
b001258	Jan 25, 2004	Fail to request ID, Reg. s. 45(2)	3 day suspension	

### Reasons for Recommended Enforcement Action:

Lesser but included charge. If the General Manager does not make a finding of contravention on the alleged contravention of Minor on licensed premise, the lesser but included contravention may be considered in the alternative.

## DOCUMENTATION

At the enforcement hearing, the branch will likely be presenting the information listed in the following table. A copy of the contravention notice is attached. A copy of each of the other documents and any additional relevant information will be forwarded to the licensee once the enforcement hearing is over.

Page 7 of 10

matter has been scheduled.

**Complaints:**

	Date	Document Description
1	December 16, 2003	Minors in premises, s. 35, Inspection Complete
2	May 07, 2003	Minors Inspection Complete
3	December 12, 2002	LPC #A074579 - Supply to minors, s. 33, CN #A014315
4	December 12, 2002	LPC #A130701 - Supply to minors, s. 33, CN #A014316
5	December 12, 2002	LPC #A130701 - Permit a person to become intoxicated, s. 43(2)(a), CN #A014316
6	December 12, 2002	LPC #A130701 - Permit intoxicated person to remain, s. 43(2)(b), CN #A014316
7	December 12, 2002	LPC #A 130702 - Minors in premises, s. 35, CN #A014317
8	December 12, 2002	LPC #A 078802 - , CN #A014322
9	December 12, 2002	Failure to take reasonable measures, operating contrary to public interest, s. 20(1)(c.1), CN #A014319
10	December 12, 2002	LPC #A 078802 - Selling liquor to intoxicated person, s. 43(1), CN #A014322
11	December 12, 2002	LPC #A 130702 - Supply to minors, s. 33, CN #A014317
12	September 19, 2002	LPC #A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B), CN #A014305
13	September 19, 2002	LPC #A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A), CN #A014305
14	May 15, 2002	LPC #A133976 - LIQUOR REMOVED FROM ESTABLISHMENT REG. S. 11(3), Complaint Received
15	April 05, 2002	LPC #A133101 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B), Complaint Received
16	April 05, 2002	LPC #A079851 - SELLING LIQUOR TO AN INTOXICATED PERSON S. 43(1), Complaint Received
17	April 05, 2002	LPC #A079851 - PERMITTING UNLAWFUL ACTIVITIES/CONDUCT S. 36(2)(B), Complaint Received
18	April 05, 2002	LPC #A079851 - SUPPLY TO MINORS, S. 33, Complaint Received

**Contraventions:**

	Date	Document Description
1	January 01, 2004	CN #B001215 - Permit intoxicated person to remain, s. 43(2)(b)
2	October 24, 2003	CN #B001201 - Fail to request ID, Reg. s. 45(2)
3	June 15, 2003	CN #b004520 - Contravening a term and condition, s. 12 - Containers and the mixing of drinks
4	January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43
5	January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12
6	January 09, 2003	CN #A014321 - Contravening a term and condition, s. 12
7	December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12

**Compliance Meetings:**

	Date	Topic
1	December 02, 2003	Fail to request ID, Reg. s. 45(2)

## Appendix B

### HISTORY OF COMPLIANCE

At the enforcement hearing, the general manager will consider this information when determining the penalty for each contravention.

#### Establishment's history of compliance

The establishment's history of compliance is relevant when determining which level of penalty should be imposed for a contravention. The establishment's history of compliance is comprised of any prior findings of contravention that relate to the establishment in question (whether by waiver or decision of the general manager) and any prior penalty.

Findings of contravention and enforcement action under the LCLA and regulations			
	Date	Findings of Contravention	Enforcement Action
1	January 09, 2003	Fail to request ID, Reg. s. 45(2)	3 day suspension
2	January 04, 2003	Fail to request ID, Reg. s. 45(2)	3 day suspension
3	November 23, 2002	Minors in premises, s. 35	1 day suspension
4	November 23, 2002	Supply to minors, s. 33	4 day suspension
5	November 15, 2002	Supply to minors, s. 33	5 day suspension
6	November 09, 2002	Supply to minors, s. 33	5 day suspension





**BRITISH  
COLUMBIA**

No. B001258

Liquor Control and Licensing Act  
and Regulation 244/2002

**CONTRAVENTION NOTICE**

Liquor Control and Licensing Branch,  
Ministry of Public Safety and Solicitor General

Establishment name: B. H. more motor hotel  
Establishment address: 395 Kingsway V 3T 3J7  
Licensee name: 636608 BC LTD.  
Licence #: 009663 Date CN issued: 01/11/2009  
Date and time of alleged contravention(s): 01/11/2009 00:07

On the date noted above, the following alleged contravention(s) of the  
Liquor Control and Licensing Act or regulation were identified:

	Contravention	Section
1	Minor in premises	535 <input checked="" type="checkbox"/> Act <input type="checkbox"/> Reg
2	Fail To Request ID	45(2) <input type="checkbox"/> Act <input checked="" type="checkbox"/> Reg
3		<input type="checkbox"/> Act <input type="checkbox"/> Reg
4		<input type="checkbox"/> Act <input type="checkbox"/> Reg

Details: Patron asked to produce ID and produced  
to the Government of Canada Native Status Card in  
the name of

s. 22

s. 22

was unable to produce

another piece and was asked to leave.

Inspector name: S. BARRON Badge #: 74

Telephone: 604 775 0093 LPC #: \_\_\_\_\_

Management acknowledgement (name and title): \_\_\_\_\_

Wing L. Lister

The general manager may proceed with enforcement action on the basis of this  
contravention notice. The licensee will generally be notified within 45 days if  
enforcement action is proposed.

COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)



No. B001215

Liquor Control and Licensing Act  
and Regulation 244/2002**CONTRAVENTION NOTICE**Liquor Control and Licensing Branch,  
Ministry of Public Safety and Solicitor GeneralEstablishment name: BALTIMORE MOTOR HOTELEstablishment address: 395 KINGSWAY VAN B.C.Licensee name: BALTIMORE MOTOR HOTEL VST-357Licence #: 009663 Date CN issued: MM/DD/YYDate and time of alleged contravention(s): MM/DD/YY 0000ROn the date noted above, the following alleged contravention(s) of the  
Liquor Control and Licensing Act or regulation were identified:

	Contravention	Section
1	PERMIT INDICATED PERSON TO	<input type="checkbox"/> Act <input checked="" type="checkbox"/> Reg 642(2)(1)
2	Remain	<input type="checkbox"/> Act <input type="checkbox"/> Reg
3		<input type="checkbox"/> Act <input type="checkbox"/> Reg
4		<input type="checkbox"/> Act <input type="checkbox"/> Reg

Details: STAFF @ DOOR REMOVED  
PATRON WITH REQUESTED BY  
LICENCE INSPECTOR ED PODEK

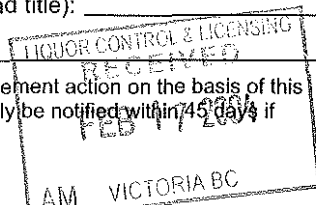
s. 22

WITNESSES

INDICATED PATRON

Inspector name: ED PODEK Badge #: 68Telephone: 604-775-0290 LPC #: \_\_\_\_\_

Management acknowledgement (name and title): \_\_\_\_\_

The general manager may proceed with enforcement action on the basis of this  
contravention notice. The licensee will generally be notified within 45 days if  
enforcement action is proposed.

COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)

## No Enforcement Action Recommended

**Re: Contravention Notice Number:** B001215

**Contravention Notice Date:** Jan 1, 2004

**Job No:** 000712780-043

**Inspector:** Ed Pudek

**Date**

**Prepared:** Feb 12, 2004

**Office Location:** Vancouver

**Submitted To:** Wendy Jones

---

### Establishment Information:

**Establishment Name:** Biltmore Motor Hote.

**Establishment Address:** 395 Kingsway  
VANCOUVER, BC V5T 3J7

**Licence No:** 009663

**Licence Class:** Liquor Primary

**Expiry Date:** Mar 31, 2004

**Licensee Name:** Private Corporation: 636608 B.C. Ltd. c/o Khanna, Baldev

**Terms and Conditions noted on licence face:**

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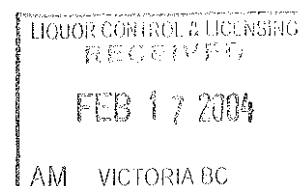
### Contravention Information:

**Contravention Name (e.g. supplying to minors)**

**Date and Time identified**

1. Permit intoxicated person to remain, s.  
43(2)(b)

1. Jan 01, 2004 2:10 AM
- 



## Review and Analysis:

I have reviewed:

Facts and circumstances of the contravention

☒ Yes

☐ No

Establishment compliance history

☒ Yes

☐ No

- Number of contravention notices on file: 12
- Number of contravention notices in past 12 months: 3
- Name, date(s) of any proved contravention(s) and the enforcement action taken:
  - Fail to request ID, Reg. s. 45(2), January 09, 2003, 3 day suspension
  - Fail to request ID, Reg. s. 45(2), January 04, 2003, 3 day suspension
  - Minors in premises, s. 35, November 23, 2002, 1 day suspension
  - Supply to minors, s. 33, November 23, 2002, 4 day suspension
  - Supply to minors, s. 33, November 15, 2002, 5 day suspension
  - Supply to minors, s. 33, November 09, 2002, 5 day suspension

Licensee compliance history

☒ Yes

☐ No

- If no, please explain:

Other file information

☒ Yes

☐ No

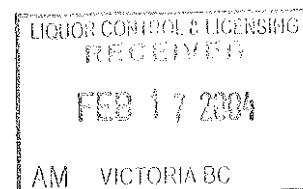
Compliance and Enforcement Program, Policy and Procedures Manual

☒ Yes

☐ No

## Reasons no enforcement action recommended:

First contravention of this type, permit intoxicated patron to remain. As requested by Liquor Inspector Ed Pudek, the Manager of the Establishment quickly removed Patron and provided safe transportation. Compliance meeting to be completed to address issues of intoxication.



Entered in POSSE

## COMPLIANCE MEETING

Inspector's Name: Norm Stackhouse Date: 10:00 AM  
Office Location: VANCOUVER Date: DECEMBER 11, 2003

### ESTABLISHMENT INFORMATION:

Establishment Name: BILTMORE MOTOR HOTEL  
Establishment Address: 395 KINGSWAY, VANCOUVER, B.C. V5T 3T7  
Licence No.: 017632 9663 Licence Class: LD Expiry date: MARCH 31, 2004  
Licensee Name: 636608 B.C. LTD.

### MEETING DETAILS:

Attendees at compliance meeting:

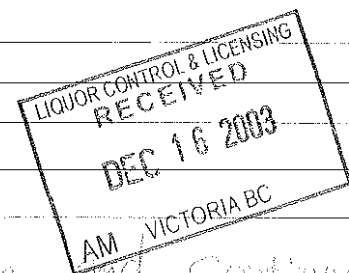
Name: <u>KIL BONG Moon</u>	Association/Position: <u>OWNER</u>	Contact No: <u>630-3458</u>
Name: <u>CHIL BONG Moon</u>	Association/Position: <u>General Manager</u>	Contact No: <u>630-3442</u>
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____

Reason compliance meeting was convened (cite CN # if relevant): C/N# B003859 - FAIL TO REQUEST 2PCS

OF ID. (MINORS PROTECT)

Information reviewed at the meeting:

- ☐ Relevant section(s) of the *Liquor Control and Licensing Act*
- ☒ Relevant section(s) of the *Liquor Control and Licensing Regulations* 45(2)
- ☐ Relevant section(s) of the *Compliance and Enforcement Program, Policy and Procedures Manual*
- ☐ Relevant section(s) of the *Guide to Liquor Licensees*
- ☐ Other \_\_\_\_\_



Commitments made by licensee: Re-schedule work time table and continue education all staff about the liquor control and licensing regulations. Check two pieces ID of any one appearing under 25 yrs age.

Other \_\_\_\_\_

Inspector Name: NORM STACKHOUSE Inspector Signature: [Signature]  
Licensee Name: MOON, KIL BONG Licensee Signature: [Signature]

## COMPLIANCE MEETING

**Inspector's Name:** Donna Lister **Date:** Nov 8/03

**Office Location:** 100-1335 E. 8th Ave. Vancouver

**ESTABLISHMENT INFORMATION:**
**Establishment Name:** Billmore Motor Hotel

**Establishment Address:** 395 Kingsway, Vancouver

**Licence No.:** 017611 **Licence Class:** F.P. **Expiry date:**
**Licensee Name:**
**MEETING DETAILS:**
**Attendees at compliance meeting:**
**Name:** Keith Collymore **Association/Position:** Manager **Contact No:** 872-5252

**Name:** **Association/Position:** **Contact No:** 257 305

**Name:** **Association/Position:** **Contact No:**
**Name:** **Association/Position:** **Contact No:**
**Name:** **Association/Position:** **Contact No:**
**Name:** **Association/Position:** **Contact No:**
**Reason compliance meeting was convened (cite CN # if relevant):** CN# 003860 (Minor Project)

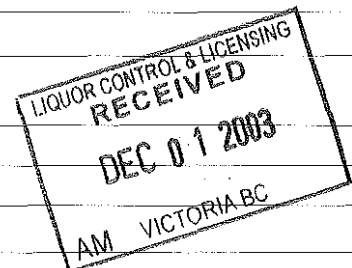
**Information reviewed at the meeting:** Failure to request 2x T.D. from persons under 25yrs.

☐ Relevant section(s) of the Liquor Control and Licensing Act

☒ Relevant section(s) of the Liquor Control and Licensing Regulations 45(2)

☐ Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual

☐ Relevant section(s) of the Guide to Liquor Licensees

☐ Other

**Commitments made by licensee:** We will have a staff meeting with all staff to insure this doesn't happen again. We'll create them on what is proper T.D.

**Other:**
**Inspector Name:** Donna Lister **Inspector Signature:**
**Licensee Name:** Keith Collymore (ICR) **Licensee Signature:**

Entered in POSSE

No. B003859



BRITISH  
COLUMBIA

Liquor Control and Licensing Act  
and Regulation 244/2002

**CONTRAVENTION NOTICE**

Liquor Control and Licensing Branch,  
Ministry of Public Safety and Solicitor General

Establishment name: BILTMORE MOTOR HOTEL  
Establishment address: 395 KINGSWAY VAN B.C.  
Licensee name: BILTMORE MOTOR HOTEL  
Licence #: 01763Z Date CN issued: MM/DB/Y3  
Date and time of alleged contravention(s): MM/DB/Y3 00:00

On the date noted above, the following alleged contravention(s) of the  
*Liquor Control and Licensing Act* or regulation were identified:

	Contravention	Section
1	FAIL TO REQUEST I.D.	<input type="checkbox"/> Act <input checked="" type="checkbox"/> Reg 5.45.2
2		<input type="checkbox"/> Act <input type="checkbox"/> Reg
3		<input type="checkbox"/> Act <input type="checkbox"/> Reg
4		<input type="checkbox"/> Act <input type="checkbox"/> Reg

Details: BRANCH AGENTS ENTERED  
ESTABLISHMENT, PURCHASED LIQUOR  
WITHOUT I.D. CHECKS.

Inspector name: ED PUDEK Badge #: 68  
Telephone: 604-775-0240 LPC #: \_\_\_\_\_  
Management acknowledgement (name and title): \_\_\_\_\_

The general manager may proceed with enforcement action on the basis of this  
contravention notice. The licensee will generally be notified within 45 days if  
enforcement action is proposed.

COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)

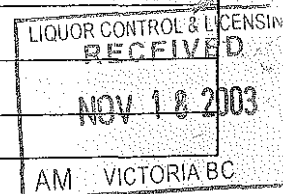
**Liquor Control and Licensing Branch  
Agent Observation Report**

Agent's Name <small>s. 15</small>		Date of Birth <small>s. 22</small>	
Date of Report: <b>Oct 24 2003</b>			
Liquor Inspector: <b>Mark Tremblay</b>			
Establishment Name: <b>Biltmore</b>		License #: <b>017632</b>	Type (circle one): LRS <b>LP</b> FP
Address: <b>Kingsway @ E. 12<sup>th</sup></b>			
Time In: <b>9:12 pm</b>		Time Out: <b>9:35 pm</b>	Travel Time:
Accompanied By: <small>s. 15</small>			
Number of Doormen: <b>0</b>		Were Counters Used: Yes <b>No</b>	
Description of Doormen:			
Description of Server: <b>Female</b> <b>Short dark hair / East Indian / late 20s</b> <small>Name Tag</small> <b>Bill: Clerk 1 NO. 023028</b>			

<b>Identification</b> (this section must be completed in its entirety):		
	Doorman	Server
Requests for 2 pieces of identification:	Yes No	Yes <b>No</b>
Was the ID examined (photo):	Yes No	Yes <b>No</b>
Was a signature required:	Yes No	Yes <b>No</b>
Was other confirmation required:	Yes No	Yes <b>No</b>
Was the ID process the same for all customers who appear to be under the age of 25:		Yes <b>No</b>
Did you notice anyone in the establishment who you know is underage:		Yes <b>No</b>

<b>Expenses:</b>		
Cover Charge \$	Liquor Cost \$ <b>6.00</b>	Other \$
• Liquor Type/Brand: <b>Korannee (bottle)</b>		

Approx. # of Patrons: <b>10</b>
Any comments from Staff:
Other Observations: <b>The server didn't speak English very well.</b>
Signature: <small>s. 15</small>





# Liquor Control and Licensing Branch Agent Observation Report

Agent's Name: <span style="float: right;">s. 15</span>		Date of Birth: <span style="float: right;">s. 22</span>	
Date of Report: <b>24 OCT 03</b>			
Liquor Inspector: <b>MARK TREMBLAY</b>			
Establishment Name: <b>BILTMORE</b>	License #: <b>017632</b>	Type (circle one): LRS <input checked="" type="radio"/> LP <input type="radio"/> EP	
Address: <b>KINGSWAY @ E-12TH</b>			
Time In: <b>8:12 PM</b>	Time Out: <b>9:33 PM</b>	Travel Time:	
Accompanied By: <span style="float: right;">s. 15</span>			
Number of Doormen: <b>-</b>	Were Counters Used: <b>Yes</b> <b>No</b> <b>-</b>		
Description of Doormen:			
Description of Server: <b>DARK HAIR / DARK EYES / <del>INDO-CANADIAN</del> / MID 20'S</b>		Name Tag: <b>CLERK #1</b>	

Identification (this section must be completed in its entirety):		
	Doorman	Server
Requests for 2 pieces of identification:	Yes No	Yes <input checked="" type="radio"/> No
Was the ID examined (photo):	Yes No	Yes <input checked="" type="radio"/> No
Was a signature required:	Yes No	Yes <input checked="" type="radio"/> No
Was other confirmation required:	Yes No	Yes <input checked="" type="radio"/> No
Was the ID process the same for all customers who appear to be under the age of 25:		Yes <input checked="" type="radio"/> No
Did you notice anyone in the establishment who you know is underage:		Yes <input checked="" type="radio"/> No

Expenses: <span style="float: right;">s. 15</span> <b>PURCHASED LIQUOR</b>		
Cover Charge \$	Liquor Cost \$	Other \$
• Liquor Type/Brand:		

Approx. # of Patrons: <b>30 FP / 10 LP</b>
Any comments from Staff:
Other Observations:
Signature: <span style="float: right;">s. 15</span>

LIQUOR CONTROL & LICENSING  
 RECEIVED  
 NOV 18 2003  
 AM VICTORIA BC

Entered in PCSI

No. B001201

BRITISH  
COLUMBIALiquor Control and Licensing Act  
and Regulation 244/2002**CONTRAVENTION NOTICE**Liquor Control and Licensing Branch,  
Ministry of Public Safety and Solicitor General

Establishment name: BILTMORE MOTOR HOTEL  
Establishment address: 345 KINGSWAY VAN. BC  
Licensee name: BILTMORE MOTOR HOTEL  
Licence #: 009663 Date CN issued: MM/DD/YYYY  
Date and time of alleged contravention(s): MM/DD/YYYY 00:00

On the date noted above, the following alleged contravention(s) of the  
*Liquor Control and Licensing Act* or regulation were identified:

	Contravention	Section
1	FAIL TO REQUEST I.D. 5.452	<input type="checkbox"/> Act <input checked="" type="checkbox"/> Reg
2		<input type="checkbox"/> Act <input type="checkbox"/> Reg
3		<input type="checkbox"/> Act <input type="checkbox"/> Reg
4		<input type="checkbox"/> Act <input type="checkbox"/> Reg

Details: B. RANCH AGENTS ENTERED  
ESTABLISHMENT, PURCHASED LIQUOR  
WITHOUT I.D. CHECKS

Inspector name: ED PODEK Badge #: 62  
Telephone: 604-775-0246 LPC #: \_\_\_\_\_  
Management acknowledgement (name and title): \_\_\_\_\_

The general manager may proceed with enforcement action on the basis of this  
contravention notice. The licensee will generally be notified within 45 days if  
enforcement action is proposed.

COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)

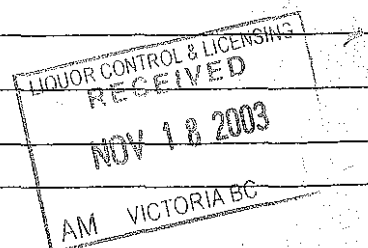
**Liquor Control and Licensing Branch  
Agent Observation Report**

Agent's Name: _____ s. 15		Date of Birth: _____ s. 22	
Date of Report: <u>Oct 24 2003</u>			
Liquor Inspector: <u>Mark Tremblay</u>			
Establishment Name: <u>Biltmore (ice)</u>		License #: <u>009663</u>	Type (circle one): <del>LP</del> <u>LP</u>
Address: <u>Kingsway @ E. 12<sup>th</sup></u>			
Time In: <u>9:12 am</u>		Time Out: <u>9:35 pm</u>	Travel Time: _____
Accompanied By: _____ s. 15			
Number of Doormen: <u>1</u>		Were Counters Used: Yes <input type="radio"/> No <input checked="" type="radio"/>	
Description of Doormen: <u>DK hair, short - male</u> <u>28ish.</u>			
Description of Server: _____		Name Tag: <u>Employee #98</u>	

Identification (this section must be completed in its entirety):				
	Doorman		Server	
Requests for 2 pieces of identification:	Yes	No <input checked="" type="radio"/>	Yes	No
Was the ID examined (photo):	Yes <input checked="" type="radio"/>	No	Yes	No
Was a signature required:	Yes	No <input checked="" type="radio"/>	Yes	No
Was other confirmation required:	Yes	No <input checked="" type="radio"/>	Yes	No
Was the ID process the same for all customers who appear to be under the age of 25:			Yes	No <input checked="" type="radio"/>
Did you notice anyone in the establishment who you know is underage:			Yes	No <input checked="" type="radio"/>

Expenses:			
Cover Charge \$ _____	Liquor Cost \$ _____	Other \$ _____	
• Liquor Type/Brand: <u>NO purchase</u>			

Approx. # of Patrons: <u>20</u>
Any comments from Staff: _____
Other Observations: <u>Sign that states they must ask</u> <u>for 2 pieces of ID on front door.</u>
Signature: _____ s. 15



# Liquor Control and Licensing Branch Agent Observation Report

Agent's Name: _____ s. 15		Date of Birth: _____ s. 22	
Date of Report: <u>24 OCT 03</u>			
Liquor Inspector: <u>MARK TREMBLAY</u>			
Establishment Name: <u>BILTMORH/ICE</u>		License #: <u>009663</u>	Type (circle one): <u>LP</u> <del>FP</del>
Address: <u>KINGSWAY @ E. 12TH</u>			
Time In: <u>9:12 PM</u>		Time Out: <u>9:33 PM</u> Travel Time: _____	
Accompanied By: _____ s. 15			
Number of Doormen: <u>1</u>		Were Counters Used: Yes <input type="radio"/> No <input checked="" type="radio"/>	
Description of Doormen: <u>DARK HAIR / DARK EYES / MID 20'S</u>			
Description of Server: _____		Name Tag: <u># 98</u>	

Identification (this section must be completed in its entirety):				
	Doorman		Server	
Requests for 2 pieces of identification:	Yes	<input checked="" type="radio"/> No	Yes	No
Was the ID examined (photo):	<input checked="" type="radio"/> Yes	No	Yes	No
Was a signature required:	Yes	<input checked="" type="radio"/> No	Yes	No
Was other confirmation required:	Yes	<input checked="" type="radio"/> No	Yes	No
Was the ID process the same for all customers who appear to be under the age of 25:			Yes	<input checked="" type="radio"/> No
Did you notice anyone in the establishment who you know is underage:			Yes	<input checked="" type="radio"/> No

<b>Expenses:</b>			
Cover Charge \$ _____	Liquor Cost \$ _____	Other \$ _____	
• Liquor Type/Brand: _____			

Approx. # of Patrons: <u>20</u>
Any comments from Staff: _____
Other Observations: <u>DOORMAN APPROACHED ONCE WE HAD ENTERED AND WERE WELL INTO ESTABLISHMENT.</u>
<u>"2 PEECES OF ID SIGN" CLEARLY VISIBLE.</u>
Signature: _____ s. 15

LIQUOR CONTROL & LICENSING  
 RECEIVED  
 NOV 18 2003  
 VICTORIA



July 10, 2003

636608 B.C. Ltd.  
c/o Bob Nijjar  
395 Kingsway  
Vancouver BC V5T 3J7

**BY FAX: 604-874-3003**

Dear Mr. Nijjar:

**Re: 636608 B.C. Ltd. dba "Biltmore Motor Hotel" (Liquor Licence 017632) ("the licensee") –  
and – *Liquor Control and Licensing Act* ("the Act") - Notice of Enforcement Action  
(E03-082)**

---

Further to my letter of July 3, 2003, a waiver in reference to the above-captioned matter was signed by the licensee on June 19, 2003 and a penalty letter was issued on June 26, 2003.

In light of the above, my letter of July 3, 2003 is withdrawn.

I apologize for any inconvenience and confusion caused by my letter of July 3, 2003.

Sincerely,

Mark Tatchell  
A/Deputy General Manager  
Compliance and Enforcement Division  
Liquor Control and Licensing Branch

Cc: Dennis Coates, Q.C.  
Shahid Noorani, A/Registrar



July 3, 2003

636608 B.C. Ltd.  
c/o Bob Nijjar  
395 Kingsway  
Vancouver BC V5T 3J7

Dear Mr. Nijjar:

**Re: 636608 B.C. Ltd. dba "Biltmore Motor Hotel" (Liquor Licence 017632) ("the licensee") – and – Liquor Control and Licensing Act ("the Act") - Notice of Enforcement Action (E03-082)**

---

**Background**

On May 27, 2003, the Liquor Control and Licensing Branch ("the Branch") issued the above-referenced Notice of Enforcement Action alleging a contravention of s. 42(4) of the Regulation. This notice advised that the General Manager was scheduling an enforcement hearing in order to review whether to take enforcement action for the alleged contravention.

On May 28, 2003, the Branch's Case Management Administrator issued a letter to the licensee, Branch Advocate and Branch Registrar advising that a pre-hearing conference was scheduled for June 11, 2003 at 10:30 a.m. The purpose of the pre-hearing conference was to address issues to be determined at the enforcement hearing and the procedures to be followed, including the disclosure requirements.

The licensee did not attend the pre-hearing conference. The licensee did not provide any information to the Branch prior to or after the pre-hearing conference to explain the absence.

**Legislation**

Section 20(2) of the Act states as follows:

**Action against a licensee**

20(2) If the general manager has the right under subsection (1) to take action against a licensee, the general manager may do any one or more of the following, with or without a hearing:

(a) [Repealed 1999-36-13.]

(b) impose terms and conditions on the licensee's licence or rescind or amend existing terms and conditions on the licence;

---

**Ministry of Public Safety  
and Solicitor General**

**Liquor Control and  
Licensing Branch**

**Mailing Address:**  
PO Box 9292 Stn Prov Govt  
Victoria BC V8W 9J8  
**Telephone:** 250 387-1254  
**Facsimile:** 250 387-9184

**Location:**  
Second Floor, 1019 Wharf Street  
Victoria BC

Page 74  
[http:// www.pssc.gov.bc.ca/lclb](http://www.pssc.gov.bc.ca/lclb)  
JAS-2014-01078/Phase 1

(c) impose a monetary penalty on the licensee in accordance with the prescribed schedule of penalties;

(d) suspend all or any part of the licensee's licence in accordance with the prescribed schedule of licence suspensions;

(e) cancel all or any part of the licensee's licence;

(f) order the licensee to transfer the licence, within the prescribed period, to a person who is at arm's length from the licensee.

(2.1) The general manager may, if he or she is satisfied that it is in the public interest to do so,

(a) impose a monetary penalty under subsection (2) (c) that is greater than the amount provided for in the prescribed schedule of penalties, or

(b) suspend a licensee's licence under subsection (2) (d) for a period longer than that provided for in the prescribed schedule of suspensions.

(2.2) The general manager must, in taking action against a licensee under subsection (2.1), take into account

(a) the licensee's entire compliance history in respect of the matters referred to in subsection (1), and

(b) the particular circumstances giving rise to the taking of action by the general manager.

(2.3) The general manager may not impose a monetary penalty referred to in subsection (2.1) (a) that is greater than the following amounts:

(a) \$50 000 for a contravention of section 38 (1), and

(b) \$25 000 for any other reason referred to in subsection (1) of this section for taking action against the licensee.

(2.4) If a corporation is liable to a monetary penalty imposed under this section in respect of a contravention of this Act or the regulations, an employee, officer, director or agent of the corporation who authorizes, permits or acquiesces in the contravention is also liable to the penalty.

(2.5) A person on whom a monetary penalty has been imposed under this section must pay the penalty whether or not the person

(a) has been convicted of an offence under this Act or the regulations, or

(b) is also liable to a fine for an offence under this Act or the regulations.

(2.6) A monetary penalty imposed under this section must be paid within 30 days after the date on which the notice referred to in subsection (4) (a) is provided to the licensee or within any longer period specified by the general manager.

(2.7) All monetary penalties received by the general manager under this section must be paid into the consolidated revenue fund.

**Procedure**

The pre-hearing conference is an integral aspect of the enforcement hearing. The licensee's failure to attend the pre-hearing conference means that this matter will be determined without a hearing.

I am a delegate of the General Manager and will be determining this matter.

The licensee is invited to make any written submissions with respect to the alleged contravention. Submissions must be delivered to this office no later than 30 calendar days from the date of this letter. Any submissions received after that date will not be considered.

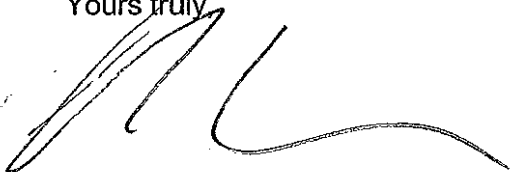
A determination will be made based on the information contained in the Notice of Enforcement Action and any information provided by the licensee.

**Option to Waive**

The licensee may accept the proposed enforcement action (\$2000 penalty) for the alleged contravention and waive the opportunity to make written submissions. If the licensee wishes to sign a waiver notice, the Branch advocate will prepare the notice.

Please contact me if you have questions concerning this matter at [Mark.Tatchell@gems5.gov.bc.ca](mailto:Mark.Tatchell@gems5.gov.bc.ca) or 250-356-2364.

Yours truly,



Mark Tatchell  
A/Deputy General Manager  
Compliance and Enforcement Division  
Liquor Control and Licensing Branch

cc: Shahid Noorani, A/Registrar  
Lee Murphy, Regional Manager  
Marc Matoul, A/Advocate





REPLY TO: Mr. Coates, Q.C.  
DIRECT LINE: (250) 372-4923  
email: dpc@mjbblaw.com  
LEGAL ASSISTANT: Anita  
DIRECT LINE: (250) 372-4962  
email: anita@mjbblaw.com

Our File: 16,541-02

June 27, 2003

Ministry of Public Safety & Solicitor General  
Liquor Control and Licensing Branch  
2<sup>nd</sup> Floor - 1019 Wharf Street  
Victoria, BC

VIA FACSIMILE: (250) 387-9184

Attention: Ed Owsianski, Adjudicator

Dear Mr. Owsianski:

RE: Biltmore Motor Hotel - Liquor Primary License: 009663 - Enforcement Hearing

Further to your direction on the conclusion of the Biltmore Hearing with respect to the issue of when 636608 B.C. Ltd. became the licensee, I have made some investigations but have not received the back up material as of yet.

Firstly, I would confirm that the present licensee, 636608 B.C. Ltd., purchased the hotel, properties and liquor licenses effective November 15, 2001.

It is my understanding that the formal Liquor License was issued into the name of 636608 B.C. Ltd. on June 10<sup>th</sup>.

I have not received a copy of the covering letter yet sending the Liquor License transfer documents to the Branch but I may in fact have these by the end of the afternoon. I am also waiting for a copy of the statement of adjustments or transfers to confirm the November 15<sup>th</sup> date for you.

Hopefully when the backup materials are provided this will complete my obligations with respect to this matter, if not please advise. Thank you.

Yours very truly,

MAIR JENSEN BLAIR

  
DENNIS P. COATES, Q.C.

DPC/sl/ministry27

cc: Attn: Bob Nijjar - Via Fax (604) 874-3003  
Biltmore Hotel



## WAIVER NOTICE

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

File No: EH03-082

Job No: 000712790-016

**BETWEEN:** 636608 B.C. LTD.  
c/o Khanna, Baldev  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

(the "Licensee")

Licensee of: **BILTMORE MOTOR HOTEL**

located at: 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

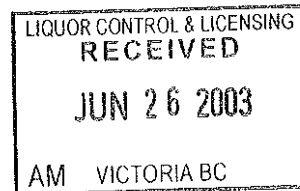
(the "Establishment")

**AND:** General Manager  
Liquor Control and Licensing Branch  
Ministry of Public Safety and Solicitor General

(the "General Manager")

**RE:** Liquor Licence Number 017632

(the "Licence")



### The Licensee:

1. (a) agrees the Licensee committed the contravention of Liquor removed from establishment, Reg. s. 42(4), (CN b004542) as is set out in the attached Notice of Enforcement Action letter dated May 27, 2003 and its appendix(ces) (the "Notice of Enforcement Action letter") and that the information in the Notice of Enforcement Action letter with respect to this contravention is accurate,

(b) accepts and agrees to the enforcement action specified in the Notice of Enforcement Action letter for the contravention referenced in paragraph 1 of this Waiver Notice and agrees that the penalty of \$2,000.00 ( Two Thousand Dollars ) will be paid by the Licensee to the General Manager within 30 days from the date of signing this waiver notice,

2. waives the opportunity to an enforcement hearing in respect of the contraventions and the enforcement action(s) previously referenced in the Waiver Notice and set out in the Notice of Enforcement Action letter,
3. agrees that the contraventions and enforcement action(s) previously referenced in the Waiver notice and set out in the Notice of Enforcement Action letter will form part of the compliance history of the Licensee,

The Licensee understands and agrees that this Waiver Notice is irrevocable.

DATE: 19 day of June, 2003.

SIGNATURE OF LICENSEE:

X. Bellamy  
(Licensee/Authorized Agent)  
Bellamy  
(Title/Position)

SIGNATURE OF WITNESS:

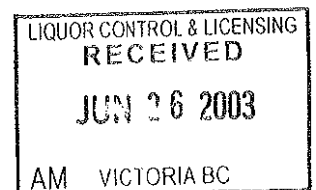
[Signature]

NAME OF WITNESS:

DENNIS P. COATES  
Barrister & Solicitor  
(Please print) DAVID JENSEN BLAIR  
700 - 275 LANSDOWNE ST.  
KAMLOOPS BC V2C 6H6  
(250) 374-3161

Attachments: Notice of Enforcement Action letter, dated May, 27 2003

[Signature]





June 26, 2003

File No: EH03-082

Job No: 000712790-016

Bob Nijjar  
636608 B.C. LTD.  
c/o Biltmore Motor Hotel  
395 Kingway  
Vancouver, BC V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-3003

Dear Bob Nijjar:

**Re: Licence Number 017632**

**BILTMORE MOTOR HOTEL**  
395 Kingsway  
Vancouver, BC V5T 3J7

The purpose of this letter is to inform you of the procedures of the Liquor Control and Licensing Branch for imposing enforcement action on the above noted licence. You agreed to and accepted the following enforcement actions by signing a waiver notice dated June 19, 2003.

It is important to note that you are responsible for the actions of your employees. You will want to ensure that managers and staff are familiar with the terms of the enforcement action and their responsibilities.

#### **Enforcement Action**

##### **Monetary penalty**

A monetary penalty of \$2000 (Two Thousand Dollars) must be paid to the general manager by July 19, 2003.

The payment should be made to Liquor Control and Licensing Branch headquarters at the address indicated in Appendix A. It is important to attach the accompanying Appendix A so that the payment can be correctly recorded on your file.

**Ministry of Public  
Safety  
and Solicitor  
General**

Liquor Control and  
Licensing Branch

Mailing address:  
PO Box 9292 Stn Prov Govt  
Victoria, BC V8W 9J8  
Toll Free: 1 866 209-2111  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor  
1019 Wharf Street  
Victoria BC

<http://www.pssg.gov.bc.ca/clb>  
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JAG-2014-01078/Phase 1

### **Consequences of non-payment**

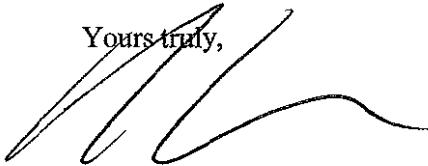
There are serious consequences for non-payment of the full amount of a monetary penalty.

1. The general manager may refuse to renew or transfer a licence if a monetary penalty has not been fully paid by the due date.
2. The general manager will consider imposing a suspension penalty for failure to pay a monetary penalty by the due date. The suspension penalty for this contravention is described in item 44 of schedule 4 to the Liquor Control and Licensing Regulations. However, the general manager has the authority to impose a suspension penalty greater than the one set out in the schedule when it is in the public interest to do so.

### **Contact Number**

If you have any questions about the matters covered in this letter, please contact the inspector responsible for your area at (604) 775-0093.

Yours truly,



Mark Tatchell  
Deputy General Manager  
Compliance and Enforcement

CC: Vancouver Police Dept. Liquor Coordinator  
Clerk/Secretary City of Vancouver  
Central Licensee Vancouver  
Kingsgate Mall GLS #123  
Brewers Distributors Ltd.  
Manager of Licensing Rebecca Villa-Arce  
Regional Manager Lee Murphy  
Inspector Stephen Barron

Encl: Appendix A

**THIS IS GENERAL  
MANAGER'S ORDER**  
NO. 03/06/27

No. B 004520



BRITISH  
COLUMBIA

Liquor Control and Licensing Act  
and Regulation 244/2002

**CONTRAVENTION NOTICE**

Liquor Control and Licensing Branch,  
Ministry of Public Safety and Solicitor General

Establishment name: Biltmore Motor Hotel

Establishment address: 395 Kingway V5T 2J7

Licensee name: 636608 BC Ltd.

Licence #: 009663 Date CN issued: 06/15/03

Date and time of alleged contravention(s): 06/15/03 00:03

On the date noted above, the following alleged contravention(s) of the  
Liquor Control and Licensing Act or regulation were identified:

	Contravention	Section
1	Contravening a Term Condition s/2	<input checked="" type="checkbox"/> Act <input type="checkbox"/> Reg
2		<input type="checkbox"/> Act <input type="checkbox"/> Reg
3		<input type="checkbox"/> Act <input type="checkbox"/> Reg
4		<input type="checkbox"/> Act <input type="checkbox"/> Reg

Details: Shooters being sold off a tray by  
waitress - see circumstances guide

Inspector name: S. BARROW Badge #: 74

Telephone: 604 775 0093 LPC #: 5

Management acknowledgement (name and title):  
Graig R. States

The general manager may proceed with enforcement action on the basis of this  
contravention notice. The licensee will generally be notified within 45 days if  
enforcement action is proposed.

COPY 3: LCLB HEADQUARTERS COPY (forward to headquarters)

## **Martin, Shirley SG:EX**

---

**From:** Martin, Shirley SG:EX  
**Sent:** Thursday, May 29, 2003 11:53 AM  
**To:** XT:Owsianski, Ed SG:IN  
**Subject:** FW: Biltmore

**Importance:** High

Hi, Ed;

For your consideration, please.

Thanks,  
Sam

-----Original Message-----

**From:** Kim Norbury [mailto:KIMN@mjb-law.com]  
**Sent:** Thursday, May 29, 2003 11:15 AM  
**To:** Martin, Shirley SG:EX  
**Cc:** XT:Coates, Dennis, Q.C. SG:IN  
**Subject:** Re: Biltmore

With respect to the Biltmore Hotel, and the hearing scheduled for June 16th to the 20th, we would like to request a viewing of the property and the establishment. We would like to suggest that everyone who attends the hearing take part in this tour and would as like to advise that the Biltmore Hotel is only 4 blocks away from the Liquor Branch.

We look forward to your response.

Thank you,  
Kim Norbury for Dennis Coates

This footnote confirms this email has been swept by InoculateIT, from Computer Associates, for the presence of computer viruses.

Mair Jensen Blair



May 28, 2003

Bob Nijjar  
636608 B.C. Ltd.  
dba Biltmore Motor Hotel  
394 Kingsway  
Vancouver, BC V5T 3J7  
Phone: (604) 872-5252  
Fax: (604) 874-3003

Marc Matoul, Branch Advocate  
Liquor Control and Licensing Branch  
Phone: ((604) 586-2645  
Fax: (604) 586-4098

Shahid Noorani, Branch Registrar  
Liquor Control and Licensing Branch  
Phone: (250) 387-0747  
Fax: (250) 387-9139

**Re: Biltmore Motor Hotel, Vancouver, BC**  
**"Liquor Primary" Licence No. 17632**

**Case # EH03-082**

The purpose of this letter is to inform you that the General Manager is scheduling an enforcement hearing in order to review whether to take enforcement action for alleged contravention(s) of the *Liquor Control and Licensing Act*, the regulations, and/or the terms and conditions to the licence noted above.

The Branch Registrar has requested that this case be set for a Pre-Hearing Telephone Conference (PHC) on:

**Pre-Hearing Telephone Conference: June 11, 2003, at 10:30 A.M.**

**Hearing: (to be discussed at PHC)**

The procedures for Pre-Hearing Conferences (PHC) and Hearings are outlined later in this letter. If a waiver form is signed, the PHC will be cancelled.

**Alleged Contravention(s) and Recommended Enforcement Action(s)**

You have received the attached Notice of Enforcement Action from Inspector Barron which sets out the following information:

- alleged contraventions,
- dates of the contraventions,



- the role of the Liquor Control and Licensing Branch,
- the proposed enforcement action,
- your options,
- a summary of the evidence,
- the branch witnesses,
- a list of documents that will be presented,
- the reasons for the proposed penalty, and
- any history of compliance that is relevant.

For your convenience, I have outlined the options available to you as described in Inspector Barron's letter.

### **Licensee Options**

1. You may accept the recommended enforcement action(s) set out in the Notice of Enforcement Action and **waive** (see below) the opportunity for an enforcement hearing. OR
2. You may attend an enforcement hearing for the purpose of:
  - a) contesting the occurrence of the contravention, and/or
  - b) contesting the recommended enforcement action(s).

### **Option to Waive**

You can waive the opportunity for an enforcement hearing and accept the recommended enforcement action(s). If you choose to waive, you must sign a **waiver form** (see below). By signing a waiver form, you **agree**:

- that the licensee has committed the contravention(s);
- to waive the opportunity for an enforcement hearing on these allegations;
- to accept the branch's recommended enforcement action(s); and
- that the findings of the contravention(s) and action(s) will form part of the compliance history of the licensee.

### **Waiver Forms**

If you intend to waive the hearing, please contact your local branch office. The branch will prepare the waiver notice for your signature. You will need to arrange an appointment with the branch to discuss the waiver and sign the waiver form at your earliest convenience.

### **Pre-Hearing Conference (PHC)**

If the licensee does not sign a waiver form, the Branch Registrar will convene a telephone conference on the date and time indicated on the front of this letter with the branch representative and the licensee to discuss:

- the issues,
- the procedures leading to the hearing,

- the evidence, including requests for disclosure, and witnesses to be called,
- the length of time required for hearing,
- witness availability,
- date(s) for the hearing,
- the procedures during the hearing, and
- any other procedures or issues that will assist in a timely, fair, and efficient hearing.

The people who will be contacted for the Pre-Hearing Conference (PHC) will be those whose names appear at the top of this letter. They will be contacted at the numbers noted on the front of this letter. **Please advise the Case Management Administrator (CMA) immediately if you would like to be contacted at a different telephone number. If you want alternate, or additional people, added to the PHC, you must notify the CMA as soon as possible and provide their telephone numbers.**

You are required to attend the Pre-Hearing Conference (PHC) and be prepared to discuss the above points.

**At the PHC you MUST be prepared to provide the Branch Registrar with your dates of availability, and the availability for any witness you may require, to attend an enforcement hearing 30 to 60 days from the date of the PHC. In addition, you must be prepared to provide the number of days that you believe you will need to present your case. The Branch Registrar will attempt to set mutually acceptable dates. If no mutually acceptable date can be arranged without unduly delaying the hearing, or if you are unprepared to provide dates of availability for an enforcement hearing, the Branch Registrar will set the dates.**

**If you intend on being represented by legal counsel they MUST be prepared to speak to their availability for these dates.**

### **Enforcement Hearing**

The Enforcement Hearing Adjudicator at the hearing will be a General Manager, or delegate, who will decide on the basis of the evidence presented by both sides:

- whether the alleged contravention occurred, and
- what, if any, enforcement action is to be imposed.

You are required to come to the hearing prepared to present evidence and submissions on both aspects.

If you fail to appear at the hearing, the Enforcement Hearing Adjudicator may:

- adjourn the hearing,
- conduct the hearing,
- make findings based on the evidence presented, including findings that the contravention(s) did or did not occur,
- in the event of a finding that the contravention(s) occurred, impose the recommended enforcement action.

### **Adjournments**

In the event you are not available to attend the Pre-Hearing Conference (PHC) at the time indicated, you must apply in writing to the **Case Management Administrator (CMA)** not less than one full day prior to the PHC, requesting an adjournment. In the adjournment request, you must indicate the reasons for not being available and propose alternate times.

The CMA will refer the application to the Branch Registrar who will consider the application, contact the branch representative and the licensee if necessary, and make a determination on whether to grant an adjournment and when to reconvene. Please note that once a **hearing date** has been confirmed, the Enforcement Hearing Adjudicator will not grant adjournments unless there are exceptional circumstances.

If you require additional information on procedures, please contact me at (250) 356-0010.

Yours truly,

A handwritten signature in cursive script, appearing to read "Shirley A. Martin".

Shirley A. Martin  
Case Management Administrator

**Martin, Shirley SG:EX**

LP # 9663

Genieco  
LRS.

**From:** Matoul, Marc SG:EX

**Sent:** Tuesday, May 27, 2003 2:26 PM

**To:** Martin, Shirley SG:EX

**Subject:** Biltmore, Case EH03-14

Van (Kingsway)

Shirley,

Could you do me a big Favor? I have copies of the waivers signed by the licensee, EXCEPT the 1 day suspension for the minor is premises.

Could you fax it over?

Thanks a lot.

M.



## WAIVER NOTICE

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

File No: EH03-009  
Job No: 000712780-033

**BETWEEN:** 636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

(the "Licensee")

Licensee of: **BILTMORE MOTOR HOTEL**

located at: 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

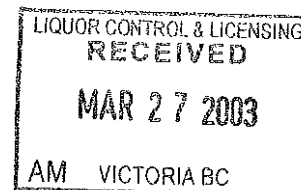
(the "Establishment")

**AND:** General Manager  
Liquor Control and Licensing Branch  
Ministry of Public Safety and Solicitor General

(the "General Manager")

**RE:** Liquor Licence Number 009663

(the "Licence")



**The Licensee:**

1. (a) agrees the Licensee committed the contravention of Fail to request ID, Reg. s. 45(2), (CN A014322) as is set out in the attached Notice of Enforcement Action letter dated February 04, 2003 and its appendix(ces) (the "Notice of Enforcement Action letter") and that the information in the Notice of Enforcement Action letter with respect to this contravention is accurate,


(b) accepts and agrees to the enforcement action specified in the Notice of Enforcement Action letter for the contravention referenced in paragraph 1 of this Waiver Notice and agrees that the licence will be suspended for 3 business days. The suspension will start and be served at the Establishment from the close of business on Tuesday, April 29, 2003, to the opening of business on Saturday, May 03, 2003,

2. waives the opportunity to an enforcement hearing in respect of the contraventions and the enforcement action(s) previously referenced in the Waiver Notice and set out in the Notice of Enforcement Action letter,
3. agrees that the contraventions and enforcement action(s) previously referenced in the Waiver notice and set out in the Notice of Enforcement Action letter will form part of the compliance history of the Licensee,
4. understands and agrees that signs, satisfactory to the general manager, showing that the Licence of the Establishment is suspended, will be placed in prominent locations that are satisfactory to the general manager by the Liquor Control and Licensing Branch inspector or a police officer, and will remain in place during the period of suspension,

The Licensee understands and agrees that this Waiver Notice is irrevocable.

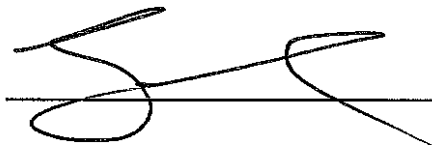
DATE: 25 day of MARCH, 20 03

SIGNATURE OF LICENSEE:

  
(Licensee/Authorized Agent)

(Title/Position)

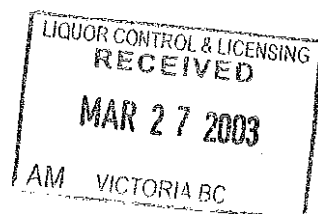
SIGNATURE OF WITNESS:



NAME OF WITNESS:

Lee Murphy  
(Please print)

Attachments: Notice of Enforcement Action letter, dated February, 04 2003





## WAIVER NOTICE

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

File No: EH03-010

Job No: 000712780-031

**BETWEEN:** 636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

(the "Licensee")

Licensee of: **BILTMORE MOTOR HOTEL**

located at: 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

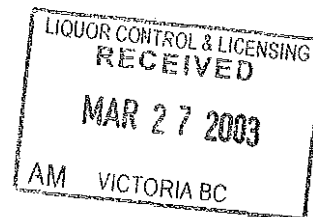
(the "Establishment")

**AND:** General Manager  
Liquor Control and Licensing Branch  
Ministry of Public Safety and Solicitor General

(the "General Manager")

**RE:** Liquor Licence Number 009663

(the "Licence")



### The Licensee:

1. (a) agrees the Licensee committed the contravention of Supply to minors, s. 33, (CN A014317) as is set out in the attached Notice of Enforcement Action letter dated February 04, 2003 and its appendix(ces) (the "Notice of Enforcement Action letter") and that the information in the Notice of Enforcement Action letter with respect to this contravention is accurate,

(b) accepts and agrees to the enforcement action specified in the Notice of Enforcement Action letter for the contravention referenced in paragraph 1 of this Waiver Notice and agrees that the licence will be suspended for 4 business days. The suspension will start and be served at the Establishment from the close of business on Friday, April 25, 2003, to the opening of business on Wednesday, April 30, 2003,

2. (a) agrees the Licensee committed the contravention of Minors in premises, s. 35, (CN A014317) as is set out in the attached Notice of Enforcement Action letter dated February 04, 2003 and its appendix(ces) (the "Notice of Enforcement Action letter") and that the information in the Notice of Enforcement Action letter with respect to this contravention is accurate,

(b) accepts and agrees to the enforcement action specified in the Notice of Enforcement Action letter for the contravention referenced in paragraph 2 of this Waiver Notice and agrees that the licence will be suspended for 1 business day. The suspension will start and be served at the Establishment from the close of business on Thursday, April 24, 2003, to the opening of business on Saturday, April 26, 2003,

3. waives the opportunity to an enforcement hearing in respect of the contraventions and the enforcement action(s) previously referenced in the Waiver Notice and set out in the Notice of Enforcement Action letter,
4. agrees that the contraventions and enforcement action(s) previously referenced in the Waiver notice and set out in the Notice of Enforcement Action letter will form part of the compliance history of the Licensee,
5. understands and agrees that signs, satisfactory to the general manager, showing that the Licence of the Establishment is suspended, will be placed in prominent locations that are satisfactory to the general manager by the Liquor Control and Licensing Branch inspector or a police officer, and will remain in place during the period of suspension,

The Licensee understands and agrees that this Waiver Notice is irrevocable.

DATE: 25 day of MARCH, 2003

SIGNATURE OF LICENSEE: \_\_\_\_\_

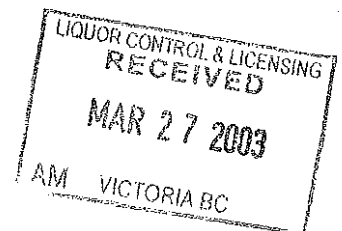
(Licensee/Authorized Agent)

\_\_\_\_\_  
(Title/Position)

SIGNATURE OF WITNESS: \_\_\_\_\_

NAME OF WITNESS: \_\_\_\_\_

Lee Murphy  
(Please print)



Attachments: Notice of Enforcement Action letter, dated February, 04 2003





## WAIVER NOTICE

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

File No: EH03-011  
Job No: 000712780-029

**BETWEEN:** 636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

(the "Licensee")

Licensee of: **BILTMORE MOTOR HOTEL**

located at: 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

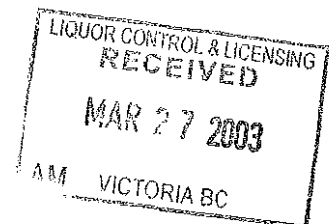
(the "Establishment")

**AND:** General Manager  
Liquor Control and Licensing Branch  
Ministry of Public Safety and Solicitor General

(the "General Manager")

**RE:** Liquor Licence Number 009663

(the "Licence")



### The Licensee:

1. (a) agrees the Licensee committed the contravention of Supply to minors, s. 33, (CN A014316) as is set out in the attached Notice of Enforcement Action letter dated February 04, 2003 and its appendix(ies) (the "Notice of Enforcement Action letter") and that the information in the Notice of Enforcement Action letter with respect to this contravention is accurate,

(b) accepts and agrees to the enforcement action specified in the Notice of Enforcement Action letter for the contravention referenced in paragraph 1 of this Waiver Notice and agrees that the licence will be suspended for 5 business days. The suspension will start and be served at the Establishment from the close of business on Saturday, April 19, 2003, to the opening of business on Friday, April 25, 2003,

2. waives the opportunity to an enforcement hearing in respect of the contraventions and the enforcement action(s) previously referenced in the Waiver Notice and set out in the Notice of Enforcement Action letter,
3. agrees that the contraventions and enforcement action(s) previously referenced in the Waiver notice and set out in the Notice of Enforcement Action letter will form part of the compliance history of the Licensee,
4. understands and agrees that signs, satisfactory to the general manager, showing that the Licence of the Establishment is suspended, will be placed in prominent locations that are satisfactory to the general manager by the Liquor Control and Licensing Branch inspector or a police officer, and will remain in place during the period of suspension,

The Licensee understands and agrees that this Waiver Notice is irrevocable.

DATE: 25 day of MARCH, 2003

SIGNATURE OF LICENSEE: \_\_\_\_\_

(Licensee/Authorized Agent)

\_\_\_\_\_  
(Title/Position)

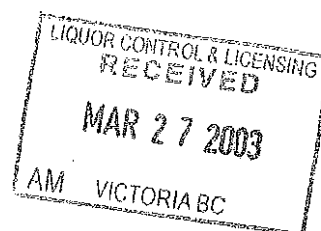
SIGNATURE OF WITNESS: \_\_\_\_\_

NAME OF WITNESS: \_\_\_\_\_

Lee Murphy

(Please print)

Attachments: Notice of Enforcement Action letter, dated February, 04 2003





## WAIVER NOTICE

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

File No: EH03-012  
Job No: 000712780-027

**BETWEEN:** 636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

(the "Licensee")

Licensee of: **BILTMORE MOTOR HOTEL**

located at: 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

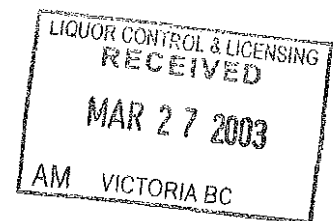
(the "Establishment")

**AND:** General Manager  
Liquor Control and Licensing Branch  
Ministry of Public Safety and Solicitor General

(the "General Manager")

**RE:** Liquor Licence Number 009663

(the "Licence")



### The Licensee:

1. (a) agrees the Licensee committed the contravention of Supply to minors, s. 33, (CN A014315) as is set out in the attached Notice of Enforcement Action letter dated February 04, 2003 and its appendix(ces) (the "Notice of Enforcement Action letter") and that the information in the Notice of Enforcement Action letter with respect to this contravention is accurate,

(b) accepts and agrees to the enforcement action specified in the Notice of Enforcement Action letter for the contravention referenced in paragraph 1 of this Waiver Notice and agrees that the licence will be suspended for 5 business days. The suspension will start and be served at the Establishment from the close of business on Friday, April 11, 2003, to the opening of business on Thursday, April 17, 2003,

2. waives the opportunity to an enforcement hearing in respect of the contraventions and the enforcement action(s) previously referenced in the Waiver Notice and set out in the Notice of Enforcement Action letter,
3. agrees that the contraventions and enforcement action(s) previously referenced in the Waiver notice and set out in the Notice of Enforcement Action letter will form part of the compliance history of the Licensee,
4. understands and agrees that signs, satisfactory to the general manager, showing that the Licence of the Establishment is suspended, will be placed in prominent locations that are satisfactory to the general manager by the Liquor Control and Licensing Branch inspector or a police officer, and will remain in place during the period of suspension,

The Licensee understands and agrees that this Waiver Notice is irrevocable.

DATE: 25 day of MARCH, 20 03

SIGNATURE OF LICENSEE:

BS-11  
(Licensee/Authorized Agent)

\_\_\_\_\_  
(Title/Position)

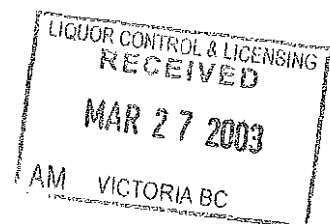
SIGNATURE OF WITNESS:

SM

NAME OF WITNESS:

Lee Murphy  
(Please print)

Attachments: Notice of Enforcement Action letter, dated February, 04 2003





## WAIVER NOTICE

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

File No: EH03-013

Job No: 000712780-025

**BETWEEN:** 636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

(the "Licensee")

Licensee of: **BILTMORE MOTOR HOTEL**

located at: 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

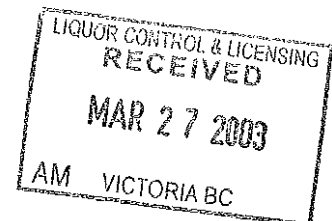
(the "Establishment")

**AND:** General Manager  
Liquor Control and Licensing Branch  
Ministry of Public Safety and Solicitor General

(the "General Manager")

**RE:** Liquor Licence Number 009663

(the "Licence")



### The Licensee:

1. (a) agrees the Licensee committed the contravention of Fail to request ID, Reg. s. 45(2), (CN A014321) as is set out in the attached Notice of Enforcement Action letter dated February 04, 2003 and its appendix(ces) (the "Notice of Enforcement Action letter") and that the information in the Notice of Enforcement Action letter with respect to this contravention is accurate,

(b) accepts and agrees to the enforcement action specified in the Notice of Enforcement Action letter for the contravention referenced in paragraph 1 of this Waiver Notice and agrees that the licence will be suspended for 3 business days. The suspension will start and be served at the Establishment from the close of business on Wednesday, April 16, 2003, to the opening of business on Sunday, April 20, 2003,

2. waives the opportunity to an enforcement hearing in respect of the contraventions and the enforcement action(s) previously referenced in the Waiver Notice and set out in the Notice of Enforcement Action letter,
3. agrees that the contraventions and enforcement action(s) previously referenced in the Waiver notice and set out in the Notice of Enforcement Action letter will form part of the compliance history of the Licensee,
4. understands and agrees that signs, satisfactory to the general manager, showing that the Licence of the Establishment is suspended, will be placed in prominent locations that are satisfactory to the general manager by the Liquor Control and Licensing Branch inspector or a police officer, and will remain in place during the period of suspension,

The Licensee understands and agrees that this Waiver Notice is irrevocable.

DATE: 25 day of MARCH, 20 03

SIGNATURE OF LICENSEE: \_\_\_\_\_

(Licensee/Authorized Agent)

\_\_\_\_\_  
(Title/Position)

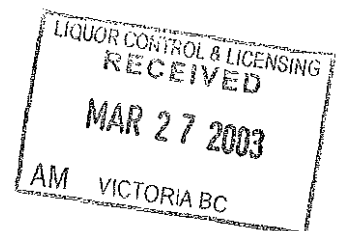
SIGNATURE OF WITNESS: \_\_\_\_\_

NAME OF WITNESS: \_\_\_\_\_

Lee Murphy

(Please print)

Attachments: Notice of Enforcement Action letter, dated February, 04 2003



hp officejet d155xi  
printer/fax/scanner/copier

**Fax-History Report for**

May 28 2003 10:26am

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**Last Transaction**

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
May 28	10:23am	Fax Sent	816045862640	2:36	11	OK

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**Ministry of Public Safety  
and Solicitor General**

This facsimile may be CONFIDENTIAL, and is intended only for the use of the person to whom it is addressed. Any distribution, copying or other use by anyone else is strictly prohibited. If you have received this facsimile in error, please telephone us immediately and destroy it.

DATE: May 28, 2003 URGENT: NO: \_\_\_\_\_ YES: X  
CONFIDENTIAL: NO: \_\_\_\_\_ YES: X

TO: Marc Matoul, Advocate  
OFFICE: LCLB – Surrey Office  
PHONE: (604) 586-2645  
FAX: (604) 586-4098 2640  
CC: \_\_\_\_\_

RE: As requested attached are the waivers for the Biltmore Motor Hotel signed by the  
Licensee.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FROM: Shirley Martin  
A/Case Management Administrator  
OFFICE: Liquor Control & Licensing Branch  
PHONE: (250) 356-0010  
FAX: (250) 356-1254

NUMBER OF PAGES BEING TRANSMITTED (INCLUDING THIS ONE): 11  
If all pages are not received please telephone the sender.

HARD COPY TO FOLLOW: NO: X  
BY MAIL: \_\_\_\_\_  
BY COURIER: \_\_\_\_\_  
BY HAND: \_\_\_\_\_





**NOTICE OF ENFORCEMENT ACTION**  
*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

May 27, 2003

File No: EH03-082

Job No: 000712790-016

636608 B.C. LTD.  
c/o Khanna, Baldev  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252  
Fax: (604) 874-5252

Dear Baldev Khanna,:

**Re: Licence Number 017632**

BILTMORE MOTOR HOTEL  
395 KINGSWAY  
VANCOUVER, BC V5T 3J7

The purpose of this notice is to inform you that the general manager is scheduling an enforcement hearing in order to review whether to take enforcement action for the alleged contravention(s) of the Liquor Control and Licensing Act, the regulations, and/or the terms and conditions of the licence set out in this notice.

**ROLE OF THE LIQUOR CONTROL AND LICENSING BRANCH**

The role of the Liquor Control and Licensing Branch as the regulator of licensed establishments is to help provide an orderly and problem-free environment for licensed establishments. When an infraction occurs, the general manager of the Liquor Control and Licensing Branch will take whatever enforcement action is necessary:

- to protect the public interest,
- to ensure future compliance with the Act, the regulations, and/or the terms and conditions of a licence, and
- to ensure that licensees, employees, patrons and the community recognize the seriousness of contraventions.

The general manager is responsible for supervising the conduct and operation of every licensed establishment in British Columbia. The enforcement powers of the general manager are expressed in section 20(2) of the Liquor Control and Licensing Act as follows:

**Ministry of  
Public Safety and  
Solicitor General**

Liquor Control and  
Licensing Branch

Mailing address:  
PO Box 9292 Stn Prov Govt  
Victoria, BC V8W 9J8

Toll Free: 1 866 209-2111  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor  
1019 Wharf Street  
Victoria BC

<http://www.pssg.gov.bc.ca/clb>

- 20 (2) If the general manager has the right under subsection (1) to take action against a licensee, the general manager may do any one or more of the following, with or without a hearing:
- (repealed)
  - impose terms and conditions on the licensee's licence or rescind or amend existing terms and conditions on the licence;
  - impose a monetary penalty on the licensee in accordance with the prescribed schedule of penalties;
  - suspend all or any part of the licensee's licence in accordance with the prescribed schedule of licence suspensions;
  - cancel all or any part of the licensee's licence;
  - order the licensee to transfer the licence, within the prescribed period, to a person who is at arm's length from the licensee.

#### THE ALLEGED CONTRAVENTION(S)

No.	Contravention name	Section of Act/regulation and term and condition of the licence	Date of alleged contravention	Recommended enforcement action
1	Liquor removed from establishment, Reg. s. 42(4)	Reg. s. 42(4)	Apr 19, 2003	\$2,000.00 penalty

These alleged contraventions are described in full in the attached Appendix A.

#### Proposed enforcement action

The general manager may impose a penalty for a contravention of the Act, the regulations, and/or the terms and conditions of the licence(s). The general manager has the authority to cancel a licensee's licence, in whole or in part, if circumstances warrant a cancellation. Enforcement action may also include imposing terms and conditions for a contravention of the Act and the regulations.

When determining the appropriate penalty for a contravention, the general manager will consider:

- the type of contravention
- the facts of the contravention
- the establishment's history of compliance
- the compliance history of the licensee.

The general manager will also consider what action best serves the public interest.

The penalty schedule, set out in schedule 4 to the Liquor Control and Licensing Regulations, describes the penalty range for each contravention. A copy of the *Liquor Control and Licensing Act and Regulations* can be obtained on the Liquor Control and Licensing Branch website at <http://www.pssg.gov.bc.ca/lclb/>. While the general manager usually stays within this schedule, if the general manager concludes that it is in the public interest to do so, the general manager may impose a higher penalty than the penalty set out in the penalty schedule.

### **Monetary penalty falls within penalty schedule**

For the alleged contravention of Liquor removed from establishment, Reg. s. 42(4) (Contravention Notice Number b004542) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a monetary penalty of \$2,000.00 ( Two Thousand Dollars ) is warranted.

This proposed monetary penalty falls within the penalty range set out in schedule 4 to the regulations for a first incident of the alleged contravention.

The reasons for this proposed penalty are set out in Appendix A and B.

The establishment's history of compliance and the compliance history of the licensee are described in the attached Appendix B

### **LICENSEE OPTIONS**

1. The licensee may accept the proposed enforcement action(s) for any or all of the contraventions set out above and waive the opportunity for an enforcement hearing on those contraventions. This process is described in more detail under heading Option to Waive Enforcement Hearing below.
2. The licensee may attend an enforcement hearing for the purpose of contesting the occurrence of the contravention(s) and/or the proposed enforcement action(s). Please note, at an enforcement hearing the general manager may decline to take any enforcement action, take the proposed enforcement action set out in this letter, or take enforcement action that is less than or greater than the proposed enforcement action set out in this letter.

#### **Option to waive enforcement hearing**

The licensee may waive the opportunity for an enforcement hearing and accept the enforcement action(s) proposed in this letter. If the licensee chooses this option, it is necessary to sign a waiver notice. By signing the waiver notice, the licensee expressly and irrevocably:

- agrees that the licensee has committed the contravention(s)
- accepts the enforcement action(s) proposed in this letter
- waives the opportunity to an enforcement hearing on these matters
- agrees that the finding(s) of contravention and the specified enforcement action(s) will form part of the compliance history of the licensee.

If the licensee plans to sign a waiver notice, branch staff will prepare the notice. In most situations, the waiver notice must be signed within 14 days of the date of this letter. If the licensee plans to sign a waiver notice, please contact the writer to arrange an appointment as soon as possible.

#### **Date, time, and place of the enforcement hearing**

The case management administrator will be contacting the licensee shortly to discuss the hearing process. If the licensee signs a waiver notice, the enforcement hearing will be cancelled.

The case management administrator contact information is:

Shirley Martin; (250) 356-0010; Shirley.Martin@gems3.gov.bc.ca

**CONTACT NUMBER**

If you have any questions regarding this letter, please contact the writer at (250) 775-0093 or Stephen.Barron@gems6.gov.bc.ca for clarification.

Yours truly,

Stephen Barron  
Inspector, Vancouver

**Attachments:**

- 1) Appendices A & B
- 2) Liquor License
- 3) Floor Plan
- 4) CN b004542
- 5) Enforcement hearing rules

## Appendix A

### Licence Information

Licence number: 017632  
Licence type: Liquor Primary  
Terms and conditions of the licence:

Licence expiry date: March 31, 2004

### BRANCH WITNESSES

At the enforcement hearing, the branch will be calling the following witnesses to present evidence of the alleged contravention. The following table lists the witnesses and a summary of the evidence that they will present.

	Name	Summary of Evidence
1	Stephen Barron 604-775-0093 (Inspector)	Will provide evidence that he interviewed manager on duty, interviewed operator of singles dance, viewed patrons with liquor in banquet room, viewed patrons carrying liquor between licensed facilities.
2	Doug Dyck 604-775-0053 (Inspector)	Will provide evidence that he interviewed manager on duty, interviewed operator of singles dance, viewed patrons with liquor in banquet room, viewed patrons carrying liquor between licensed facilities.

### DETAILS OF THE CONTRAVENTION NOTICE (SUMMARY OF EVIDENCE)

Routine inspection April 19, 03. at the Biltmore Hotel Insp. Dyck and Barron ensured that 'Ice Bar' was closed as it was suspended. The Lounge portion of hotel (TJ's) was open. Insp. Barron was met at entrance of lounge by an unidentified female employee, who advised that there was a \$5 cover charge.

It appeared that lounge was being converted into dance club that evening. Barron talked with manager who was identified as Craig States. States advised that he was part of group that was soon to be operating the 'Ice Bar' when it was reopened. He advised that the licensee had given them permission to operate upstairs lounge in the meantime.

Inspector Barron noted that the license that was on Lounge wall was a photocopy of expired license. Insp. Barron and Dyck then proceeded to a banquet room (identified as the 'Roxanne Room') where there was a singles dance in progress. They talked to s. 22 who was running the dance. During this time, the inspectors observed several people in room with liquor (bottles of beer), and also saw people walking into the room carrying liquor through the unlicensed hallway/lobby between the room and the lounge. Southwell advised that they were not serving liquor at the dance. Barron or Dyck could not locate a Special Occasion License (SOL) for the dance.

It was observed that dance patrons were purchasing liquor at the lounge nearby and then carrying it into the banquet room.

Both inspectors were unable to determine at the time where the redline was as there was not a redline floor plan available for either licensed area. An employee of the Biltmore s. 22 known to Inspector Barron as

s. 22

former manager of Ice Bar) attempted to located floor plans, however could not.

Inspectors talked to the manager who at that time advised his staff in the lounge to stop serving liquor to people who were attending the dance. During this time, one of the servers came to complain to an unidentified door person that patrons were giving her a hard time about not being able to take liquor into the dance.

Inspectors departed at 23:15 and Inspector Barron advised manager States that he would be in contact with the licensee to discuss possible contraventions.

At the office, Inspector Barron reviewed the floor plans on the physical office file to confirm that a contravention occurred.

Issued CN b004542 to licensee/owner Bob Nijjar on April 28/03 during compliance meeting at Vancouver LCLB office.

### SUMMARY OF ALLEGED CONTRAVENTIONS

The following is a summary of each alleged contravention and the circumstances surrounding each contravention. At the enforcement hearing, the general manager will be considering this information when deciding whether each contravention occurred and the penalty, if any, for that contravention.

#### CONTRAVENTION #1

Contravention notice number	Date contravention notice issued	Name of contravention and section of Act or regulations	Recommended enforcement action	Start date of suspension to be served
b004542	Apr 28, 2003	Liquor removed from establishment, Reg. s. 42(4)	\$2,000.00 penalty	

##### Reasons for Recommended Enforcement Action:

There are no contraventions on file for this license. However, the compliance history for this licensee is very poor. This license is one of three licenses at this premise. The licensee has been made aware of the terms and conditions of his licenses, yet continues to operate contrary to the terms and conditions. The continuing and repetitive nature of the contraventions by this licensee demonstrates the licensee's unwillingness to voluntarily comply with the terms and conditions of the license.

At the time of this contravention, the licensee was serving a 21 day penalty for the other liquor primary license at the hotel, with another 10 day suspension pending.

Other contraventions noted this evening included: no liquor license posted (expired photocopy on wall), redline floor plan not available, and failure to notify Branch of third party lease.

##### Reasons for Proposed Penalty:

This penalty falls within the guidelines as set out in the Liquor Control and Licensing Act/Regulation schedule 4 for a first contravention. I recommend a monetary penalty of \$2,000 because of the neglect the licensee to control his patrons. A monetary penalty greater than the minimum is being recommended to alert the licensee that they must control their patrons and monitor the activities at all the licensee premises within their hotel.

## DOCUMENTATION

At the enforcement hearing, the branch will likely be presenting the information listed in the following table. A copy of the contravention notice is attached. A copy of each of the other documents and any additional relevant information will be forwarded to the licensee once the enforcement hearing on this matter has been scheduled.

Contraventions:		
	Date	Document Description
1	April 28, 2003	CN #b004542 - Contravening a term and condition, s. 12 - Liquor licence not posted
2	April 28, 2003	CN #b004542 - Contravening a term and condition, s. 12 - No approved floor plan available
3	April 28, 2003	CN #b004542 - Contravening a term and condition, s. 12
Compliance Meetings:		
1	April 28, 2003	

## **Appendix B**

### **HISTORY OF COMPLIANCE**

At the enforcement hearing, the general manager will consider this information when determining the penalty for each contravention.

#### **Establishment's history of compliance**

The establishment's history of compliance is relevant when determining which level of penalty should be imposed for a contravention. The establishment's history of compliance is comprised of any prior findings of contravention that relate to the establishment in question (whether by waiver or decision of the general manager) and any prior penalty.





May 13, 2003

Bob Niger  
636608 B.C. Ltd.  
c/o Biltmore Motor Hotel  
394 Kingsway  
Vancouver, BC V5T 3J7  
Phone: (604) 872-5252  
Fax: (604) 874-5252

Marc Matoul  
Branch Advocate  
Liquor Control and Licensing Branch  
Phone: (604) 586-2645  
Fax: (604) 586-4098

Dennis Coates, Q.C.  
Counsel for Licensee  
Phone: (250) 374-3161  
Fax: (250) 374-6992

**Re: Biltmore Motor Hotel, Vancouver, BC**  
**"Liquor Primary" Liquor Licence No. 9663**

**Case # EH03-014**

The purpose of this letter is to inform you that Marc Matoul will now be acting as the Branch Advocate for the hearing which has been scheduled as follows:

**Hearing: June 16 to June 20, 2003, at 10:00 A.M.**

If you have any further questions or concerns regarding this information please notify me at your earliest opportunity at (250) 356-0010.

Yours truly,

  
Shirley A. Martin  
Case Management Administrator



April 30, 2003

Bob Nijjar  
636608 B.C. Ltd  
dba. Biltmore Hotel  
394 Kingsway  
Vancouver, BC V5T 3J7  
Phone: (604) 872-5252  
Fax: (604) 874-5252

*Y. Jones*  
Peter Jones, Branch Advocate  
Liquor Control & Licensing Branch  
Phone: (250) 387-9122  
Fax: (250) 387-9139

Dennis Coates, Q.C.  
Counsel for Licensee  
Phone: (250) 374-3161  
Fax: (250) 374-6992

**Re: *Biltmore Hotel, Vancouver, BC***  
***Liquor Primary Licence No. 9663***

***Case No. EH03-014***

This records the results of a Pre-Hearing Telephone Conference (PHC) held on April 29, 2003 attended by:

Dennis Coates  
Peter Jones  
Shahid Noorani

Licensee Counsel  
Branch Advocate  
Branch Registrar

### **Status**

**Hearing: June 16 to June 20, 2003 at 10:00 A.M.**

**Hearing Location: Vancouver Regional Office  
133 East 8<sup>th</sup> Avenue  
Vancouver, BC**

**Please note that the Branch Registrar will not postpone this hearing date unless there are exceptional circumstances.**

**Ministry of Public Safety  
and Solicitor General**

**Liquor Control and  
Licensing Branch**

**Mailing Address:  
PO Box 9292 Stn Prov Govt  
Victoria BC V8W 9J8**

**Toll Free: 1-866-209-2111  
Telephone: 250 387-1254  
Facsimile: 250 387-9184**

**Location:  
Second Floor, 1019 Wharf Street  
Victoria BC**

**[www.pssg.gov.bc.ca/lclb](http://www.pssg.gov.bc.ca/lclb)**

If you fail to appear at the hearing, the Enforcement Hearing Adjudicator may:

- Adjourn the hearing;
- Conduct the hearing;
- Make findings based on the evidence presented, including findings that the contravention(s) did or did not occur; and or,
- In the event of a finding that the contravention(s) occurred, impose the recommended enforcement action

### **Alleged Contraventions and Recommended Enforcement Action**

The Branch has alleged that the licensee contravened the Act, regulations, and the liquor license by operating the establishment contrary to the public interest. The details of the allegation and the recommended penalty are set out in the Notice of Enforcement Action dated April 15, 2003.

### **Discussion**

It was agreed that given the nature of the allegation and the number of proposed witnesses to be called that the matter be set down for five days. Mr. Coates was unable to speak to his client's availability, but advised that he could commit himself to the week of June 16, 2003. It was agreed to by Mr. Coates that he would advise the Case Management Administrator within the next 24 hours of his client's availability for this week. The Branch has subsequently learned from Mr. Coates' office that his client is agreeable to these dates. I will, therefore, take this opportunity to confirm the hearing dates as being June 16 to June 20, 2003. The time and location of the hearing are noted on the front of this letter.

Mr. Coates indicated that due to the recent implementation of this allegation, that he may raise a preliminary motion that would seek some direction on the matter. At the time of the PHC Mr. Coates had not given serious thought to the motion that he may raise. At the request of Mr. Jones, it was agreed to by Mr. Coates that he will bring forward any preliminary motion before May 27, 2003.

### **Disclosure**

Mr. Jones requested the licensee produce copies of the following:

- All documentation indicating what actions the licensee has taken both before and after the date of issuance of the contravention notice to reduce problems identified to them by the police; the Branch; and the residents in the area of the establishment

I direct that the above listed documents be provided to the licensee by May 20, 2003.

The licensee requested copies of the following documents:

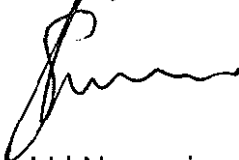
- The contravention notice giving relating to this contravention;
- The Enforcement Action Report
- All police notes; all Branch inspector notes; all notes of any witnesses relating to the contravention identified

Mr. Coates will review Schedule 1 and will advise Mr. Jones of any further document requests. Any further requests by Mr. Coates should occur by May 9, 2003.

I direct that the above listed documents, and any further documents that Mr. Coates may request, be provided to the licensee by May 20, 2003.

I thank you for your participation and cooperation in the PHC. If you disagree with this reporting from the PHC or if you think further pre-hearing procedures would be of assistance, please notify Shirley Martin, Case Management Administrator at (250)356-0010 at your earliest opportunity.

Yours truly,

A handwritten signature in black ink, appearing to read 'Shahid Noorani', with a stylized, flowing script.

Shahid Noorani  
Branch Registrar







April 22, 2003

Bob Niger  
636608 B.C. Ltd.  
c/o Biltmore Motor Hotel  
394 Kingsway  
Vancouver, BC V5T 3J7  
Phone: (604) 872-5252  
Fax: (604) 874-5252

Peter K. Jones  
Branch Advocate  
Liquor Control and Licensing Branch  
Phone: (250) 387-9122  
Fax: (250) 387-9139

Dennis Coates, Q.C.  
Counsel for Licensee  
Phone: (250) 374-3161  
Fax: (250) 374-6992

**Re: Biltmore Motor Hotel, Vancouver, BC**  
**"Liquor Primary" Liquor Licence No. 9663** **Case # EH03-014**

The purpose of this letter is to inform you that the General Manager will be taking enforcement action for alleged contravention(s) of the *Liquor Control and Licensing Act*, the regulations, and/or the terms and conditions to the licence noted above.

The Branch Registrar has requested that this case be set for a Pre-Hearing Telephone Conference (PHC) on:

**Pre-Hearing Telephone Conference: April 29, 2003 at 9:30 A.M.**

**Hearing: (to be discussed at PHC)**

The procedures for Pre-Hearing Conferences (PHC) and Hearings are outlined later in this letter. If a waiver form is signed, the PHC will be cancelled.

### **Alleged Contravention(s) and Recommended Enforcement Action(s)**

You have received the attached Notice of Enforcement Action from Inspector Tina Bains which sets out the following information:

- alleged contraventions,
- dates of the contraventions,
- the role of the Liquor Control and Licensing Branch,
- the proposed enforcement action,
- your options,
- a summary of the evidence,
- the branch witnesses,
- a list of documents that will be presented,
- the reasons for the proposed penalty, and
- any history of compliance that is relevant.

For your convenience, I have outlined the options available to you as described in Inspector Bains' letter.

### **Licensee Options**

1. You may accept the recommended enforcement action(s) set out in the Notice of Enforcement Action and **waive** (see below) the opportunity for an enforcement hearing. OR
2. You may attend an enforcement hearing for the purpose of:
  - a) contesting the occurrence of the contravention, and/or
  - b) contesting the recommended enforcement action(s).

### **Option to Waive**

You can waive the opportunity for an enforcement hearing and accept the recommended enforcement action(s). If you choose to waive, you must sign a **waiver form** (see below). By signing a waiver form, you **agree**:

- that the licensee has committed the contravention(s);
- to waive the opportunity for an enforcement hearing on these allegations;
- to accept the branch's recommended enforcement action(s); and
- that the findings of the contravention(s) and action(s) will form part of the compliance history of the licensee.

### **Waiver Forms**

If you intend to waive the hearing, please contact your local branch office. The branch will prepare the waiver notice for your signature. You will need to arrange an appointment with the branch to discuss the waiver and sign the waiver form at your earliest convenience.



### **Pre-Hearing Conference (PHC)**

If the licensee does not sign a waiver form, the Branch Registrar will convene a telephone conference on the date and time indicated on the front of this letter with the branch representative and the licensee to discuss:

- the issues,
- the procedures leading to the hearing,
- the evidence, including requests for disclosure, and witnesses to be called,
- the length of time required for hearing,
- witness availability,
- date(s) for the hearing,
- the procedures during the hearing, and
- any other procedures or issues that will assist in a timely, fair, and efficient hearing.

The people who will be contacted for the Pre-Hearing Conference (PHC) will be those whose names appear at the top of this letter. They will be contacted at the numbers noted on the front of this letter. **Please advise the Case Management Administrator (CMA) immediately if you would like to be contacted at a different telephone number. If you want alternate, or additional people, added to the PHC, you must notify the CMA as soon as possible and provide their telephone numbers.**

You are required to attend the Pre-Hearing Conference (PHC) and be prepared to discuss the above points.

**At the PHC you MUST be prepared to provide the Branch Registrar with your dates of availability, and the availability for any witness you may require, to attend an enforcement hearing 30 to 60 days from the date of the PHC. In addition, you must be prepared to provide the number of days that you believe you will need to present your case. The Branch Registrar will attempt to set mutually acceptable dates. If no mutually acceptable date can be arranged without unduly delaying the hearing, or if you are unprepared to provide dates of availability for an enforcement hearing, the Branch Registrar will set the dates.**

**If you intend on being represented by legal counsel they MUST be prepared to speak to their availability for these dates.**

### **Enforcement Hearing**

The Enforcement Hearing Adjudicator at the hearing will be a General Manager, or delegate, who will decide on the basis of the evidence presented by both sides:

- whether the alleged contravention occurred, and
- what, if any, enforcement action is to be imposed.

You are required to come to the hearing prepared to present evidence and submissions on both aspects.

If you fail to appear at the hearing, the Enforcement Hearing Adjudicator may:

- adjourn the hearing,
- conduct the hearing,
- make findings based on the evidence presented, including findings that the contravention(s) did or did not occur,
- in the event of a finding that the contravention(s) occurred, impose the recommended enforcement action.

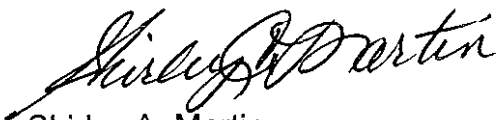
### **Adjournments**

In the event you are not available to attend the Pre-Hearing Conference (PHC) at the time indicated, you must apply in writing to the **Case Management Administrator (CMA)** not less than one full day prior to the PHC, requesting an adjournment. In the adjournment request, you must indicate the reasons for not being available and propose alternate times.

The CMA will refer the application to the Branch Registrar who will consider the application, contact the branch representative and the licensee if necessary, and make a determination on whether to grant an adjournment and when to reconvene. Please note that once a **hearing date** has been confirmed, the Enforcement Hearing Adjudicator will not grant adjournments unless there are exceptional circumstances.

If you require additional information on procedures, please contact me at (250) 356-0010.

Yours truly,



Shirley A. Martin  
A/Case Management Administrator

## COMPLIANCE MEETING

Inspector's Name: Stephen Barron

Date: 03 April 28

Office Location: LCLB Vancouver

### ESTABLISHMENT INFORMATION:

Establishment Name: Full Moon Motel Hotel

Establishment Address: 390 Kungway Lane

Licence No.: 9663

Licence Class: \_\_\_\_\_

Expiry date: \_\_\_\_\_

Licensee Name: 636609 BC LTD

### MEETING DETAILS:

Attendees at compliance meeting:

Name: Stephen Barron

Association/Position: Inspector

Contact No: (604) 775 0093

Name: Bob Miller

Association/Position: Owner

Contact No: 604 872 5152

Name: \_\_\_\_\_

Association/Position: \_\_\_\_\_

Contact No: \_\_\_\_\_

Name: \_\_\_\_\_

Association/Position: \_\_\_\_\_

Contact No: \_\_\_\_\_

Name: \_\_\_\_\_

Association/Position: \_\_\_\_\_

Contact No: \_\_\_\_\_

Name: \_\_\_\_\_

Association/Position: \_\_\_\_\_

Contact No: \_\_\_\_\_

Reason compliance meeting was convened (cite CN # if relevant): 6001542

Information reviewed at the meeting:

☐ Relevant section(s) of the *Liquor Control and Licensing Act*
☐ Relevant section(s) of the *Liquor Control and Licensing Regulations*
☐ Relevant section(s) of the *Compliance and Enforcement Program, Policy and Procedures Manual*
☒ Relevant section(s) of the *Guide to Liquor Licensees*
☒ Other discussion re delicensing of SOL. Advising branch of changes (property lease) + posting of license + floorplan.

Commitments made by licensee: To post license + floorplan. To advise branch of changes to management.

Other floorplan app given to licensee if floorplan not found. SOL app + delicensing app given.

Inspector Name: Stephen Barron

Inspector Signature: [Signature]

Licensee Name: [Signature]

Licensee Signature: \_\_\_\_\_



March 27, 2003

File No: EH03-013

Job No: 000712780-025

636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

Dear Licensee:

**Re: Licence Number 009663**

BILTMORE MOTOR HOTEL  
395 KINGSWAY  
VANCOUVER, BC V5T 3J7

The purpose of this letter is to inform you of the procedures of the Liquor Control and Licensing Branch for imposing enforcement action on the above noted licence. You agreed to and accepted the following enforcement actions by signing a waiver notice dated March 25, 2003.

It is important to note that you are responsible for the actions of your employees. You will want to ensure that managers and staff are familiar with the terms of the enforcement action and their responsibilities.

### **Enforcement Action**

#### **Suspension of the licence**

The licence will be suspended for 3 business days. The suspension will start and be served at the establishment from the close of business on Wednesday, April 16, 2003, to the opening of business on Sunday, April 20, 2003.

Signs satisfactory to the general manager, showing that the licence is suspended, must be placed in a prominent location in the establishment by a Liquor Control and Licensing Branch inspector or a police officer, and must remain in place during the period of suspension.

**Ministry of Public  
Safety  
and Solicitor  
General**

Liquor Control and  
Licensing Branch

Mailing address:  
PO Box 9292 Stn Prov Govt  
Victoria, BC V8W 9J8  
Toll Free: 1 866 209-2111  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor  
1019 Wharf Street  
Victoria BC

<http://www.pssg.gov.bc.ca/lclb>

Page 1 of 2

### **Suspension procedures**

A Liquor Control and Licensing Branch inspector or police officer will attend at your establishment prior to opening time on the first day of the suspension to:

- remove the licence
- post the signs referenced above.

You should make arrangements with the Liquor Control and Licensing Branch inspector or police officer to obtain your licence at the end of the suspension period.

### **Responsibility of licensee**

You must allow the Liquor Control and Licensing Branch inspector or police officer to post the suspension signs. You must not remove those signs during the suspension. You must hand over the licence to the Liquor Control and Licensing Branch inspector or police officer when asked.


The establishment must remain closed during the period of suspension. You must not permit the sale, service or consumption of liquor in the establishment while the licence is suspended. There are serious consequences for the service of liquor while a licence is under suspension. If you serve liquor while a licence is suspended, the general manager will do one of the following:

- cancel the licence
- require that the licence be transferred within a specified time period and cancel the licence if it is not transferred within that time period
- impose a suspension of at least 15 days.

### **Contact Number**

If you have any questions about the matters covered in this letter, please contact the inspector responsible for your area at (250) 775-0093.

Yours truly,



Mark Tatchell  
Deputy General Manager  
Compliance and Enforcement

CC: VANCOUVER POLICE DEPT. - #5  
Clerk/Secretary City of VANCOUVER  
CENTRAL LICENSEE VANCOUVER, KINGSGATE MALL GLS #123  
Brewers Distribution Ltd  
Manager of Licensing Rebecca Villa-Arce  
Regional Manager Lee Murphy  
Inspector Stephen Barron



## WAIVER NOTICE

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

File No: EH03-013  
Job No: 000712780-025

**BETWEEN:** 636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

(the "Licensee")

Licensee of: **BILTMORE MOTOR HOTEL**

located at: 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

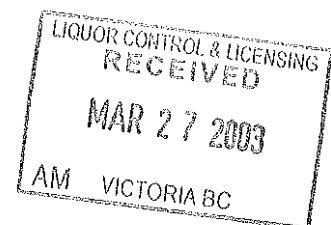
(the "Establishment")

**AND:** General Manager  
Liquor Control and Licensing Branch  
Ministry of Public Safety and Solicitor General

(the "General Manager")

**RE:** Liquor Licence Number 009663

(the "Licence")



### The Licensee:

1. (a) agrees the Licensee committed the contravention of Fail to request ID, Reg. s. 45(2), (CN A014321) as is set out in the attached Notice of Enforcement Action letter dated February 04, 2003 and its appendix(ces) (the "Notice of Enforcement Action letter") and that the information in the Notice of Enforcement Action letter with respect to this contravention is accurate,

(b) accepts and agrees to the enforcement action specified in the Notice of Enforcement Action letter for the contravention referenced in paragraph 1 of this Waiver Notice and agrees that the licence will be suspended for 3 business days. The suspension will start and be served at the Establishment from the close of business on Wednesday, April 16, 2003, to the opening of business on Sunday, April 20, 2003,

2. waives the opportunity to an enforcement hearing in respect of the contraventions and the enforcement action(s) previously referenced in the Waiver Notice and set out in the Notice of Enforcement Action letter,
3. agrees that the contraventions and enforcement action(s) previously referenced in the Waiver notice and set out in the Notice of Enforcement Action letter will form part of the compliance history of the Licensee,
4. understands and agrees that signs, satisfactory to the general manager, showing that the Licence of the Establishment is suspended, will be placed in prominent locations that are satisfactory to the general manager by the Liquor Control and Licensing Branch inspector or a police officer, and will remain in place during the period of suspension,

The Licensee understands and agrees that this Waiver Notice is irrevocable.

DATE: 25 day of MARCH, 20 03

SIGNATURE OF LICENSEE:

[Signature]  
(Licensee/Authorized Agent)

\_\_\_\_\_  
(Title/Position)

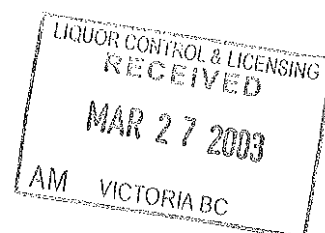
SIGNATURE OF WITNESS:

[Signature]

NAME OF WITNESS:

Lee Murphy  
(Please print)

Attachments: Notice of Enforcement Action letter, dated February, 04 2003





## WAIVER NOTICE

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

File No: EH03-012  
Job No: 000712780-027

**BETWEEN:** 636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

(the "Licensee")

Licensee of: **BILTMORE MOTOR HOTEL**

located at: 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

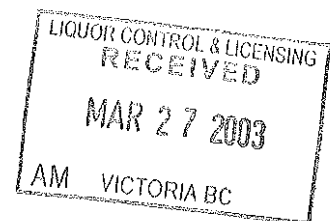
(the "Establishment")

**AND:** General Manager  
Liquor Control and Licensing Branch  
Ministry of Public Safety and Solicitor General

(the "General Manager")

**RE:** Liquor Licence Number 009663

(the "Licence")



### The Licensee:

1. (a) agrees the Licensee committed the contravention of Supply to minors, s. 33, (CN A014315) as is set out in the attached Notice of Enforcement Action letter dated February 04, 2003 and its appendix(ces) (the "Notice of Enforcement Action letter") and that the information in the Notice of Enforcement Action letter with respect to this contravention is accurate,



(b) accepts and agrees to the enforcement action specified in the Notice of Enforcement Action letter for the contravention referenced in paragraph 1 of this Waiver Notice and agrees that the licence will be suspended for 5 business days. The suspension will start and be served at the Establishment from the close of business on Friday, April 11, 2003, to the opening of business on Thursday, April 17, 2003,

2. waives the opportunity to an enforcement hearing in respect of the contraventions and the enforcement action(s) previously referenced in the Waiver Notice and set out in the Notice of Enforcement Action letter,
3. agrees that the contraventions and enforcement action(s) previously referenced in the Waiver notice and set out in the Notice of Enforcement Action letter will form part of the compliance history of the Licensee,
4. understands and agrees that signs, satisfactory to the general manager, showing that the Licence of the Establishment is suspended, will be placed in prominent locations that are satisfactory to the general manager by the Liquor Control and Licensing Branch inspector or a police officer, and will remain in place during the period of suspension,

The Licensee understands and agrees that this Waiver Notice is irrevocable.

DATE: 25 day of MARCH, 20 03

SIGNATURE OF LICENSEE: \_\_\_\_\_

(Licensee/Authorized Agent)

\_\_\_\_\_  
(Title/Position)

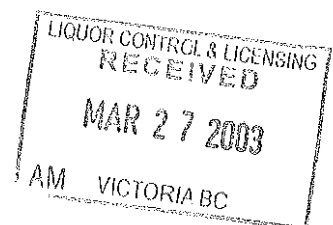
SIGNATURE OF WITNESS: \_\_\_\_\_

NAME OF WITNESS: \_\_\_\_\_

Lee Murphy

(Please print)

Attachments: Notice of Enforcement Action letter, dated February, 04 2003





March 27, 2003

File No: EH03-011  
Job No: 000712780-029

636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

Dear Licensee:

**Re: Licence Number 009663**

BILTMORE MOTOR HOTEL  
395 KINGSWAY  
VANCOUVER, BC V5T 3J7

The purpose of this letter is to inform you of the procedures of the Liquor Control and Licensing Branch for imposing enforcement action on the above noted licence. You agreed to and accepted the following enforcement actions by signing a waiver notice dated March 25, 2003.

It is important to note that you are responsible for the actions of your employees. You will want to ensure that managers and staff are familiar with the terms of the enforcement action and their responsibilities.

#### **Enforcement Action**

##### **Suspension of the licence**

The licence will be suspended for 5 business days. The suspension will start and be served at the establishment from the close of business on Saturday, April 19, 2003, to the opening of business on Friday, April 25, 2003.

Signs satisfactory to the general manager, showing that the licence is suspended, must be placed in a prominent location in the establishment by a Liquor Control and Licensing Branch inspector or a police officer, and must remain in place during the period of suspension.

**Ministry of Public  
Safety  
and Solicitor  
General**

Liquor Control and  
Licensing Branch

Mailing address:  
PO Box 9292 Stn Prov Govt  
Victoria, BC V8W 9J8  
Toll Free: 1 866 209-2111  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor  
1019 Wharf Street  
Victoria BC

<http://www.pssg.gov.bc.ca/lclb>

Page 1 of 2

### **Suspension procedures**

A Liquor Control and Licensing Branch inspector or police officer will attend at your establishment prior to opening time on the first day of the suspension to:

- remove the licence
- post the signs referenced above.

You should make arrangements with the Liquor Control and Licensing Branch inspector or police officer to obtain your licence at the end of the suspension period.

### **Responsibility of licensee**

You must allow the Liquor Control and Licensing Branch inspector or police officer to post the suspension signs. You must not remove those signs during the suspension. You must hand over the licence to the Liquor Control and Licensing Branch inspector or police officer when asked.

The establishment must remain closed during the period of suspension. You must not permit the sale, service or consumption of liquor in the establishment while the licence is suspended. There are serious consequences for the service of liquor while a licence is under suspension. If you serve liquor while a licence is suspended, the general manager will do one of the following:

- cancel the licence
- require that the licence be transferred within a specified time period and cancel the licence if it is not transferred within that time period
- impose a suspension of at least 15 days.

### **Contact Number**

If you have any questions about the matters covered in this letter, please contact the inspector responsible for your area at (250) 775-0093.

Yours truly,



Mark Tatchell  
Deputy General Manager  
Compliance and Enforcement

CC: VANCOUVER POLICE DEPT. - #5  
Clerk/Secretary City of VANCOUVER  
CENTRAL LICENSEE VANCOUVER, KINGSGATE MALL GLS #123  
Brewers Distribution Ltd  
Manager of Licensing Rebecca Villa-Arce  
Regional Manager Lee Murphy  
Inspector Stephen Barron



## WAIVER NOTICE

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

File No: EH03-011

Job No: 000712780-029

**BETWEEN:** 636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

(the "Licensee")

Licensee of: **BILTMORE MOTOR HOTEL**

located at: 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

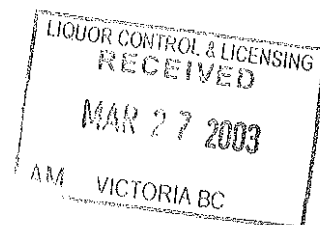
(the "Establishment")

**AND:** General Manager  
Liquor Control and Licensing Branch  
Ministry of Public Safety and Solicitor General

(the "General Manager")

**RE:** Liquor Licence Number 009663

(the "Licence")



### The Licensee:

1. (a) agrees the Licensee committed the contravention of Supply to minors, s. 33, (CN A014316) as is set out in the attached Notice of Enforcement Action letter dated February 04, 2003 and its appendix(ces) (the "Notice of Enforcement Action letter") and that the information in the Notice of Enforcement Action letter with respect to this contravention is accurate,

(b) accepts and agrees to the enforcement action specified in the Notice of Enforcement Action letter for the contravention referenced in paragraph 1 of this Waiver Notice and agrees that the licence will be suspended for 5 business days. The suspension will start and be served at the Establishment from the close of business on Saturday, April 19, 2003, to the opening of business on Friday, April 25, 2003,

2. waives the opportunity to an enforcement hearing in respect of the contraventions and the enforcement action(s) previously referenced in the Waiver Notice and set out in the Notice of Enforcement Action letter,
3. agrees that the contraventions and enforcement action(s) previously referenced in the Waiver notice and set out in the Notice of Enforcement Action letter will form part of the compliance history of the Licensee,
4. understands and agrees that signs, satisfactory to the general manager, showing that the Licence of the Establishment is suspended, will be placed in prominent locations that are satisfactory to the general manager by the Liquor Control and Licensing Branch inspector or a police officer, and will remain in place during the period of suspension,

The Licensee understands and agrees that this Waiver Notice is irrevocable.

DATE: 25 day of MARCH, 2003

SIGNATURE OF LICENSEE: \_\_\_\_\_

(Licensee/Authorized Agent)

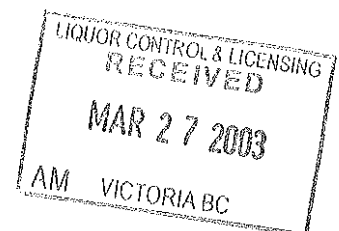
\_\_\_\_\_  
(Title/Position)

SIGNATURE OF WITNESS: \_\_\_\_\_

NAME OF WITNESS: \_\_\_\_\_

Lee Murphy  
(Please print)

Attachments: Notice of Enforcement Action letter, dated February, 04 2003





March 27, 2003

File No: EH03-010  
Job No: 000712780-031

636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

Dear Licence:

**Re: Licence Number 009663**

BILTMORE MOTOR HOTEL  
395 KINGSWAY  
VANCOUVER, BC V5T 3J7

The purpose of this letter is to inform you of the procedures of the Liquor Control and Licensing Branch for imposing enforcement action on the above noted licence. You agreed to and accepted the following enforcement actions by signing a waiver notice dated March 25, 2003.

It is important to note that you are responsible for the actions of your employees. You will want to ensure that managers and staff are familiar with the terms of the enforcement action and their responsibilities.

### **Enforcement Action**

#### **Suspension of the licence**

The licence will be suspended for 5 business days. The suspension will start and be served at the establishment from the close of business on Thursday, April 24, 2003, to the opening of business on Wednesday, April 30, 2003.

Signs satisfactory to the general manager, showing that the licence is suspended, must be placed in a prominent location in the establishment by a Liquor Control and Licensing Branch inspector or a police officer, and must remain in place during the period of suspension.

**Ministry of Public  
Safety  
and Solicitor  
General**

Liquor Control and  
Licensing Branch

Mailing address:  
PO Box 9292 Stn Prov Govt  
Victoria, BC V8W 9J8  
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Location:  
Second Floor  
1019 Wharf Street  
Victoria BC

<http://www.pssg.gov.bc.ca/lclb>

Page 1 of 2

### **Suspension procedures**

A Liquor Control and Licensing Branch inspector or police officer will attend at your establishment prior to opening time on the first day of the suspension to:

- remove the licence
- post the signs referenced above.

You should make arrangements with the Liquor Control and Licensing Branch inspector or police officer to obtain your licence at the end of the suspension period.

### **Responsibility of licensee**

You must allow the Liquor Control and Licensing Branch inspector or police officer to post the suspension signs. You must not remove those signs during the suspension. You must hand over the licence to the Liquor Control and Licensing Branch inspector or police officer when asked.

The establishment must remain closed during the period of suspension. You must not permit the sale, service or consumption of liquor in the establishment while the licence is suspended. There are serious consequences for the service of liquor while a licence is under suspension. If you serve liquor while a licence is suspended, the general manager will do one of the following:

- cancel the licence
- require that the licence be transferred within a specified time period and cancel the licence if it is not transferred within that time period
- impose a suspension of at least 15 days.

### **Contact Number**

If you have any questions about the matters covered in this letter, please contact the inspector responsible for your area at (250) 775-0093.

Yours truly,



Mark Tatchell  
Deputy General Manager  
Compliance and Enforcement

CC: VANCOUVER POLICE DEPT. - #5  
Clerk/Secretary City of VANCOUVER  
CENTRAL LICENSEE VANCOUVER, KINGSGATE MALL GLS #123  
Brewers Distribution Ltd  
Manager of Licensing Rebecca Villa-Arce  
Regional Manager Lee Murphy  
Inspector Stephen Barron



## WAIVER NOTICE

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

File No: EH03-010  
Job No: 000712780-031

**BETWEEN:** 636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

(the "Licensee")

Licensee of: **BILTMORE MOTOR HOTEL**

located at: 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

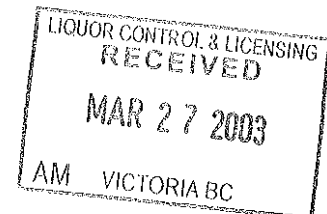
(the "Establishment")

**AND:** General Manager  
Liquor Control and Licensing Branch  
Ministry of Public Safety and Solicitor General

(the "General Manager")

**RE:** Liquor Licence Number 009663

(the "Licence")



### The Licensee:

1. (a) agrees the Licensee committed the contravention of Supply to minors, s. 33, (CN A014317) as is set out in the attached Notice of Enforcement Action letter dated February 04, 2003 and its appendix(ces) (the "Notice of Enforcement Action letter") and that the information in the Notice of Enforcement Action letter with respect to this contravention is accurate,



(b) accepts and agrees to the enforcement action specified in the Notice of Enforcement Action letter for the contravention referenced in paragraph 1 of this Waiver Notice and agrees that the licence will be suspended for 4 business days. The suspension will start and be served at the Establishment from the close of business on Friday, April 25, 2003, to the opening of business on Wednesday, April 30, 2003,

2. (a) agrees the Licensee committed the contravention of Minors in premises, s. 35, (CN A014317) as is set out in the attached Notice of Enforcement Action letter dated February 04, 2003 and its appendix(ces) (the "Notice of Enforcement Action letter") and that the information in the Notice of Enforcement Action letter with respect to this contravention is accurate,

(b) accepts and agrees to the enforcement action specified in the Notice of Enforcement Action letter for the contravention referenced in paragraph 2 of this Waiver Notice and agrees that the licence will be suspended for 1 business day. The suspension will start and be served at the Establishment from the close of business on Thursday, April 24, 2003, to the opening of business on Saturday, April 26, 2003,

3. waives the opportunity to an enforcement hearing in respect of the contraventions and the enforcement action(s) previously referenced in the Waiver Notice and set out in the Notice of Enforcement Action letter,
4. agrees that the contraventions and enforcement action(s) previously referenced in the Waiver notice and set out in the Notice of Enforcement Action letter will form part of the compliance history of the Licensee,
5. understands and agrees that signs, satisfactory to the general manager, showing that the Licence of the Establishment is suspended, will be placed in prominent locations that are satisfactory to the general manager by the Liquor Control and Licensing Branch inspector or a police officer, and will remain in place during the period of suspension,

The Licensee understands and agrees that this Waiver Notice is irrevocable.

DATE: 25 day of MARCH, 20 03

SIGNATURE OF LICENSEE:

  
(Licensee/Authorized Agent)

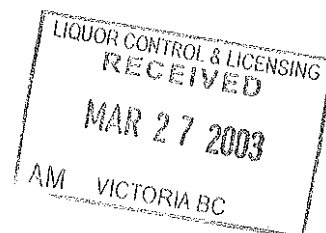
(Title/Position)

SIGNATURE OF WITNESS:



NAME OF WITNESS:

Lee Murphy  
(Please print)



Attachments: Notice of Enforcement Action letter, dated February, 04 2003



March 27, 2003

File No: EH03-009

Job No: 000712780-033

636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

Dear Licensee:

**Re: Licence Number 009663**

BILTMORE MOTOR HOTEL  
395 KINGSWAY  
VANCOUVER, BC V5T 3J7

The purpose of this letter is to inform you of the procedures of the Liquor Control and Licensing Branch for imposing enforcement action on the above noted licence. You agreed to and accepted the following enforcement actions by signing a waiver notice dated March 25, 2003.

It is important to note that you are responsible for the actions of your employees. You will want to ensure that managers and staff are familiar with the terms of the enforcement action and their responsibilities.

#### **Enforcement Action**

##### **Suspension of the licence**

The licence will be suspended for 3 business days. The suspension will start and be served at the establishment from the close of business on Tuesday, April 29, 2003, to the opening of business on Saturday, May 03, 2003.

Signs satisfactory to the general manager, showing that the licence is suspended, must be placed in a prominent location in the establishment by a Liquor Control and Licensing Branch inspector or a police officer, and must remain in place during the period of suspension.

**Ministry of Public  
Safety  
and Solicitor  
General**

Liquor Control and  
Licensing Branch

Mailing address:  
PO Box 9292 Stn Prov Govt  
Victoria, BC V8W 9J8  
Toll Free: 1 866 209-2111  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor  
1019 Wharf Street  
Victoria BC

<http://www.pssg.gov.bc.ca/clcb>

Page 1 of 2

### **Suspension procedures**

A Liquor Control and Licensing Branch inspector or police officer will attend at your establishment prior to opening time on the first day of the suspension to:

- remove the licence
- post the signs referenced above.

You should make arrangements with the Liquor Control and Licensing Branch inspector or police officer to obtain your licence at the end of the suspension period.

### **Responsibility of licensee**

You must allow the Liquor Control and Licensing Branch inspector or police officer to post the suspension signs. You must not remove those signs during the suspension. You must hand over the licence to the Liquor Control and Licensing Branch inspector or police officer when asked.

The establishment must remain closed during the period of suspension. You must not permit the sale, service or consumption of liquor in the establishment while the licence is suspended. There are serious consequences for the service of liquor while a licence is under suspension. If you serve liquor while a licence is suspended, the general manager will do one of the following:

- cancel the licence
- require that the licence be transferred within a specified time period and cancel the licence if it is not transferred within that time period
- impose a suspension of at least 15 days.

### **Contact Number**

If you have any questions about the matters covered in this letter, please contact the inspector responsible for your area at (250) 775-0093.

Yours truly,



Mark Tatchell  
Deputy General Manager  
Compliance and Enforcement

CC: VANCOUVER POLICE DEPT. - #5  
Clerk/Secretary City of VANCOUVER  
CENTRAL LICENSEE VANCOUVER, KINGSGATE MALL GLS #123  
Brewers Distribution Ltd  
Manager of Licensing Rebecca Villa-Arce  
Regional Manager Lee Murphy  
Inspector Stephen Barron



## WAIVER NOTICE

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

File No: EH03-009  
Job No: 000712780-033

**BETWEEN:** 636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

(the "Licensee")

Licensee of: **BILTMORE MOTOR HOTEL**

located at: 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

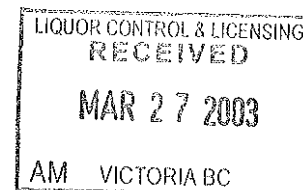
(the "Establishment")

**AND:** General Manager  
Liquor Control and Licensing Branch  
Ministry of Public Safety and Solicitor General

(the "General Manager")

**RE:** Liquor Licence Number 009663

(the "Licence")



**The Licensee:**

1. (a) agrees the Licensee committed the contravention of Fail to request ID, Reg. s. 45(2), (CN A014322) as is set out in the attached Notice of Enforcement Action letter dated February 04, 2003 and its appendix(ces) (the "Notice of Enforcement Action letter") and that the information in the Notice of Enforcement Action letter with respect to this contravention is accurate,

(b) accepts and agrees to the enforcement action specified in the Notice of Enforcement Action letter for the contravention referenced in paragraph 1 of this Waiver Notice and agrees that the licence will be suspended for 3 business days. The suspension will start and be served at the Establishment from the close of business on Tuesday, April 29, 2003, to the opening of business on Saturday, May 03, 2003,

2. waives the opportunity to an enforcement hearing in respect of the contraventions and the enforcement action(s) previously referenced in the Waiver Notice and set out in the Notice of Enforcement Action letter,
3. agrees that the contraventions and enforcement action(s) previously referenced in the Waiver notice and set out in the Notice of Enforcement Action letter will form part of the compliance history of the Licensee,
4. understands and agrees that signs, satisfactory to the general manager, showing that the Licence of the Establishment is suspended, will be placed in prominent locations that are satisfactory to the general manager by the Liquor Control and Licensing Branch inspector or a police officer, and will remain in place during the period of suspension,

The Licensee understands and agrees that this Waiver Notice is irrevocable.

DATE: 25 day of MARCH, 20 03

SIGNATURE OF LICENSEE:

[Signature]  
(Licensee/Authorized Agent)

\_\_\_\_\_  
(Title/Position)

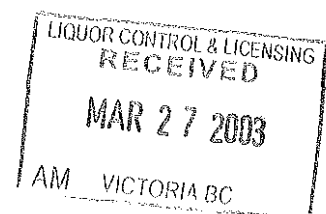
SIGNATURE OF WITNESS:

[Signature]

NAME OF WITNESS:

Lee Murphy  
(Please print)

Attachments: Notice of Enforcement Action letter, dated February, 04 2003





## NOTICE OF ENFORCEMENT ACTION

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

February 04, 2003

File No: EH03-010

Job No: 000712780-031

636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

Dear: 636608 B.C. LTD.

**Re: Licence Number 009663**

BILTMORE MOTOR HOTEL  
395 KINGSWAY  
VANCOUVER, BC V5T 3J7

The purpose of this notice is to inform you that the general manager is scheduling an enforcement hearing in order to review whether to take enforcement action for the alleged contravention(s) of the Liquor Control and Licensing Act, the regulations, and/or the terms and conditions of the licence set out in this notice.

### ROLE OF THE LIQUOR CONTROL AND LICENSING BRANCH

The role of the Liquor Control and Licensing Branch as the regulator of licensed establishments is to provide an orderly and problem-free environment for licensed establishments. When an infraction occurs, the general manager of the Liquor Control and Licensing Branch will take whatever enforcement action is necessary:

- to protect the public interest,
- to ensure future compliance with the Act, the regulations, and/or the terms and conditions of licence, and
- to ensure that licensees, employees, patrons and the community recognize the seriousness of contraventions.

The general manager is responsible for supervising the conduct and operation of every licensed establishment in British Columbia. The enforcement powers of the general manager are expressed in section 20(2) of the Liquor Control and Licensing Act as follows:

20 (2) If the general manager has the right under subsection (1) to take action against a licensee

**Ministry of  
Public Safety and  
Solicitor General**

Liquor Control and  
Licensing Branch

Mailing address:  
PO Box 9292 Stn Prov Govt  
Victoria, BC V8W 9J8

Toll Free: 1 866 209-2111  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor  
1019 Wharf Street  
Victoria BC

<http://www.pssg.gov.bc.ca/lclb>

- 20 (2) If the general manager has the right under subsection (1) to take action against a licensee, the general manager may do any one or more of the following, with or without a hearing:
- (repealed)
  - impose terms and conditions on the licensee's licence or rescind or amend existing terms and conditions on the licence
  - impose a monetary penalty on the licensee in accordance with the prescribed schedule of penalties;
  - suspend all or any part of the licensee's licence in accordance with the prescribed schedule of licence suspensions
  - cancel all or any part of the licensee's licence
  - order the licensee to transfer the licence, within the prescribed period, to a person who is at least 18 years of age from the licensee

#### THE ALLEGED CONTRAVENTION(S)

No.	Contravention name	Section of Act/regulation and term and condition of the licence	Date of alleged contravention	Recommended enforcement action
1	Supply to minors, s. 33	s. 33	Nov 23, 2002	4 day suspension
2	Minors in premises, s. 35	s. 35	Nov 23, 2002	1 day suspension

These alleged contraventions are described in full in the attached Appendix A

#### Proposed enforcement action

The general manager may impose a penalty for a contravention of the Act, the regulations, and/or the terms and conditions of the licence(s). The general manager has the authority to cancel a licensee's licence, in whole or in part, if circumstances warrant a cancellation. Enforcement action may also include imposing terms and conditions for a contravention of the Act and the regulations.

When determining the appropriate penalty for a contravention, the general manager will consider:

- the type of contravention
- the facts of the contravention
- the establishment's history of compliance
- the compliance history of the licensee.

The general manager will also consider what action best serves the public interest.

The penalty schedule, set out in schedule 4 to the Liquor Control and Licensing Regulations, describes the penalty range for each contravention. A copy of the *Liquor Control and Licensing Act and Regulations* can be obtained on the Liquor Control and Licensing Branch website at <http://www.pssg.gov.bc.ca/lclb/>. While the general manager usually stays within this schedule, if the general manager concludes that it is in the public interest to do so, the general manager may impose a higher penalty than the penalty set out in the penalty schedule.

### **Suspension penalty falls within penalty schedule**

For the alleged contravention of Supply to minors, s. 33 (Contravention Notice Number A014317) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a suspension penalty of 4 days is warranted. The suspension will be served starting on a and will continue on successive business days until completed.

### **Suspension penalty falls within penalty schedule**

For the alleged contravention of Minors in premises, s. 35 (Contravention Notice Number A014317) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a suspension penalty of 1 day is warranted. The suspension will be served starting on a and will continue on successive business days until completed.

The reasons for this proposed penalty are set out in Appendix A and B

The establishment's history of compliance and the compliance history of the licensee are described in the attached Appendix B

## **LICENSEE OPTIONS**

1. The licensee may accept the proposed enforcement action(s) for any or all of the contraventions set out above and waive the opportunity for an enforcement hearing on those contraventions. The process is described in more detail under heading Option to Waive Enforcement Hearing below
2. The licensee may attend an enforcement hearing for the purpose of contesting the occurrence of the contravention(s) and/or the proposed enforcement action(s). Please note, at an enforcement hearing the general manager may decline to take any enforcement action, take the proposed enforcement action set out in this letter, or take enforcement action that is less than or greater than the proposed enforcement action set out in this letter

### **Option to waive enforcement hearing**

The licensee may waive the opportunity for an enforcement hearing and accept the enforcement action proposed in this letter. If the licensee chooses this option, it is necessary to sign a waiver notice. By signing the waiver notice, the licensee expressly and irrevocably:

- agrees that the licensee has committed the contravention(s)
- accepts the enforcement action(s) proposed in this letter
- waives the opportunity to an enforcement hearing on these matters
- agrees that the finding(s) of contravention and the specified enforcement action(s) will form part of the compliance history of the licensee

If the licensee plans to sign a waiver notice, branch staff will prepare the notice. In most situations, the waiver notice must be signed within 14 days of the date of this letter. If the licensee plans to sign a waiver notice, please contact the writer to arrange an appointment as soon as possible



**Date, time, and place of the enforcement hearing**

The case management administrator will be contacting the licensee shortly to discuss the hearing process.  
If the licensee signs a waiver notice, the enforcement hearing will be cancelled.

The case management administrator contact information is:

Shirley Martin; (250) 356-0010; Shirley.Martin@gems3.gov.bc.ca

**CONTACT NUMBER**

If you have any questions regarding this letter, please contact the writer at (604) 775-0093 or Tina.Bains@gems4.gov.bc.ca for clarification.

Yours truly,

Tina Bains  
Inspector, Vancouver

**Attachments:**

Appendix A

Appendix B

Licence

Red Line Floor Plan

Contravention Notice

Enforcement Hearing Rule

## Appendix A

### Licence Information

Licence number: 009663  
Licence type: Liquor Primary  
Terms and conditions of the licence:

Licence expiry date: March 31, 2003

### Branch witnesses

At the enforcement hearing, the branch will be calling the following witnesses to present evidence of the alleged contravention. The following table lists the witnesses and a summary of the evidence that they will present.

	Name	Summary of Evidence
1	Daren McDougall (Constable)	Testify- Minors on premise and Supplying to minors

The following is a summary of each alleged contravention and the circumstances surrounding each contravention. At the enforcement hearing, the general manager will be considering this information when deciding whether each contravention occurred and the penalty, if any, for that contravention.

**CONTRAVENTION #1**

<b>Contravention notice number</b>	<b>Date contravention notice issued</b>	<b>Name of contravention and section of Act or regulations</b>	<b>Recommended enforcement action</b>	<b>Start date of suspension to be served</b>
A014317; A 130702	Jan 15, 2003	Supply to minors, s. 33	4 day suspension	

On Nov.23, 2002 conducted a LPC at the Biltmore hotel Pub. Upon entering the pub PC's were informed that there was an intoxicated male who was refusing to leave. PC's spoke with the male and informed him that he was required to leave under the liquor act. The male exited the premises without incident.

PC's conducted random checks of young looking individuals in the pub. PC McDougall located one young female who stated that she did not have her ID s. 22 agreed to leave the premises and once outside admitted that she was under-age s. 22 could not provide any ID and stated that she had used a friends when entering the pub.

Liquor Control and Licensing Act.s33(1) and (c) clearly states a person must not sell, give or otherwise supply liquor to a minor. LPC's on file for this premise have identified Contraventions of supplying to minors and minors on premise.

A responsible Licensee will implement procedures to ensure that minors do not enter the establishment. This is not happening at the establishment as clearly revealed by LPC's conducted in Nov. 2002. Liquor Service is a significant public interest issue. The concerns of the Liquor control and Licensing Branch include a minor's lack of capacity to metabolize alcohol in the same manner as an adult, therefore, liquor has a more intoxicating effect on minors and liquor is a significant factor in many youth crimes, including serious driving infractions, assault and robbery. Enforcement action is being recommended.

**Reasons for proposed penalty**

Falls within the guidelines as set out in the Liquor Control and Licencing Act/Regulations Schedule 4.

**CONTRAVENTION #2**

Contravention notice number	Date contravention notice issued	Name of contravention and section of Act or regulations	Recommended enforcement action	Start date of suspension to be served
A014317; A130702	Jan 15, 2003	Minors in premises, s. 35	1 day suspension	

On Nov.23, 2002 conducted a LPC at the Biltmore hotel Pub. Upon entering the pub PC's were informed that there was an intoxicated male who was refusing to leave. PC's spoke with the male and informed him that he was required to leave under the liquor act. The male exited the premises without incident.

PC's conducted random checks of young looking individuals in the pub. PC McDougall located one young female who stated that she did not have her ID. s. 22 agreed to leave the premises and once outside admitted that she was under-age s. 22 could not provide any ID and stated that she had used a friends when entering the pub.

Liquor Control and Licensing Act.s33(1) and (c) clearly states a person must not sell, give or otherwise supply liquor to a minor. LPC's on file for this premise have identified Contraventions of supplying to minors and minors on premise.

A responsible Licensee will implement procedures to ensure that minors do not enter the establishment. This is not happening at the establishment as clearly revealed by LPC's conducted in Nov. 2002. Liquor Service is a significant public interest issue. The concerns of the Liquor control and Licensing Branch include a minor's lack of capacity to metabolize alcohol in the same manner as an adult, therefore, liquor has a more intoxicating effect on minors and liquor is a significant factor in many youth crimes, including serious driving infractions, assault and robbery. Enforcement action is being recommended.

**Reasons for proposed penalty**

Falls within the guidelines as set out in the Liquor Control and Licensing Act/Regulations Schedule 4.

**Documentation**

At the enforcement hearing, the branch will likely be presenting the information listed in the following table. A copy of the contravention notice is attached. A copy of each of the other documents and any additional relevant information will be forwarded to the licensee once the enforcement hearing on this matter has been scheduled.

Complaints:		
	Date	Document Description
1	December 12, 2002	Minors A074579 - Supply to minors, s. 33 A014315
2	December 12, 2002	Minors A130701 - Supply to minors, s. 33 A014316
3	December 12, 2002	Minors A130701 - Permit a person to become intoxicated, s. 43(2)(a) A014316
4	December 12, 2002	Minors A130701 - Permit intoxicated person to remain, s. 43(2)(b) A014316
5	December 12, 2002	Intoxication A 078802 - A014322
6	December 12, 2002	Noise - Operate contrary to public interest, s. 20(1)(c.1) A014315
7	December 12, 2002	Intoxication A 078802 - Selling liquor to intoxicated person, s. 43(1) A014322

**Complaints:**

	Date	Document Description
8	September 19, 2002	A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B) A014305
9	September 19, 2002	A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A) A014305

**Contraventions:**

	Date	Document Description
1	January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43, No Enforcement Action
2	January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12, No Enforcement Action
3	December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12, No Enforcement Action

## **Appendix B**

### **HISTORY OF COMPLIANCE**

At the enforcement hearing, the general manager will consider this information when determining the penalty for each contravention.

#### **Establishment's history of compliance**

The establishment's history of compliance is relevant when determining which level of penalty should be imposed for a contravention. The establishment's history of compliance is comprised of any prior findings of contravention that relate to the establishment in question (whether by waiver or decision of the general manager) and any prior penalty.

#### **Compliance history of the licensee**

Compliance history is defined in section 1(4) of the Liquor Control and Licensing Regulations, B.C. Reg. 608/76. The branch records show the following licensee compliance history:

#### **Findings of contravention and enforcement action under the LCLA and regulations**

No Compliance History specified

#### **Offences under the Act and offences prescribed under section 20(3) of the Act**

No Offences under the Act specified.

#### **Other matters referred to in section 20(1)**

No other matters specified.

009663

009663

Dec 22/12

Temp Extension - Hours

START



December 17, 2012

Job #712780-80

636608 B.C. Ltd.  
Howard Johnson Plaza hotel  
395 Kingsway  
Vancouver BC V5T 3J7

Sent via e-mail: [darius@biltmorecabaret.com](mailto:darius@biltmorecabaret.com)

Dear Darius Minwalla:

**Re: Temporary Change to a Liquor Licence – Approved**  
**Establishment: Howard Johnson Plaza Hotel**  
**Liquor Primary Licence #009663**

The Liquor Control & Licensing Branch has approved the temporary change application for the above-noted establishment.

**Temporary Extension of Hours:**

- Date: December 22, 2012 – Glory Days DJ Event
- Hours extended from 9:00 am – 2:00 am to 9:00 am – 3:00 am.

A copy of this approval letter must be kept on site, with your liquor licence and your red-lined floor plans, ready for inspection at all times during your event.

If any event approved in this letter is not being managed to the satisfaction of the General Manager, all remaining dates will be cancelled. Future approvals for similar temporary changes will be conditional on this event(s) being managed to the satisfaction of the General Manager.

Please note, there's been a change to the amount of notice the Branch requires for temporary change requests. For future requests, a complete application including the supporting documents must be submitted a **minimum of fourteen (14) business days** in advance of your event(s); otherwise your application will not be accepted and will be returned to you with the fees.

The Branch defines a business day for the purpose of processing applications as Monday - Friday excluding statutory holidays. Applications requesting discretion to policy (see Part 9) must be submitted a **minimum of two (2) months** prior to your proposed event; otherwise your application will not be accepted and will be returned to you with the fees.

If you have any questions, please contact me at 250-952-5763 or 1-866-209-2111.

Sincerely,

Chelsea Resch  
Case Manager

cc: Edward Osei-Appiah, Inspector  
Donna Lister, Regional Manager  
Vancouver Police Dept #5 Attn: Alex Clark  
City of Vancouver Attn: Lucia Cumerlato (via e-mail: [susan.smith@vancouver.ca](mailto:susan.smith@vancouver.ca))

**Please Note:**

The Branch operates on the basis that you are responsible for understanding and complying with the requirements of the LCLB Act, its Regulations, and the terms and conditions of your licence.

**Liquor Control and  
Licensing Branch**

Mailing Address:  
PO Box 9292 Stn Prov Govt  
Victoria BC V8W 9J8  
Telephone: 250 952-5787  
Facsimile: 250 952-7066

Location:  
4<sup>th</sup> Floor, 3350 Douglas Street  
Victoria, BC

<http://www.bccsa.ca/lclb>  
JAG-2014-01078/Phase 1



December 3, 2012

Darius Minwalla  
0801414 BC Ltd.  
The Biltmore Cabaret (Howard Johnson Plaza Hotel)  
2755 Prince Edward Street  
Vancouver, BC V5T 0A9

Dear Mr. Minwalla:

RE: Temporary Approval for Extended Hours  
Liquor Primary Liquor Licence No. 009663  
The Biltmore Cabaret (Howard Johnson Plaza Hotel)  
2755 Prince Edward Street (395 Kingsway)

This is to notify you that your application to extend the hours of your Liquor Primary Liquor Licence has been approved on a temporary basis at The Biltmore Cabaret (Howard Johnson Plaza Hotel) located at 2755 Prince Edward Street for the following date and time:

- Up to 3 am on Saturday, December 22, 2012 (5<sup>th</sup> Year Anniversary Glory Days).

As stated in Section 19.2A(1)(k)(ii) of the Licence By-law No. 4450:

if any part of the liquor establishment is less than 61 metres from any exterior wall of a residential use, ensure that:

except for the purpose of entering or exiting, all doors and windows of the liquor establishment remain closed between 11 pm and 9 am.

This approval is subject to the concurrence of the Liquor Control and Licensing Branch.

If you have any questions, please contact Lucia Cumerlato, Liquor Licence Coordinator at 604.871.6461.

Yours truly,



*For* William M. Johnston, P. Eng.  
Director, Licences and Inspections &  
Chief Licence Inspector

WJ/ss

cc: Det/Cst Alex Clarke, Liquor Coordinator, VPD



# Inspector Comments for Job 000712780-080

## Process Edit

### Inspector Comments

#### Job 000712780-080

Dec 22, 2012: Glory Days DJ event. Hours extended FROM 9am -2am TO 9am -3am. LG signature/approval now provided.

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Edward Osei-Appiah	Complete	Commented	Dec 07, 2012			Dec 14, 2012 13:04:0

## Details

Comments No immediate issues or concerns at this time.

## Temporary Hours of Liquor Service Checklist

Establishment Name:	Howard Johnson Plaza Hotel	Type:	<input type="checkbox"/> Food Primary	<input checked="" type="checkbox"/> Liquor Primary	<input type="checkbox"/> Liquor Primary Club	<input type="checkbox"/> Winery
Licence #	009663	2 Biltmore Cabaret.				
Job #	712780-80					

### APPLICANT INFORMATION

Applicant/Contact name:	Darius Minwalla
Mailing Address:	395 Kigway Vancouver BC V5T 3J7
Telephone/Fax numbers:	604-676-0541
Email:	Darius@biltmorecabaret.ca

### CONSULTANT/AGENT INFORMATION

Agent:	<input type="checkbox"/> Authorization received and agent noted in Posse
Telephone/Fax numbers:	
Email:	

### 1. APPLICATION REVIEW

<input checked="" type="checkbox"/> Date Received	<ul style="list-style-type: none"> <li>Must be 14 business days prior to event (complete with payment)</li> <li>(bring forward late applications)</li> <li>If denying due to insufficient time – send out ASAP – forward to Revenue Clerks to return</li> </ul>
<input checked="" type="checkbox"/> Enter comments	<ul style="list-style-type: none"> <li>Enter detailed comments of event(s) on details page in Posse</li> </ul>
<input checked="" type="checkbox"/> Application form completed:	<ul style="list-style-type: none"> <li>Ensure that all fields/questions have been completed as required</li> <li>Name and signature verified - Licensee, Resident Manager or Third Party accepted</li> <li>Incomplete – Request sent out: BF Date _____</li> </ul>
<input checked="" type="checkbox"/> Local Government	<ul style="list-style-type: none"> <li>Food Primary <input type="checkbox"/> Before Midnight <input type="checkbox"/> Local Government Comments not required</li> <li>After Midnight <input type="checkbox"/> Local Government Comments required</li> <li>Liquor Primary/Club <input type="checkbox"/> All changes <input type="checkbox"/> Local Government Comments required</li> </ul>
<input type="checkbox"/> Review Comments	<ul style="list-style-type: none"> <li>Review Inspector comments BF Date: _____</li> <li>Review notes tab on entity and establishment for possible relevant information</li> </ul>
<input type="checkbox"/> Review Licence Type	<ul style="list-style-type: none"> <li>Review Terms and Conditions of licence and endorsements</li> <li>Ensure temp request is suitable for licence type</li> </ul>
<input checked="" type="checkbox"/> C & E History - no outstanding issues	<ul style="list-style-type: none"> <li>C&amp;E report printed &amp; reviewed for current licensee, and for establishment. Discuss any concerns with supervisor. (Can't proceed if NOE has been sent – check with Inspector)</li> </ul>
<input checked="" type="checkbox"/> Additional Documentation	<ul style="list-style-type: none"> <li>Specify: _____</li> </ul>
<input checked="" type="checkbox"/> Stadium/Theatre	<ul style="list-style-type: none"> <li>Bring forward to Supervisor – Review terms &amp; conditions of the licence</li> </ul>
<input checked="" type="checkbox"/> Request for Discretion	<ul style="list-style-type: none"> <li>Should be submitted 2 months prior to event</li> <li>One chance to submit required documentation</li> <li>Always requires Licensees signature</li> </ul>

Notes:



## Things to Consider – Change of Hours

### FOOD PRIMARY ☐

- Food service must be available at all times
- Details of event, including who, what, proposed hours
- Check to see if there is current entertainment endorsement on licence (may have to apply for this separately if required) – If FP already have entertainment endorsement ensure that applicant knows when entertainment must end regardless of hours
- (No Alternate Use Policy for activities happening after licenses hours for FP's)

### LIQUOR PRIMARY/CLUB ☒

#### Alternate Use Policy 5.3.2 - Alternate Use outside LP licensed hours

- Liquor is secured and inaccessible for periods which unlicensed activities are in place
- There is at least one hour between the licensed and unlicensed event in which no patrons are permitted within the establishment
- Minors may be permitted for unlicensed events
- Establishment not used for any purpose between end of liquor service hours and 6:00am

#### Alternative Use Policy 5.3.3 – Alternate use during LP Licensed hours

- Temporary and only occasional
- Liquor is secured and inaccessible for periods which unlicensed activities are in place
- There is at least one hour between the licensed and unlicensed event in which no patrons are permitted within the area of the establishment to which the licence suspension is applicable
- Minors may be permitted for unlicensed events
- Area of establishment to which licence suspension is applicable is not used for any purpose between end of liquor service hours and 6:00am

## 2. ADMINISTRATIVE REVIEW

- |                                                          |                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Frequency <i>dlc</i> | <ul style="list-style-type: none"> <li>• Perm change should be considered, advise applicant of this option</li> </ul>                                                                                                                                                                                                                                                                  |
| <input checked="" type="checkbox"/> Event Driven         | <ul style="list-style-type: none"> <li>• Specific event and date required (names for weddings and birthdays)</li> <li>• Long weekends/holidays are considered "events" and can include whole weekend</li> <li>• Occasional TV sporting events, playoff games, superbowl, grey cup – no regular scheduled games even if PPV</li> <li>• Anything questionable – Bring forward</li> </ul> |

## 3. REVIEW/AUTHORITY

- |                                                                |                                                                                                             |
|----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Inspector                  | <ul style="list-style-type: none"> <li>• Receive written comments from Inspector – any concerns?</li> </ul> |
| <input checked="" type="checkbox"/> Further Authority Required | <ul style="list-style-type: none"> <li>• Escalate to Supervisor or Manager if required</li> </ul>           |

## 4. FINAL ASSESSMENT

- |                                                  |                                                                                                                |
|--------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Final Review | <ul style="list-style-type: none"> <li>• Application complete - All approvals and comments received</li> </ul> |
|--------------------------------------------------|----------------------------------------------------------------------------------------------------------------|

## 5. DECISION

- |                                                                     |                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Applicant notified of decision: | <ul style="list-style-type: none"> <li>• If approved, send email pdf copy of letter and floor plans</li> <li>• If denied, notify applicant via phone before letter goes out</li> <li>• Attach approval letter in Posse</li> </ul> |
|---------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



# Temporary Change to a Liquor Licence

Food-Primary, Liquor-Primary,  
Liquor-Primary Clubs & Winery Endorsements  
Liquor Control and Licensing Form LCLB 023

## INSTRUCTIONS:

Complete all applicable fields and then submit with payment as outlined in Part 11 of this application form. You may complete this form online and then print.

- If you have any questions about this application, call the Liquor Control and Licensing Branch (LCLB) toll-free at: 1 866 209-2111.
- LCLB forms and supporting materials referred to in this document can be found at: [www.pseg.gov.bc.ca/lclb](http://www.pseg.gov.bc.ca/lclb)

A complete application including the supporting documents must be submitted a **minimum of fourteen (14) business days** in advance of your event(s); otherwise your application will not be accepted and will be returned to you with the fees. The Branch defines a business day for the purpose of processing applications as Monday - Friday excluding statutory holidays.

Applications requesting discretion to policy (see Part 9) must be submitted a **minimum of two (2) months** prior to your proposed event; otherwise your application will not be accepted and will be returned to you with the fees.

## Licensee Information

Office use only

Job No. (C3-LIC)

712780-80

Licence number: 009663 Type: ☐ Food-Primary ☒ Liquor-Primary ☐ Liquor-Primary Club ☐ Winery

Licensee name [as shown on licence]: Howard Johnson Plaza Hotel

Establishment name [as shown on licence]: Howard Johnson Plaza Hotel

Establishment Address: 395 Kingsway Vancouver BC V5T3J7  
Street City Province Postal Code

Contact Name: Minwalla/Darius Title/Position: GM  
(last / first / middle)

Business Tel with area code: 6046760541 Business Fax with area code: 7783710541

Business e-mail: darius@bltmorecabaret.com

Business Mail address: (if different from above):  
Street City Province Postal Code

## PART 1: Temporary Change Requested

Please check the appropriate boxes below. You may complete more than one change section on this form as long as the changes are for the same licence number. **IMPORTANT NOTE:** These categories (\*) require local government/First Nations comment.

### TYPE OF CHANGE REQUESTED

### COMPLETE SECTIONS

#### ☒ TEMPORARY CHANGE TO HOURS OF SALE

Liquor-Primary and Liquor-Primary Club licences, and Winery lounge or special event endorsements - any hours changes\* 1, 2, 3, 10, 11, 12  
Food-Primary licences - requests for hours of sale later than midnight 1, 2, 3, 10, 11, 12  
Food-Primary licences - requests for hours of sale before midnight 1, 2, 3, 10, 11

☐ TEMPORARY PATRON PARTICIPATION ENTERTAINMENT ENDORSEMENT\* Food-Primary licences only 1, 2, 4, 10, 11, 12

☐ TEMPORARY EXTENSION OF LICENSED AREA Food-Primary licences only 1, 2, 5, 10, 11

☐ TEMPORARY EXTENSION OF LICENSED AREA\* Liquor-Primary and Liquor-Primary Club licences, and winery lounge or special event endorsements. 1, 2, 6, 10, 11, 12

☐ TEMPORARY LOCATION CHANGE\* Liquor-Primary and Liquor-Primary Club licences only (no increase in patron or person capacity) 1, 2, 7, 10, 11, 12

☐ TEMPORARY LOCATION CHANGE Food-Primary licences only (no increase in patron or person capacity) 1, 2, 8, 10, 11

☐ OTHER Applies to all change requests other than these listed above 1, 2, 9, 10, 11



## PART 2: Reason Temporary Change is Requested

Describe event details including who is holding the event, the hours of the event and its purpose:

Glory Days Special event for extended DJ hours.  
Glory Days is an event we have had for 5 years now.  
This is to celebrate their 5th year with us..

DATE(S) FROM: (mm/dd/yy) 12/22/12 TO: (mm/dd/yy) 12/23/12 (inclusive)

## PART 3: Temporary Change to Hours of Sale

- Liquor-Primary and Liquor-Primary Club licences, and Winery lounge or special event endorsements – any hours changes\*Fee: \$330
- Food-Primary licences – requests for hours of sale later than midnight\* Fee: \$330
- Food-Primary licences – requests for hours of sale before midnight (local government/First Nations comment not required) Fee: \$110

\*IMPORTANT NOTE: These categories (\*) require local government/First Nation comment.

Licensees may apply for a temporary change in hours of sale for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing.  
See Part 12 for more information on obtaining local government/First Nations comment.

Please provide the following information:

Current hours of sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	9am	9am	9am	9am	9am	9am	9am
CLOSED	2am	2am	2am	2am	2am	2am	1am

Requested hours of sale: (Maximum hours permitted by regulation are between 9:00 am to 4:00 am of the same business day)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	9am	9am	9am	9am	9am	9am	9am
CLOSED	2am	2am	2am	2am	2am	3am	1am

LIQUOR CONTROL & LICENSING

LCLB023

DEC 04 2012

VICTORIA BC

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## PART 4: Temporary Patron Participation Entertainment Endorsement

Fee: \$330

(Food-Primary licences only)

Licensees may apply for a patron participation entertainment endorsement for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing.

**Important Note:** This application process requires comment from your local government/First Nation.

See Part 12 for more information on this process.

Describe the type of entertainment you are requesting:

---

Patron participation must end by midnight unless approved by LCLB and local government/First Nations. There are restrictions related to forms of entertainment, sound systems, etc. If you are uncertain about any of the details of your proposal, please consult with licensing staff at LCLB in Victoria (see contact information in Part 11).

---

## PART 5: Temporary Extension of Licensed Area (food-primary licences only)

Fee: \$110

This change enables licensees to apply for a temporary extension of their establishment's licensed areas for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing. Approval of this temporary change request permits the licensee to operate only at the capacity on the face of their current licence plus the capacity of the extension area. If in doubt, consult with licensing staff at LCLB in Victoria (see Part 11 for contact info). This application process does not require comment from your local government/First Nation.

Please provide the following information and documents:

- ☐ Current total capacity, including patios (as shown on licence);
  - ☐ Identify the area (person/patron as shown on licence) to be extended;
  - ☐ Floor plan of the extended area showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas, where the extension is indoors or within a permanent structure.
    - Floor plan must have occupant load of the extended area marked/stamped on the plans by provincial fire or building authority (or designate).
    - Provide proposed capacity of extended area if extension is outside; and
  - ☐ Where the extension area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.
- 

## PART 6: Temporary Extension of Licensed Area

(liquor-primary, liquor-primary club licence and winery lounge and special events endorsements only)

Fee: \$330

Licensees may apply for a temporary extension of their licensed areas for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and /or original terms and conditions of licensing. Approval of this temporary change request permits the licensee to operate at the capacity on the face of their current licence plus the capacity of the extension area.

**Important Note:** This application process requires comment from your local government/First Nation.

See Part 12 for more information on this process.

Please provide the following information and documents:

- ☐ Current total capacity, including patios (as shown on licence);
  - ☐ Identify the area(s) to be extended;
  - ☐ Floor plan of the extended area(s) showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas:
    - Floor plan must have occupant load of the extended area marked/stamped on the plans by provincial fire or building authority (or designate) where the extension is indoors or within a permanent structure.
    - Provide proposed person capacity of extended area(s) if extension is outside; and
  - ☐ Where the proposed area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.
- 





**PART 7: Temporary Location Change** (liquor-primary and liquor-primary club licences only)  
(no increase in patron or person capacity)

**Fee: \$330**

Licenseses may apply for a temporary change of location of one or more licensed areas in their establishment, to accommodate special events but this change permits no increase in licensed capacity. Proposed changes must comply with occupant load limitations.

**Important Note:** This application process requires comment from your local government/First Nation.

See Part 12 for more information on this process.

Current area capacities, as shown on licence:

Area #1  Area #2  Area #3  Area #4  Patio #1  Patio #2

Proposed temporary changes in capacity (no increase in total capacity permitted):

Area #1  Area #2  Area #3  Area #4  Patio #1  Patio #2

Please attach the following documents:

- ☐ Floor plan of the proposed area(s) showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas.
  - Floor plan must have occupant load marked/stamped on the plans by provincial fire or building authority (or designate), where the extension is indoors or within a permanent structure.
  - Provide proposed capacity of the new area if outdoors.
- ☐ Where the proposed area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

**PART 8: Temporary Location Change** (food-primary licences only)  
(no increase in patron or person capacity)

**Fee: \$110**

Licenseses may apply for a temporary change of location of one or more licensed areas in their establishment, to accommodate special events but this change permits no increase in licensed capacity. Proposed changes must comply with occupant load limitations.

**Important Note:** This application process does not require comment from your local government/First Nation.

Current area capacities, as shown on licence:

Area #1  Area #2  Area #3  Area #4  Interior lounge

Patio #1  Patio #2

Proposed temporary changes in capacity (no increase in total capacity permitted):

Area #1  Area #2  Area #3  Area #4  Interior lounge

Patio #1  Patio #2

Please attach the following documents:

- ☐ Floor plan of the proposed area showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas.
  - Floor plan must have occupant load marked/stamped on the plans by provincial building or fire authority (or designate), where the extension is indoors or within a permanent structure.
  - Provide proposed capacity of the new area if outdoors.
- ☐ Where the proposed area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

Proposed temporary changes in capacity (no increase in total capacity permitted):



## PART 9: Other

Fee: \$110 for each request

**Complete this section if you are requesting a change other than those listed in Part 1, page 1.**

Describe your request in detail, using additional pages if required.

If your request requires an exercise of discretion: provide a written submission detailing why a request for discretion should be approved. All documentation to support your request for discretion must be submitted together in one package; the branch will not consider additional materials submitted after a completed application is received. For more information on requests for discretion, see section 4.1.2 of the Licensing Policy Manual (<http://www.pssg.gov.bc.ca/lcb/docs-forms/lcb207-policy-licensing.pdf>). Requests for discretion should be submitted at least **two months** prior to the proposed event.

DATE(S) FROM: \_\_\_\_\_ TO: \_\_\_\_\_ (Inclusive) TIME(S): \_\_\_\_\_  
(mm/dd/yy) (mm/dd/yy)

## PART 10: Declaration

**My signature (the licensee's) below indicates I understand and acknowledge:**

All of the information given is true and complete to the best of my knowledge. Section 15(2) of the *Liquor Control and Licensing Act* states, "A person applying for the issue, renewal, transfer or amendment of a licence who fails to disclose a material fact required by the form of application or makes a false or misleading statement in the form of application, commits an offence".

**Signature of applicants** (signature of signing officer of a company or society, sole proprietor or all partners in a partnership. An agent or lawyer acting on behalf of the applicant may not sign the application on behalf of the applicants.):

Name: \_\_\_\_\_ Position: Owner Date: 10/30/12  
(last / first / middle) (mm/dd/yy)

KHANNA BALDEV

Signature: B. Baldev  
Name: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_  
(last / first / middle) (mm/dd/yy)

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_  
(last / first / middle) (mm/dd/yy)

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_  
(last / first / middle) (mm/dd/yy)

Signature: VICTORIA, BC  
Name: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_  
(last / first / middle) (mm/dd/yy)

## PART 11: Application Fees - Payment Options

Fees may be paid by cheque, money order, debit or credit card and are non-refundable. Debit transactions can only be made in person at the Victoria Head Office. Submit the payment with the application form. Do not mail cash.

Fees (non-refundable):

TOTAL FEE Submitted: \$

Payment is by (check (X) one):

☐ cheque, payable to Minister of Finance (If cheque is returned non-sufficient funds, a \$30 fee will be charged)

☐ money order, payable to Minister of Finance

☒ VISA ☐ MasterCard ☐ AMEX

If paying by credit card, please provide credit card details below ...

Credit card Number

s. 21

Expiry Date:

s. 21

Name of cardholder (as it appears on card): Zakary Pashak

Signature of cardholder:

Or you may send in the application without credit card information, but you must telephone LCLB Head Office directly to provide the credit card number details. If so, please confirm by checking the box below:

☐ I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 to provide credit card information and understand that no action can proceed with my application until the application fee is paid in full.

### Ministry of Public Safety and Solicitor General Liquor Control and Licensing Branch

Location: 4th Floor, 3350 Douglas St., Victoria BC V8Z 3L1

For Mail Only: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8

Phone: 250 952-5787 Fax: 250 952-7066 Web: [www.pssg.gov.bc.ca/clb](http://www.pssg.gov.bc.ca/clb) E-mail: [liquor.licensing@gov.bc.ca](mailto:liquor.licensing@gov.bc.ca)

## PART 12: Local Government/First Nation Comments

☐ OBJECTION

☒ NO OBJECTION

Comments:

"SEE ATTACHED LETTER"

vancouver.ca

Lucia Cumerlato

Licence Coordinator

Licence Office

Licences and Inspections

604 871 6461

604 871 6394

[lucia.cumerlato@vancouver.ca](mailto:lucia.cumerlato@vancouver.ca)

City of Vancouver

453 West 12<sup>th</sup> Avenue

Vancouver, BC

Canada V5Y 1V4

Name of Municipality:

Name (print)

Title:

Signature:

Date:

Dec 3/12

---

## PART 13: What Happens Next?

*The temporary change application process:*

1. If the requested temporary change(s) require local government/First Nation comment, the applicant must take the completed application form and all required documents to their local government/First Nation and request that the local government/First Nation complete and sign Part 12.
2. The applicant will submit the signed application, all required documents and application fee to the Victoria Head Office (LCLB).

**Note: Applicants must ensure they submit their completed application a minimum of fourteen (14) business days (or two (2) months, if it's a request for discretion - see Part 9) before the proposed change. Otherwise, your application will not be accepted and will be returned to you.**

3. The LCLB licensing staff will review the application package and advise the applicant by phone, mail or fax, of any information or documents required before the application can be processed.
4. LCLB licensing staff will request comments from the local liquor inspector.
5. If required, the local liquor inspector will work with the applicant on security and related issues.
6. LCLB licensing staff will review the comments from the local government/First Nation (if applicable) and local liquor inspector.
7. LCLB staff will contact the applicant by, fax or mail to let them know whether or not the change has been approved. The applicant will receive LCLB's decision in writing.

Freedom of Information and Privacy Act - The information requested on this form is collected for the purpose of obtaining or making changes to a liquor licence application. All personal information is collected under the authority of Section 15 of the Liquor Control and Licensing Act (RSBC 1996, c.267). Questions should be directed to: Liquor Control and Licensing Branch, Freedom of Information Officer, PO Box 9292, STN PROV GOVT, Victoria, BC V8W 9J8. Ph: In Victoria, 250 952-5787 Outside Victoria, 1 866 209-2111. Fax: 250 952-7066

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DEC 04 2012

VICTORIA, BC





BRITISH  
COLUMBIA

# Temporary Change to a Liquor Licence

Food-Primary, Liquor-Primary,  
Liquor-Primary Clubs & Winery Endorsements

Liquor Control and Licensing Form LCLB 023

## INSTRUCTIONS:

Complete all applicable fields and then submit with payment as outlined in Part 11 of this application form. You may complete this form online and then print.

- If you have any questions about this application, call the Liquor Control and Licensing Branch (LCLB) toll-free at: 1 866 209-2111.
- LCLB forms and supporting materials referred to in this document can be found at: [www.pssg.gov.bc.ca/lclb](http://www.pssg.gov.bc.ca/lclb)

A complete application including the supporting documents must be submitted a minimum of fourteen (14) business days in advance of your event(s); otherwise your application will not be accepted and will be returned to you with the fees. The Branch defines a business day for the purpose of processing applications as Monday - Friday excluding statutory holidays.

Applications requesting discretion to policy (see Part 9) must be submitted a minimum of two (2) months prior to your proposed event; otherwise your application will not be accepted and will be returned to you with the fees.

## Licensee Information

Office use only

Job No. (C3-LIC)

712780-80

Licence number: 009663 Type: ☐ Food-Primary ☒ Liquor-Primary ☐ Liquor-Primary Club ☐ Winery

Licensee name [as shown on licence]: Howard Johnson Plaza Hotel

Establishment name [as shown on licence]: Howard Johnson Plaza Hotel

Establishment Address: 395 Kingsway Vancouver BC V5T3J7  
Street City Province Postal Code

Contact Name: Minwalla/Darius Title/Position: GM  
(last / first / middle)

Business Tel with area code: 6046760541 Business Fax with area code: 7783710541

Business e-mail: darius@biltmorecabaret.com

Business Mail address (if different from above):  
Street City Province Postal Code

## PART 1: Temporary Change Requested

Please check the appropriate boxes below. You may complete more than one change section on this form as long as the changes are for the same licence number. **IMPORTANT NOTE: These categories (\*) require local government/First Nations comment.**

### TYPE OF CHANGE REQUESTED

### COMPLETE SECTIONS

#### ☒ TEMPORARY CHANGE TO HOURS OF SALE

Liquor-Primary and Liquor-Primary Club licences, and Winery lounge or special event endorsements – any hours changes\* 1, 2, 3, 10, 11, 12  
Food-Primary licences – requests for hours of sale later than midnight\* 1, 2, 3, 10, 11, 12  
Food-Primary licences – requests for hours of sale before midnight 1, 2, 3, 10, 11

☐ TEMPORARY PATRON PARTICIPATION ENTERTAINMENT ENDORSEMENT\* Food-Primary licences only 1, 2, 4, 10, 11, 12

☐ TEMPORARY EXTENSION OF LICENSED AREA Food-Primary licences only 1, 2, 5, 10, 11

☐ TEMPORARY EXTENSION OF LICENSED AREA\* Liquor-Primary and Liquor-Primary Club licences, and winery lounge or special event endorsements. 1, 2, 6, 10, 11, 12

☐ TEMPORARY LOCATION CHANGE\* Liquor-Primary and Liquor-Primary Club licences only (no increase in patron or person capacity) 1, 2, 7, 10, 11, 12

☐ TEMPORARY LOCATION CHANGE Food-Primary licences only (no increase in patron or person capacity) 1, 2, 8, 10, 11

☐ OTHER Applies to all change requests other than these listed above 1, 2, 9, 10, 11

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## PART 2: Reason Temporary Change is Requested

Describe event details including who is holding the event, the hours of the event and its purpose:

Glory Days Special event for extended DJ hours.  
Glory Days is an event we have had for 5 years now.  
This is to celebrate their 5th year with us..

DATE(S) FROM: (mm/dd/yy) 12/22/12 TO: (mm/dd/yy) 12/23/12 (inclusive)

## PART 3: Temporary Change to Hours of Sale

- Liquor-Primary and Liquor-Primary Club licences, and Winery lounge or special event endorsements – any hours changes\*Fee: \$330
- Food-Primary licences – requests for hours of sale later than midnight\* Fee: \$330
- Food-Primary licences – requests for hours of sale before midnight (local government/First Nations comment not required) Fee: \$110

\*IMPORTANT NOTE: These categories (\*) require local government/First Nation comment.

Licensees may apply for a temporary change in hours of sale for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing.  
See Part 12 for more information on obtaining local government/First Nations comment.

Please provide the following information:

Current hours of sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	9am	9am	9am	9am	9am	9am	9am
CLOSED	2am	2am	2am	2am	2am	2am	1am

Requested hours of sale: (Maximum hours permitted by regulation are between 9:00 am to 4:00 am of the same business day)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	9am	9am	9am	9am	9am	9am	9am
CLOSED	2am	2am	2am	2am	2am	3am	1am

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## PART 4: Temporary Patron Participation Entertainment Endorsement

Fee: \$330

(Food-Primary licences only)

Licensees may apply for a patron participation entertainment endorsement for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing.

**Important Note:** This application process requires comment from your local government/First Nation.

See Part 12 for more information on this process.

Describe the type of entertainment you are requesting:

Patron participation must end by midnight unless approved by LCLB and local government/First Nations. There are restrictions related to forms of entertainment, sound systems, etc. If you are uncertain about any of the details of your proposal, please consult with licensing staff at LCLB in Victoria (see contact information in Part 11).

## PART 5: Temporary Extension of Licensed Area (food-primary licences only)

Fee: \$110

This change enables licensees to apply for a temporary extension of their establishment's licensed areas for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing. Approval of this temporary change request permits the licensee to operate only at the capacity on the face of their current licence plus the capacity of the extension area. If in doubt, consult with licensing staff at LCLB in Victoria (see Part 11 for contact info).

**This application process does not require comment from your local government/First Nation.**

**Please provide the following information and documents:**

- ☐ Current total capacity, including patios (as shown on licence);
- ☐ Identify the area (person/patron as shown on licence) to be extended;
- ☐ Floor plan of the extended area showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas, where the extension is indoors or within a permanent structure.
  - Floor plan must have occupant load of the extended area marked/stamped on the plans by provincial fire or building authority (or designate).
  - Provide proposed capacity of extended area if extension is outside; and
- ☐ Where the extension area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

## PART 6: Temporary Extension of Licensed Area

(liquor-primary, liquor-primary club licence and winery lounge and special events endorsements only)

Fee: \$330

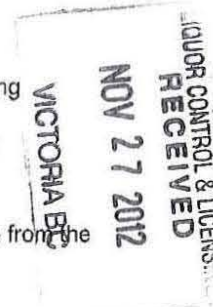
Licensees may apply for a temporary extension of their licensed areas for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing. Approval of this temporary change request permits the licensee to operate at the capacity on the face of their current licence plus the capacity of the extension area.

**Important Note:** This application process requires comment from your local government/First Nation.

See Part 12 for more information on this process.

**Please provide the following information and documents:**

- ☐ Current total capacity, including patios (as shown on licence);
- ☐ Identify the area(s) to be extended;
- ☐ Floor plan of the extended area(s) showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas:
  - Floor plan must have occupant load of the extended area marked/stamped on the plans by provincial fire or building authority (or designate) where the extension is indoors or within a permanent structure.
  - Provide proposed person capacity of extended area(s) if extension is outside; and
- ☐ Where the proposed area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.



## PART 7: Temporary Location Change (liquor-primary and liquor-primary club licences only)

Fee: \$330

(no increase in patron or person capacity)

Licensees may apply for a temporary change of location of one or more licensed areas in their establishment, to accommodate special events but this change permits no increase in licensed capacity. Proposed changes must comply with occupant load limitations.

**Important Note:** This application process requires comment from your local government/First Nation.

See Part 12 for more information on this process.

Current area capacities, as shown on licence:

Area #1  Area #2  Area #3  Area #4  Patio #1  Patio #2

Proposed temporary changes in capacity (no increase in total capacity permitted):

Area #1  Area #2  Area #3  Area #4  Patio #1  Patio #2

Please attach the following documents:

- ☐ Floor plan of the proposed area(s) showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas.
  - Floor plan must have occupant load marked/stamped on the plans by provincial fire or building authority (or designate), where the extension is indoors or within a permanent structure.
  - Provide proposed capacity of the new area if outdoors.
- ☐ Where the proposed area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

## PART 8: Temporary Location Change (food-primary licences only)

Fee: \$110

(no increase in patron or person capacity)

Licensees may apply for a temporary change of location of one or more licensed areas in their establishment, to accommodate special events but this change permits no increase in licensed capacity. Proposed changes must comply with occupant load limitations.

**Important Note:** This application process does not require comment from your local government/First Nation.

Current area capacities, as shown on licence:

Area #1  Area #2  Area #3  Area #4  Interior lounge

Patio #1  Patio #2

Proposed temporary changes in capacity (no increase in total capacity permitted):

Area #1  Area #2  Area #3  Area #4  Interior lounge

Patio #1  Patio #2

Please attach the following documents:

- ☐ Floor plan of the proposed area showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas.
  - Floor plan must have occupant load marked/stamped on the plans by provincial building or fire authority (or designate), where the extension is indoors or within a permanent structure.
  - Provide proposed capacity of the new area if outdoors.
- ☐ Where the proposed area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

Proposed temporary changes in capacity (no increase in total capacity permitted):



## PART 9: Other

Fee: \$110 for each request

**Complete this section if you are requesting a change other than those listed in Part 1, page 1.**

Describe your request in detail, using additional pages if required.

If your request requires an exercise of discretion: provide a written submission detailing why a request for discretion should be approved. All documentation to support your request for discretion must be submitted together in one package; the branch will not consider additional materials submitted after a completed application is received. For more information on requests for discretion, see section 4.1.2 of the Licensing Policy Manual (<http://www.pssg.gov.bc.ca/lclb/docs-forms/lclb207-policy-licensing.pdf>). Requests for discretion should be submitted at least **two months** prior to the proposed event.

DATE(S) FROM: \_\_\_\_\_ TO: \_\_\_\_\_ (Inclusive) TIME(S): \_\_\_\_\_  
(mm/dd/yy) (mm/dd/yy)

## PART 10: Declaration

My signature (the licensee's) below indicates I understand and acknowledge:

All of the information given is true and complete to the best of my knowledge. Section 15(2) of the *Liquor Control and Licensing Act* states, "A person applying for the issue, renewal, transfer or amendment of a licence who fails to disclose a material fact required by the form of application or makes a false or misleading statement in the form of application, commits an offence".

**Signature of applicants** (signature of signing officer of a company or society, sole proprietor or all partners in a partnership. An agent or lawyer acting on behalf of the applicant **may not** sign the application on behalf of the applicants.):

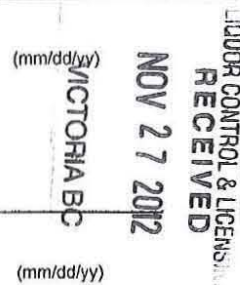
Name: \_\_\_\_\_ Position: Owner Date: 10/30/12  
(last / first / middle) (mm/dd/yy)  
**KHANNA BALDEV**

Signature: B. Khanna  
Name: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_  
(last / first / middle) (mm/dd/yy)

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_  
(last / first / middle) (mm/dd/yy)

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_  
(last / first / middle) (mm/dd/yy)

Signature: \_\_\_\_\_





## PART 11: Application Fees - Payment Options

Fees may be paid by cheque, money order, debit or credit card and are non-refundable. Debit transactions can only be made in person at the Victoria Head Office. Submit the payment with the application form. Do not mail cash.

Fee (non-refundable):

TOTAL FEE Submitted: \$

Payment is by (check ☒) one:

☐ cheque, payable to Minister of Finance (if cheque is returned non-sufficient funds, a \$30 fee will be charged)

☐ money order, payable to Minister of Finance

☒ VISA ☐ MasterCard ☐ AMEX

*If paying by credit card, please provide credit card details below . . .*

Credit card Number:

Expiry Date

s.21

Name of cardholder (as it appears on card): Zakary Pashak

Signature of cardholder:

*Or you may send in the application without credit card information, but you must telephone LCLB Head Office directly to provide the credit card number details. If so, please confirm by checking the box below:*

☐ I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 to provide credit card information and understand that no action can proceed with my application until the application fee is paid in full.

### Ministry of Public Safety and Solicitor General Liquor Control and Licensing Branch

Location: 4th Floor, 3350 Douglas St., Victoria BC V8Z 3L1

For Mail Only: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8

Phone: 250 952-5787 Fax: 250 952-7066 Web: [www.pssg.gov.bc.ca/lclb](http://www.pssg.gov.bc.ca/lclb) E-mail: [liquor.licensing@gov.bc.ca](mailto:liquor.licensing@gov.bc.ca)

## PART 12: Local Government/First Nation Comments

☐ OBJECTION

☐ NO OBJECTION

Comments:

Name of Municipality/Regional District/First Nations:

Name (print)

Phone:

Title:

E-mail:

Signature:

Date:



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## PART 13: What Happens Next?

*The temporary change application process:*

1. If the requested temporary change(s) require local government/First Nation comment, the applicant must take the completed application form and all required documents to their local government/First Nation and request that the local government/First Nation complete and sign Part 12.
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## Liquor Control and Licensing Branch

Mailing Address:  
PO Box 9292 Stn Prov Govt  
Victoria BC V8W 9J8

Fourth Floor  
3350 Douglas Street  
Victoria BC

Telephone: (250) 952-5787  
Fax: (250) 952-7066  
<http://www.pssg.gov.bc.ca/lclb>

### RECEIPT FOR PAYMENT

Applicant/Licensee Name: 636608 B.C. Ltd.  
Establishment Name: Howard Johnson Plaza Hotel  
Receipt Address: 395 Kingsway  
Vancouver, BC V5T 3J7

**Payment Receipt**  
**# 2012-127301**

Date Paid: Wednesday, November 28, 2012  
Location: Victoria  
Payment Method: Visa s. 21

Receipt Inquiries? Call LCLB Victoria Head Office toll free at 1-866-209-2111

#### 1. Job No: 712780-80

Liquor Primary Change Application Fee (009663) \$330.00

**TOTAL: \$330.00**

DUTY CARD

TEMP HRS

DEC 22 / 23



## Liquor Control and Licensing Branch

Mailing Address:  
PO Box 9292 Stn Prov Govt  
Victoria BC V8W 9J8

Fourth Floor  
3350 Douglas Street  
Victoria BC

Telephone: (250) 952-5787  
Fax: (250) 952-7066  
<http://www.pssg.gov.bc.ca/lclb>

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Establishment Name: Howard Johnson Plaza Hotel  
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**1. Job No: 712780-80**

**Liquor Primary Change Application Fee (009663)**

**\$330.00**

**TOTAL: \$330.00**

TEMP HRS  
DEC 22/23

Page 169 redacted for the following reason:

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Establishment Association (Current and Historic) for:

636608 B.C. Ltd.

Licence #: 009663 Job #: 000712780-001 Current Status: Licence Approved  
Howard Johnson Plaza Hotel

Licence Type: Liquor Primary  
Period Associated with Licence  
Jun 10, 2002 to Dec 07, 2012

<u>Compliance History Activity</u>	<u>Outcomes</u>
Oct 01, 2010 CN B000596 Permit unlawful activities or conduct, s. 36(2)(b) Act Permit intoxicated person to remain, s. 43(2)(b) Act	No enforcement recommended No enforcement recommended
Mar 13, 2007 Non-LPC Complaint Advertising	Complaint reviewed, no enforcement recommended
Oct 19, 2006 Compliance Meeting Permit drunkenness or violent, quarrelsome, riotous or disorderly conduct, s. 36(2)(a) Act, s. s. 36(2)(a) Act	Completed
Jun 26, 2006 Compliance Meeting	Completed
May 19, 2006 CN B005223 Fail to request ID, Reg. s. 45(2)	No enforcement recommended
Mar 07, 2006 Compliance Meeting Permit intoxicated person to remain, s. 43(2)(b) Act, s. s. 43(2)(b) Act	Completed
Feb 25, 2006 CN B008377 Permit intoxicated person to remain, s. 43(2)(b) Act	No enforcement recommended
Jan 24, 2006 Compliance Meeting Fail to clear patrons by time required, s. 44(1)(a) Reg., s. s. 44(1)(a) Reg.	Completed
Nov 20, 2005 CN B008375, LPC 05-279103 Fail to clear patrons by time required, s. 44(1)(a) Reg.	No enforcement recommended
Jan 25, 2004 CN b001258 Fail to request ID, Reg. s. 45(2) Minor - Permit minor to enter or be on premises, s. 35 Act	Withdrawn Withdrawn
Jan 01, 2004 CN B001215 Permit intoxicated person to remain, s. 43(2)(b) Act	No enforcement recommended
Dec 13, 2003 Non-LPC Complaint Minors	Complaint reviewed, no enforcement recommended
Dec 02, 2003 Compliance Meeting	Completed
Oct 24, 2003 CN B001201 Fail to request ID, Reg. s. 45(2)	No enforcement recommended
Jun 15, 2003 CN b004520 Contravene term & condition - Premixing drinks, s. 12 Act	No enforcement recommended
May 07, 2003 Non-LPC Complaint Minors	Complaint reviewed, no enforcement recommended
Jan 15, 2003 CN A014319, Non-LPC Complaint Operate contrary to the public interest/disturb persons in the vicinity, s. 20(1)(c.1) Act	No enforcement action
Jan 09, 2003 CN A14320 Contravene term & condition, s. 12 Act Licensee fail to complete beverage service training program, s. 43 Reg.	No enforcement recommended No enforcement recommended

**Establishment Association (Current and Historic) for:****636608 B.C. Ltd.**

Licence #: 009663 Job #: 000712780-001 Current Status: Licence Approved  
Howard Johnson Plaza Hotel

Licence Type: Liquor Primary  
Period Associated with Licence  
Jun 10, 2002 to Dec 07, 2012

**Compliance History Activity****Outcomes**

Jan 09, 2003	CN A014321	Fail to request ID, Reg. s. 45(2)	Proven, 3 day suspension
		Contravene term & condition, s. 12 Act	No enforcement recommended
Jan 04, 2003	CN A014322, LPC A 078802	Sell or give liquor to intoxicated person, s. 43(1) Act	No enforcement recommended
		Fail to request ID, Reg. s. 45(2)	Proven, 3 day suspension
Dec 11, 2002	CN A013814	Contravene term & condition, s. 12 Act	No enforcement recommended
Nov 23, 2002	CN A014317, LPC A 130702	Minor - Permit minor to consume liquor, s. 33(1)(c) Act	Proven, 4 day suspension
		Minor - Permit minor to enter or be on premises, s. 35 Act	Proven, 1 day suspension
Nov 15, 2002	CN A014316, LPC A130701	Minor - Permit minor to consume liquor, s. 33(1)(c) Act	Proven, 5 day suspension
		Permit person to become intoxicated, s. 43(2)(a) Act	No enforcement recommended
		Permit intoxicated person to remain, s. 43(2)(b) Act	No enforcement recommended
Nov 09, 2002	CN A014315, LPC A074579	Minor - Permit minor to consume liquor, s. 33(1)(c) Act	Proven, 5 day suspension

Licence #: 017632 Job #: 000712790-001 Current Status: Licence Approved  
Howard Johnson Plaza Hotel

Licence Type: Liquor Primary  
Period Associated with Licence  
Feb 15, 1982 to Dec 07, 2012

**Compliance History Activity****Outcomes**

Jul 26, 2012	Compliance Meeting	Allow liquor to be removed from establishment, s. 42(4) Reg., s. s. 42(4) Reg., Overcrowd beyond person capacity less than or equal to occupant load, s. 6(4) Reg., s. s. 6(4) Reg., Fail to post licence as required, s. 37(a) Reg., s. s. 37(a) Reg.	Completed
Jun 30, 2007	CN b000786	Contravene term & condition, s. 12 Act	No enforcement recommended
Aug 09, 2004	CN B004738	Fail to request ID, Reg. s. 45(2)	No enforcement recommended
Dec 02, 2003	Compliance Meeting		Completed
Oct 24, 2003	CN B003859	Fail to request ID, Reg. s. 45(2)	No enforcement recommended
Apr 28, 2003	Compliance Meeting		Completed
Apr 19, 2003	CN b004542	Contravening a term and condition, s. 12 - Liquor licence not posted	No enforcement recommended
		Contravening a term and condition, s. 12 - No approved floor plan available	No enforcement recommended
		Contravene term & condition, s. 12 Act	No enforcement recommended
		Allow liquor to be removed from establishment, s. 42(4) Reg.	Proven, \$2000 fine

Establishment Association (Current and Historic) for:  
636608 B.C. Ltd.

---

Licence #: 017611	Job #: 000821519-001	Current Status: Licence Approved	Licence Type: Food Primary
Howard Johnson Plaza Hotel			Period Associated with Licence
			Feb 15, 1982 to Dec 07, 2012

Compliance History Activity

May 07, 2010 Non-LPC Complaint  
Minors

Dec 11, 2003 Compliance Meeting

Oct 24, 2003 CN B003860  
Fail to request ID, Reg. s. 45(2)

Outcomes

Complaint reviewed, no enforcement recommended

Completed

No enforcement recommended

---

Licence #:	Job #: 002301210-001	Current Status: Application Terminated	Licence Type: Licensee Retail Store
Howard Johnson Plaza Hotel			Period Associated with Licence
			to

Compliance History Activity

No Licence Enforcement History

Outcomes



**Basarsky, Karen MEM:EX**

---

**From:** Darius Minwalla [darius@biltmorecabaret.com]  
**Sent:** Friday, November 30, 2012 3:02 PM  
**To:** Liquor Control and Licensing LCLB:EX  
**Subject:** Fwd: Temp Approval - Extended Hours - Biltmore - 2755 Prince Edward - Dec 21/12  
**Attachments:** 001.PDF.PDF; ATT00001.htm

Hi,  
Here is our approval from the city regarding a licence extension for Dec 21 2012.  
Thanks  
Darius

Darius Minwalla  
General Manager  
The Biltmore Cabaret  
[darius@biltmorecabaret.com](mailto:darius@biltmorecabaret.com)  
Office Line 1-604-676-0541  
Fax- 1-778-371-0541

Begin forwarded message:





## LICENCES & INSPECTIONS DEPARTMENT

City Hall, East Wing, 453 West 12th Avenue

Vancouver, BC Canada V5Y 1V4

Within Vancouver, phone: 3-1-1

Outside Vancouver, phone: 604-873-7000

Howard Johnson Plaza Hotel  
0801414 BC Ltd  
395 KINGSWAY  
Vancouver, BC CAN V5T 3J7

# 2012

Licence # 12-218612

## BUSINESS LICENCE

Issued November 30, 2012

Expires December 22, 2012

Licence Holder:

0801414 BC Ltd

Business Trade Name:

Howard Johnson Plaza Hotel

Located At: 2755 PRINCE EDWARD ST Unit Bsmt

Business Type: LM - Temp Liquor Licence

Amendment  
Subtype: Chg of Hours

The LCLB address for this LIQUOR PRIMARY Liquor License is 395 Kingsway.

Third Party Operators: 0801414 BC Ltd.

\*\*\*THE CITY OF VANCOUVER SUPPORTS THE APPLICANT'S REQUEST TO TEMPORARILY AMEND THEIR PROVINCIAL LIQUOR LICENCE - HOWEVER APPROVAL TO OPERATE DURING THESE HOURS OF OPERATION MUST BE OBTAINED FROM THE LIQUOR CONTROL LICENSING BRANCH.\*\*\*

The amended hours of operation are as follows and effective for this date only:

up to 3 am on Friday, December 21, 2012 (Ice Cream Social).



The above named is hereby licensed to carry on the business, trade, profession or other occupation stated herein. In issuing this licence the City does not represent or warrant compliance with other City of Vancouver by-laws. The licensee is responsible for ensuring compliance with all relevant by-laws of the City and additional approvals may be required provincially or federally. If this licence has been issued in conjunction with a time-limited Development Permit, this licence will not be valid if the Development Permit has expired and has not been extended. This licence must be posted upon the licensed premise and is valid at this address only.

# BUSINESS LICENCE RECEIPT

## CITY OF VANCOUVER

Licences and Inspections Department  
453 West 12th Avenue  
Vancouver BC V5Y 1V4

Within Vancouver Telephone: 3-1-1 Outside Vancouver: 604-873-7000 Fax: 604-871-6394

0801414 BC Ltd  
2755 PRINCE EDWARD ST  
Vancouver BC V5T 0A9

RECEIPT NO: 1474711

LICENCE TYPE: Temp Liquor Licence Amendmei

LICENCE #: 12 218612 LM

Name of Payor: 0801414 BC Ltd

Expires: December 22, 2012

Memo: Auth #092234 - Biltmore - Dec 21/12

Fee Description	Paid	Comment
Liquor Licence Fee	\$130.00	
<b>Paid:</b>	<b>\$130.00</b>	<b>(VISA)</b>

Received by: 82

CITY OF VANC-BUSINESS  
LICENCE  
453 WEST 12TH AVE  
VANCOUVER BC

Date: November 30, 2012

CARD \*\*\*\*\* s. 21  
CARD TYPE VISA  
DATE 2012/11/30  
TIME 8050 14:26:40  
RECEIPT NUMBER  
M30654310-001-159-005-0

PURCHASE  
TOTAL

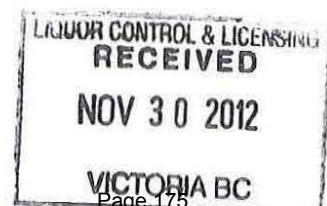
**\$130.00**

APPROVED

AUTH# 092234 01-027  
THANK YOU

CARDHOLDER COPY

IMPORTANT - RETAIN THIS  
COPY FOR YOUR RECORDS







COMMUNITY SERVICES GROUP  
Licences & Inspections  
Licence Division  
453 West 12<sup>th</sup> Avenue,  
Vancouver, BC, V5Y 1V4  
Tel. No. 3-1-1  
Outside Vancouver No. 604.873.7000  
Fax No. 604.871.6394  
vancouver.ca

## TEMPORARY LIQUOR PRIMARY LICENCE AMENDMENT FORM

### Change of Hours

#### Fees

Closing Hour Extension \$0.37/ seat per night  
Opening Hour Extension \$79/ liquor licence

Minimum Fee = \$79

Maximum one (1) liquor licence per form

Please note that all requests will be required to be submitted within a minimum of 5 weeks in advance of the first requested amendment date.

Please complete all applicable fields.

<b>1. Establishment Information</b>		
Business Name <i>The Biltmore Cabaret</i>		Contact Person(s) <i>Darius Mirwaz</i>
Business Address <i>395 Kingsway</i>		Email <i>darius@biltmorecabaret.com</i>
Phone <i>604 676 0541</i>	Cell <i>778 822 2458</i>	Fax <i>778 371 0541</i>
Liquor Licence Number (please provide a copy of the liquor licence) <i>009663</i>		Building Occupant Load* <i>352</i>

\* Building Occupant Load is the most restrictive number based on the Building and Fire Bylaws.

<b>2. Hours of Liquor Service / Event Details</b>							
CURRENT HOURS:	SUN	MON	TUES	WED	THU	FRI	SAT
OPEN	<i>9am</i>	<i>9am</i>	<i>9am</i>	<i>9am</i>	<i>9am</i>	<i>9am</i>	<i>9am</i>
CLOSE	<i>1am</i>	<i>1am</i>	<i>1am</i>	<i>1am</i>	<i>1am</i>	<i>2am</i>	<i>2am</i>
REQUESTED HOURS:	SUN	MON	TUES	WED	THU	FRI	SAT
OPEN	<i>9am</i>	<i>9am</i>	<i>9am</i>	<i>9am</i>	<i>9am</i>	<i>9am</i>	<i>9am</i>
CLOSE	<i>1am</i>	<i>1am</i>	<i>1am</i>	<i>1am</i>	<i>1am</i>	<i>2am</i>	<i>3am</i>
EVENT				START DATE		END DATE	
<i>Along Days Special event.</i>				<i>22/12/12</i>		<i>23/12/12</i>	
<i>Special Film Screening &amp;</i>							
<i>extended DJ time.</i>							
<i>5th Year Anniversary of Glory Days</i>							

<b>3. Applicant's Signature</b>		
Print Name <i>Darius Mirwaz</i>	Signature <i>[Signature]</i>	Date <i>24/12/12</i>

Signature of business owner or company signing officer. By signing this form I declare that all information provided in this application is true and correct.

<b>4. Application Fee</b>			
<input type="checkbox"/> Cheque or Money Order, payable to the City of Vancouver			
<input checked="" type="checkbox"/> VISA <input type="checkbox"/> MasterCard <input type="checkbox"/> American Express			
Credit Card Number <i>[Redacted]</i>	Expiry Date <i>[Redacted]</i>	Name of Cardholder <i>LAURIE P. MIRWAZ</i>	Signature of Cardholder <i>[Signature]</i>

Methods of payment are by mail (do not send cash in the mail), by fax at 604.871.6394 with your credit card information on this form, or in person at Vancouver City Hall, 453 W 12<sup>th</sup> Av., East Wing 2<sup>nd</sup> floor. We accept cash, cheque, money order, VISA, MasterCard, American Express and Interac.

NOV 27 2012  
VICTORIA BC  
LICENCE CONTROL & LICENSING  
RECEIVED

## Resch, Chelsea MEM:EX

---

**From:** Resch, Chelsea MEM:EX  
**Sent:** Monday, December 3, 2012 8:42 AM  
**To:** 'darius@biltmorecabaret.com'  
**Subject:** Temporary Extension

**Importance:** High

Good morning Darius,

The application for a temporary extension of hours for December 22, 2012 was submitted without the approval letter from the City of Vancouver. Please forward this by fax or e-mail to my attention as soon as possible; without it, I cannot process your application.

Sincerely,

*Chelsea Resch*

Case Manager  
Liquor Control and Licensing Branch  
4th floor, 3350 Douglas Street  
Victoria, B.C. V8Z 3L1  
Ph. (250) 952-5763  
Fax(250) 952-7034

Branch Main:  
<http://www.pssg.gov.bc.ca/lclb/>

Application Forms & Fees:  
[http://www.pssg.gov.bc.ca/lclb/forms\\_fees/index.htm](http://www.pssg.gov.bc.ca/lclb/forms_fees/index.htm)



**Barrett, Elizabeth MEM:EX**

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**From:** LCLB LCLB:EX  
**Sent:** Tuesday, November 27, 2012 2:11 PM  
**To:** Liquor Control and Licensing LCLB:EX  
**Subject:** FW: biltmore extension Dec 22 2012  
**Attachments:** DOC112712-11272012134519.pdf; ATT00001.htm

Application ready for processing please.

Thanks,

Travis Wilson  
Communications Assistant  
Liquor Control and Licensing Branch

**Direct Phone:** 250-952-5762  
Fax 250-952-7066  
Toll-Free 1-866-209-2111  
<http://www.pssg.gov.bc.ca/lclb>

**From:** Darius Minwalla [<mailto:darius@biltmorecabaret.com>]  
**Sent:** Tuesday, November 27, 2012 12:47 PM  
**To:** LCLB LCLB:EX  
**Subject:** biltmore extension Dec 22 2012

Hi,  
Here is our application for a liquor licence extension for Dec 22nd 2012  
Thanks  
D



Darius Minwalla

Dec 22/12

END

Temp Extension - Hurs



December 20, 2012

Job #712780-81

636608 B.C. Ltd.  
Howard Johnson Plaza hotel  
395 Kingsway  
Vancouver BC V5T 3J7

Sent via e-mail: [darius@biltmorecabaret.com](mailto:darius@biltmorecabaret.com)

Dear Darius Minwalla:

**Re: Temporary Change to a Liquor Licence – Approved  
Establishment: Howard Johnson Plaza Hotel  
Liquor Primary Licence #009663**

The Liquor Control & Licensing Branch has approved the temporary change application for the above-noted establishment.

**Temporary Extension of Hours:**

- Date: December 21, 2012 – Ice Cream Social "End of the World Party"
- Hours extended from 9:00 am – 2:00 am to 9:00 am – 3:00 am.

A copy of this approval letter must be kept on site, with your liquor licence and your red-lined floor plans, ready for inspection at all times during your event.

If any event approved in this letter is not being managed to the satisfaction of the General Manager, all remaining dates will be cancelled. Future approvals for similar temporary changes will be conditional on this event(s) being managed to the satisfaction of the General Manager.

Please note, there's been a change to the amount of notice the Branch requires for temporary change requests. For future requests, a complete application including the supporting documents must be submitted a **minimum of fourteen (14) business days** in advance of your event(s); otherwise your application will not be accepted and will be returned to you with the fees.

The Branch defines a business day for the purpose of processing applications as Monday - Friday excluding statutory holidays. Applications requesting discretion to policy (see Part 9) must be submitted a **minimum of two (2) months** prior to your proposed event; otherwise your application will not be accepted and will be returned to you with the fees.

If you have any questions, please contact me at 250-952-5703 or 1-866-209-2111.

Sincerely,

James Hackett  
Case Manager

**Please Note:**

The Branch operates on the basis that you are responsible for understanding and complying with the requirements of the LCLB Act, its Regulations, and the terms and conditions of your licence.

cc: Edward Osei-Appiah, Heather Lahoda Inspector  
Donna Lister, Regional Manager  
Vancouver Police Dept #5 Attn: Alex Clark  
City of Vancouver Attn: Lucia Cumerlato (via e-mail: [susan.smith@vancouver.ca](mailto:susan.smith@vancouver.ca))

**Liquor Control and  
Licensing Branch**

Mailing Address:  
PO Box 9292 Stn Prov Govt  
Victoria BC V8W 9J8  
Telephone: 250 952-5787  
Facsimile: 250 952-7066

Location:  
4<sup>th</sup> Floor, 3350 Douglas Street  
Victoria, BC  
<http://www.pssg.gov.bc.ca/ldlb>





## Temporary Change to a Liquor Licence

EOL

DEC 19 2012

Food-Primary, Liquor-Primary,  
Liquor-Primary Clubs & Winery Endorsements  
Liquor Control and Licensing Form LCLB 023

### INSTRUCTIONS:

Complete all applicable fields and then submit with payment as outlined in Part 11 of this application form. You may complete this form online and then print.

- If you have any questions about this application, call the Liquor Control and Licensing Branch (LCLB) toll-free at: 1 866 209-2111.
- LCLB forms and supporting materials referred to in this document can be found at: [www.pesg.gov.bc.ca/lclb](http://www.pesg.gov.bc.ca/lclb)

A complete application including the supporting documents must be submitted a **minimum of fourteen (14) business days** in advance of your event(s); otherwise your application will not be accepted and will be returned to you with the fees. The Branch defines a business day for the purpose of processing applications as Monday - Friday excluding statutory holidays.

Applications requesting discretion to policy (see Part 9) must be submitted a **minimum of two (2) months** prior to your proposed event; otherwise your application will not be accepted and will be returned to you with the fees.

### Licensee Information

Office use only

Job No. (C3-LIC)

712780-81

Licence number: 009663 Type: ☐ Food-Primary ☒ Liquor-Primary ☐ Liquor-Primary Club ☐ Winery

Licensee name [as shown on licence]: Howard Johnson Plaza Hotel

Establishment name [as shown on licence]: Howard Johnson Plaza Hotel

Establishment Address: 395 Kingsway Street Vancouver BC V5T3J7  
City Province Postal Code

Contact Name: Darius Minwalla Title/Position: GM  
(last / first / middle)

Business Tel with area code: 6046760541 Business Fax with area code: 7783710541

Business e-mail: [darius@bltmorecabaret.com](mailto:darius@bltmorecabaret.com)

Business Mail address (if different from above):  
Street City Province Postal Code

### PART 1: Temporary Change Requested

Please check the appropriate boxes below. You may complete more than one change section on this form as long as the changes are for the same licence number. **IMPORTANT NOTE:** These categories (\*) require local government/First Nations comment.

#### TYPE OF CHANGE REQUESTED

#### COMPLETE SECTIONS

##### ☒ TEMPORARY CHANGE TO HOURS OF SALE

Liquor-Primary and Liquor-Primary Club licences, and Winery lounge or special event endorsements -- any hours changes\* 1, 2, 3, 10, 11, 12  
Food-Primary licences -- requests for hours of sale later than midnight\* 1, 2, 3, 10, 11, 12  
Food-Primary licences -- requests for hours of sale before midnight 1, 2, 3, 10, 11

☐ TEMPORARY PATRON PARTICIPATION ENTERTAINMENT ENDORSEMENT\* Food-Primary licences only 1, 2, 4, 10, 11, 12

☐ TEMPORARY EXTENSION OF LICENSED AREA Food-Primary licences only 1, 2, 5, 10, 11

☐ TEMPORARY EXTENSION OF LICENSED AREA\* Liquor-Primary and Liquor-Primary Club licences, and winery lounge or special event endorsements. 1, 2, 6, 10, 11, 12

☐ TEMPORARY LOCATION CHANGE\* Liquor-Primary and Liquor-Primary Club licences only (no increase in patron or person capacity) 1, 2, 7, 10, 11, 12

☐ TEMPORARY LOCATION CHANGE Food-Primary licences only (no increase in patron or person capacity) 1, 2, 8, 10, 11

☐ OTHER Applies to all change requests other than these listed above 1, 2, 9, 10, 11

November 30, 2012

Darius Minwalla  
0801414 BC Ltd.  
The Biltmore Cabaret (Howard Johnson Plaza Hotel)  
2755 Prince Edward Street  
Vancouver, BC V5T 0A9

Dear Mr. Minwalla:

RE: Temporary Approval for Extended Hours  
Liquor Primary Liquor Licence No. 009663  
The Biltmore Cabaret (Howard Johnson Plaza Hotel)  
2755 Prince Edward Street (395 Kingsway)

This is to notify you that your application to extend the hours of your Liquor Primary Liquor Licence has been approved on a temporary basis at The Biltmore Cabaret (Howard Johnson Plaza Hotel) located at 2755 Prince Edward Street for the following date and time:

- Up to 3 am on Friday, December 21, 2012 (Ice Cream Social).

As stated in Section 19.2A(1)(k)(ii) of the Licence By-law No. 4450:

if any part of the liquor establishment is less than 61 metres from any exterior wall of a residential use, ensure that:

except for the purpose of entering or exiting, all doors and windows of the liquor establishment remain closed between 11 pm and 9 am.

This approval is subject to the concurrence of the Liquor Control and Licensing Branch.

If you have any questions, please contact Lucia Cumerlato, Liquor Licence Coordinator at 604.871.6461.

Yours truly,

*L. Cumerlato*

*Fol* William M. Johnston, P. Eng.  
Director, Licences and Inspections &  
Chief Licence Inspector

WJ/ss

cc: Det/Cst Alex Clarke, Liquor Coordinator, VPD

## PART 2: Reason Temporary Change is Requested

Describe event details including who is holding the event, the hours of the event and its purpose:

Ice Cream Social End of the World Party.

Ice Cream Social is an event we have monthly and have been doing for 3 years now.

The night is filled with music from the 50's.

DATE(S) FROM: (mm/dd/yy) 12/21/12 TO: (mm/dd/yy) 12/22/12 (Inclusive)

## PART 3: Temporary Change to Hours of Sale

- Liquor-Primary and Liquor-Primary Club licences, and Winery lounge or special event endorsements – any hours changes\*Fee: \$330
- Food-Primary licences – requests for hours of sale later than midnight\* Fee: \$330
- Food-Primary licences – requests for hours of sale before midnight (local government/First Nations comment not required) Fee: \$110

\*IMPORTANT NOTE: These categories (\*) require local government/First Nation comment.

Licensees may apply for a temporary change in hours of sale for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing.  
See Part 12 for more information on obtaining local government/First Nations comment.

Please provide the following information:

Current hours of sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	9am	9am	9am	9am	9am	9am	9am
CLOSED	2am	2am	2am	2am	2am	2am	1am

Requested hours of sale: (Maximum hours permitted by regulation are between 9:00 am to 4:00 am of the same business day)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	9am	9am	9am	9am	9am	9am	9am
CLOSED	2am	2am	2am	2am	3am	2am	1am

---

## PART 4: Temporary Patron Participation Entertainment Endorsement

Fee: \$330

(Food-Primary licences only)

Licensees may apply for a patron participation entertainment endorsement for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing.

**Important Note:** This application process requires comment from your local government/First Nation.

See Part 12 for more information on this process.

Describe the type of entertainment you are requesting:

Patron participation must end by midnight unless approved by LCLB and local government/First Nations. There are restrictions related to forms of entertainment, sound systems, etc. If you are uncertain about any of the details of your proposal, please consult with licensing staff at LCLB in Victoria (see contact information in Part 11).

---

## PART 5: Temporary Extension of Licensed Area (food-primary licences only)

Fee: \$110

This change enables licensees to apply for a temporary extension of their establishment's licensed areas for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing. Approval of this temporary change request permits the licensee to operate only at the capacity on the face of their current licence plus the capacity of the extension area. If in doubt, consult with licensing staff at LCLB in Victoria (see Part 11 for contact info). This application process does not require comment from your local government/First Nation.

Please provide the following information and documents:

- ☐ Current total capacity, including patios (as shown on licence);
- ☐ Identify the area (person/patron as shown on licence) to be extended;
- ☐ Floor plan of the extended area showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas, where the extension is indoors or within a permanent structure.
  - Floor plan must have occupant load of the extended area marked/stamped on the plans by provincial fire or building authority (or designate).
  - Provide proposed capacity of extended area if extension is outside; and
- ☐ Where the extension area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

---

## PART 6: Temporary Extension of Licensed Area

(Liquor-primary, liquor-primary club licence and winery lounge and special events endorsements only)

Fee: \$330

Licensees may apply for a temporary extension of their licensed areas for a limited period, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, branch policies and/or original terms and conditions of licensing. Approval of this temporary change request permits the licensee to operate at the capacity on the face of their current licence plus the capacity of the extension area.

**Important Note:** This application process requires comment from your local government/First Nation.

See Part 12 for more information on this process.

Please provide the following information and documents:

- ☐ Current total capacity, including patios (as shown on licence);
- ☐ Identify the area(s) to be extended;
- ☐ Floor plan of the extended area(s) showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas:
  - Floor plan must have occupant load of the extended area marked/stamped on the plans by provincial fire or building authority (or designate) where the extension is indoors or within a permanent structure.
  - Provide proposed person capacity of extended area(s) if extension is outside; and
- ☐ Where the proposed area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

---

**PART 7: Temporary Location Change** (liquor-primary and liquor-primary club licences only)**Fee: \$330***(no increase in patron or person capacity)*

Licensees may apply for a temporary change of location of one or more licensed areas in their establishment, to accommodate special events but this change permits no increase in licensed capacity. Proposed changes must comply with occupant load limitations.

**Important Note:** This application process requires comment from your local government/First Nation.

See Part 12 for more information on this process.

Current area capacities, as shown on licence:

Area #1  Area #2  Area #3  Area #4  Patio #1  Patio #2

Proposed temporary changes in capacity (no increase in total capacity permitted):

Area #1  Area #2  Area #3  Area #4  Patio #1  Patio #2

Please attach the following documents:

- ☐ Floor plan of the proposed area(s) showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas.
  - Floor plan must have occupant load marked/stamped on the plans by provincial fire or building authority (or designate), where the extension is indoors or within a permanent structure.
  - Provide proposed capacity of the new area if outdoors.
- ☐ Where the proposed area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

---

**PART 8: Temporary Location Change** (food-primary licences only)**Fee: \$110***(no increase in patron or person capacity)*

Licensees may apply for a temporary change of location of one or more licensed areas in their establishment, to accommodate special events but this change permits no increase in licensed capacity. Proposed changes must comply with occupant load limitations.

**Important Note:** This application process does not require comment from your local government/First Nation.

Current area capacities, as shown on licence:

Area #1  Area #2  Area #3  Area #4  Interior lounge

Patio #1  Patio #2

Proposed temporary changes in capacity (no increase in total capacity permitted):

Area #1  Area #2  Area #3  Area #4  Interior lounge

Patio #1  Patio #2

Please attach the following documents:

- ☐ Floor plan of the proposed area showing how perimeter is defined, dimensions and its physical relationship to existing licensed areas.
  - Floor plan must have occupant load marked/stamped on the plans by provincial building or fire authority (or designate), where the extension is indoors or within a permanent structure.
  - Provide proposed capacity of the new area if outdoors.
- ☐ Where the proposed area is not on property owned or controlled by the licensee, provide written approval for such use from the property owner.

Proposed temporary changes in capacity (no increase in total capacity permitted):

## PART 9: Other

Fee: \$110 for each request

**Complete this section if you are requesting a change other than those listed in Part 1, page 1.**

Describe your request in detail, using additional pages if required.

If your request requires an exercise of discretion: provide a written submission detailing why a request for discretion should be approved. All documentation to support your request for discretion must be submitted together in one package; the branch will not consider additional materials submitted after a completed application is received. For more information on requests for discretion, see section 4.1.2 of the Licensing Policy Manual (<http://www.psgg.gov.bc.ca/lclb/docs-forms/lclb207-policy-licensing.pdf>). Requests for discretion should be submitted at least **two months** prior to the proposed event.

DATE(S) FROM: \_\_\_\_\_ TO: \_\_\_\_\_ (Inclusive) TIME(S): \_\_\_\_\_  
(mm/dd/yy) (mm/dd/yy)

## PART 10: Declaration

**My signature (the licensee's) below indicates I understand and acknowledge:**

All of the information given is true and complete to the best of my knowledge. Section 15(2) of the *Liquor Control and Licensing Act* states, "A person applying for the issue, renewal, transfer or amendment of a licence who fails to disclose a material fact required by the form of application or makes a false or misleading statement in the form of application, commits an offence".

**Signature of applicants** (signature of signing officer of a company or society, sole proprietor or all partners in a partnership. An agent or lawyer acting on behalf of the applicant may not sign the application on behalf of the applicants.):

Name: \_\_\_\_\_ Position: Owner Date: \_\_\_\_\_  
(last / first / middle) (mm/dd/yy)

KHANNA BALDEV

09/18/2012

Signature: Bellhew

Name: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_  
(last / first / middle) (mm/dd/yy)

Signature: \_\_\_\_\_

Name: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_  
(last / first / middle) (mm/dd/yy)

Signature: \_\_\_\_\_

Name: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_  
(last / first / middle) (mm/dd/yy)

Signature: \_\_\_\_\_

## PART 11: Application Fees - Payment Options

Fees may be paid by cheque, money order, debit or credit card and are non-refundable. Debit transactions can only be made in person at the Victoria Head Office. Submit the payment with the application form. Do not mail cash.

Fee (non-refundable):

**TOTAL FEE Submitted: \$ 330.00**

Payment is by (check (X) one):

☐ cheque, payable to Minister of Finance (if cheque is returned non-sufficient funds, a \$30 fee will be charged)

☐ money order, payable to Minister of Finance

☒ VISA ☐ MasterCard ☐ AMEX

If paying by credit card, please provide credit card details below...

Credit card Number

s. 21

Expiry Date

s. 21

Name of cardholder (as it appears on card): Zakary Pashak

Signature of cardholder:

Or you may send in the application without credit card information, but you must telephone LCLB Head Office directly to provide the credit card number details. If so, please confirm by checking the box below:

☐ I will call Victoria Head Office at 250-952-5787 or 1-866-208-2111 to provide credit card information and understand that no action can proceed with my application until the application fee is paid in full.

### Ministry of Public Safety and Solicitor General Liquor Control and Licensing Branch

Location: 4th Floor, 3350 Douglas St., Victoria BC V8Z 3L1

For Mail Only: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8

Phone: 250 952-5787 Fax: 250 952-7066 Web: [www.pssg.gov.bc.ca/lclb](http://www.pssg.gov.bc.ca/lclb) E-mail: [liquor.licensing@gov.bc.ca](mailto:liquor.licensing@gov.bc.ca)

## PART 12: Local Government/First Nation Comments

☐ OBJECTION

☒ NO OBJECTION

Comments:

"SEE ATTACHED LETTER"

[vancouver.ca](http://vancouver.ca)

Name of Municipality

Lucia Cumerlato  
Licence Coordinator  
Licence Office  
Licences and Inspections

Name (print)

604 871 6461  
604 871 6394  
[lucia.cumerlato@vancouver.ca](mailto:lucia.cumerlato@vancouver.ca)

City of Vancouver  
453 West 12<sup>th</sup> Avenue  
Vancouver, BC  
Canada V5Y 1V4

Title:

Signature:

*L. Cumerlato*

Date:

*Nov 30/12*

---

## PART 13: What Happens Next?

*The temporary change application process:*

1. If the requested temporary change(s) require local government/First Nation comment, the applicant must take the completed application form and all required documents to their local government/First Nation and request that the local government/First Nation complete and sign Part 12.
2. The applicant will submit the signed application, all required documents and application fee to the Victoria Head Office (LCLB).

**Note: Applicants must ensure they submit their completed application a minimum of fourteen (14) business days (or two (2) months, if it's a request for discretion - see Part 9) before the proposed change. Otherwise, your application will not be accepted and will be returned to you.**

3. The LCLB licensing staff will review the application package and advise the applicant by phone, mail or fax, of any information or documents required before the application can be processed.
4. LCLB licensing staff will request comments from the local liquor inspector.
5. If required, the local liquor inspector will work with the applicant on security and related issues.
6. LCLB licensing staff will review the comments from the local government/First Nation (if applicable) and local liquor inspector.
7. LCLB staff will contact the applicant by, fax or mail to let them know whether or not the change has been approved. The applicant will receive LCLB's decision in writing.

Freedom of Information and Privacy Act - The information requested on this form is collected for the purpose of obtaining or making changes to a liquor licence application. All personal information is collected under the authority of Section 15 of the Liquor Control and Licensing Act (RSBC 1996, c.267). Questions should be directed to: Liquor Control and Licensing Branch, Freedom of Information Officer, PO Box 9292, STN PROV GOVT, Victoria, BC V8W 9J8. Ph: In Victoria, 250 952-5787 Outside Victoria, 1 866 209-2111. Fax: 250 952-7066



# Inspector Comments for Job 000712780-081

**Process Edit**

## Inspector Comments

**Job 000712780-081**

Received in Branch - November 30, 2012 was attached to another application -  
Reviewed on December 20, 2012. Propose to extend hours on December 21,  
2012 to 3:00 am. (End of the World - Ice Cream Social) LG has approved.  
Requires inspector comments.

Heather Lahoda

Complete

Commented

Dec 20, 2012

Dec 20, 2012 14:49:1

## Details

Comments

no issues or concerns

**BUSINESS LICENCE RECEIPT**  
**CITY OF VANCOUVER**

Licences and Inspections Department  
453 West 12th Avenue  
Vancouver BC V5Y 1V4

Within Vancouver Telephone: 3-1-1 Outside Vancouver: 604-873-7000 Fax: 604-871-6394

0801414 BC Ltd  
2755 PRINCE EDWARD ST  
Vancouver BC V5T 0A9

**RECEIPT NO: 1474711**

LICENCE TYPE: Temp Liquor Licence Amendme LICENCE #: 12 218612 LM

Name of Payor: 0801414 BC Ltd Expires: December 22, 2012

Memo: Auth #092234 - Biltmore - Dec 21/12

Fee Description	Paid	Comment
Liquor Licence Fee	\$130.00	

**Paid: \$130.00 (VISA)**

Received by: 82

CITY OF VANC-BUSINESS  
LICENCE  
453 WEST 12TH AVE  
VANCOUVER BC

Date: November 30, 2012

CARD \*\*\*\*\* s. 21  
CARD TYPE VISA  
DATE 2012/11/30  
TIME 8050 14:26:40  
RECEIPT NUMBER  
M30654310-001-159-005-0

PURCHASE  
TOTAL

**\$130.00**

**APPROVED**

AUTH# 092234 01-027  
THANK YOU

CARDHOLDER COPY

IMPORTANT - RETAIN THIS  
COPY FOR YOUR RECORDS



## NOTICE OF ENFORCEMENT ACTION

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

March 07, 2003

File No: EH03-014

Job No: 000712780-035

636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252  
Fax: (604) 874-5252

Dear Owner:

**Re: Licence Number 009663**

BILTMORE MOTOR HOTEL  
395 KINGSWAY  
VANCOUVER, BC V5T 3J7

The purpose of this notice is to inform you that the general manager is scheduling an enforcement hearing in order to review whether to take enforcement action for the alleged contravention(s) of the Liquor Control and Licensing Act, the regulations, and/or the terms and conditions of the licence set out in this notice.

### ROLE OF THE LIQUOR CONTROL AND LICENSING BRANCH

The role of the Liquor Control and Licensing Branch as the regulator of licensed establishments is to help provide an orderly and problem-free environment for licensed establishments. When an infraction occurs, the general manager of the Liquor Control and Licensing Branch will take whatever enforcement action is necessary:

- | to protect the public interest,
- | to ensure future compliance with the Act, the regulations, and/or the terms and conditions of a licence, and
- | to ensure that licensees, employees, patrons and the community recognize the seriousness of contraventions.

The general manager is responsible for supervising the conduct and operation of every licensed establishment in British Columbia. The enforcement powers of the general manager are expressed in section 20(2) of the Liquor Control and Licensing Act as follows:

20 (2) If the general manager has the right under subsection (1) to take action against a licensee

**Ministry of  
Public Safety and  
Solicitor General**

Liquor Control and  
Licensing Branch

Mailing address:  
PO Box 9292 Stn Prov Govt  
Victoria, BC V8W 9J8

Toll Free: 1 866 209-2111  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor  
1019 Wharf Street  
Victoria BC

<http://www.pssg.gov.bc.ca/clcb>

- 20 (2) If the general manager has the right under subsection (1) to take action against a licensee, the general manager may do any one or more of the following, with or without a hearing:
- (repealed)
  - impose terms and conditions on the licensee's licence or rescind or amend existing terms and conditions on the licence;
  - impose a monetary penalty on the licensee in accordance with the prescribed schedule of penalties;
  - suspend all or any part of the licensee's licence in accordance with the prescribed schedule of licence suspensions;
  - cancel all or any part of the licensee's licence;
  - order the licensee to transfer the licence, within the prescribed period, to a person who is at arm's length from the licensee.

### THE ALLEGED CONTRAVENTION(S)

No.	Contravention name	Section of Act/regulation and term and condition of the licence	Date of alleged contravention	Recommended enforcement action
1	Operate contrary to public interest, s. 20(1)(c.1)	s. 20(1)(c.1)	Jan 15, 2003	10 day suspension

These alleged contraventions are described in full in the attached Appendix A.

### Proposed enforcement action

The general manager may impose a penalty for a contravention of the Act, the regulations, and/or the terms and conditions of the licence(s). The general manager has the authority to cancel a licensee's licence, in whole or in part, if circumstances warrant a cancellation. Enforcement action may also include imposing terms and conditions for a contravention of the Act and the regulations.

When determining the appropriate penalty for a contravention, the general manager will consider:

- | the type of contravention
- | the facts of the contravention
- | the establishment's history of compliance
- | the compliance history of the licensee.

The general manager will also consider what action best serves the public interest.

The penalty schedule, set out in schedule 4 to the Liquor Control and Licensing Regulations, describes the penalty range for each contravention. A copy of the *Liquor Control and Licensing Act and Regulations* can be obtained on the Liquor Control and Licensing Branch website at <http://www.pssg.gov.bc.ca/lclb/>. While the general manager usually stays within this schedule, if the general manager concludes that it is in the public interest to do so, the general manager may impose a higher penalty than the penalty set out in the penalty schedule.

### **Suspension penalty falls within penalty schedule**

For the alleged contravention of Operate contrary to public interest, s. 20(1)(c.1) (Contravention Notice Number A014319) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a suspension penalty of 10 days is warranted. The suspension will be served starting on a and will continue on successive business days until completed.

The reasons for this proposed penalty are set out in Appendix A and B.

The establishment's history of compliance and the compliance history of the licensee are described in the attached Appendix B.

### **LICENSEE OPTIONS**

1. The licensee may accept the proposed enforcement action(s) for any or all of the contraventions set out above and waive the opportunity for an enforcement hearing on those contraventions. This process is described in more detail under heading Option to Waive Enforcement Hearing below.
2. The licensee may attend an enforcement hearing for the purpose of contesting the occurrence of the contravention(s) and/or the proposed enforcement action(s). Please note, at an enforcement hearing the general manager may decline to take any enforcement action, take the proposed enforcement action set out in this letter, or take enforcement action that is less than or greater than the proposed enforcement action set out in this letter.

### **Option to waive enforcement hearing**

The licensee may waive the opportunity for an enforcement hearing and accept the enforcement action(s) proposed in this letter. If the licensee chooses this option, it is necessary to sign a waiver notice. By signing the waiver notice, the licensee expressly and irrevocably:

- l agrees that the licensee has committed the contravention(s)
- l accepts the enforcement action(s) proposed in this letter
- l waives the opportunity to an enforcement hearing on these matters
- l agrees that the finding(s) of contravention and the specified enforcement action(s) will form part of the compliance history of the licensee.

If the licensee plans to sign a waiver notice, branch staff will prepare the notice. In most situations, the waiver notice must be signed within 14 days of the date of this letter. If the licensee plans to sign a waiver notice, please contact the writer to arrange an appointment as soon as possible.

### **Date, time, and place of the enforcement hearing**

The case management administrator will be contacting the licensee shortly to discuss the hearing process. If the licensee signs a waiver notice, the enforcement hearing will be cancelled.

The case management administrator contact information is:

Shirley Martin; (250) 356-0010; Shirley.Martin@gems3.gov.bc.ca

## **CONTACT NUMBER**

If you have any questions regarding this letter, please contact the writer at (604) 775-0093 or Tina.Bains@gems4.gov.bc.ca for clarification.

Yours truly,

Tina Bains  
Inspector, Vancouver

Attachments:  
Appendix A  
Appendix B  
Liquor Licence  
Red Line Floor Plan  
Schedule 1  
Contravention Notice

# Appendix A

## Licence Information

Licence number: 009663  
Licence type: Liquor Primary  
Terms and conditions of the licence:

Licence expiry date: March 31, 2004

## BRANCH WITNESSES

At the enforcement hearing, the branch will be calling the following witnesses to present evidence of the alleged contravention. The following table lists the witnesses and a summary of the evidence that they will present.

	Name	Summary of Evidence
1	Edwina Nazareth (Liquor Inspector LCLB)	Testify to measures presented to Licensee
2	Bruno Gatto (Sergeant 1072)	Testify to measures presented to Licensee
3	Pam Ruschke (Constable VPD)	Testify to measures presented to Licensee
4	Fawcett (Constable VPD)	Testify to measures presented to Licensee
5	Joanne McCormick (Constable VPD)	Testify to measures presented to Licensee
6	Jadranka Pavlovic (Site Manager)	Testify patrons of Biltmore create noise and disturb the residents of the building.
7	Zoran Orescanin (Site Manager)	Testify patrons of Biltmore create noise and disturb the residents of the building.
8	Susan Cummings (Property Manager)	Testify patrons of Biltmore create noise and disturb the residents of the building.
9	Harley Dvorkin (Constable)	Testify to doing a report on Biltmore - level of problems as a direct result of over consumption.
10	Dean Robinson (Sergeant 1095)	Testify to doing a report on Biltmore - No attempt to quell disturbances that are routinely created by large numbers of overly intoxicated individuals spilling out of the bar onto the street.
11	Val Harrison (Inspector)	Testify to measures presented to Licensee
12	M. Chalmers (Inspector)	to measures presented to Licensee

## DETAILS OF THE CONTRAVENTION NOTICE (SUMMARY OF EVIDENCE)

See schedule 1

## SUMMARY OF ALLEGED CONTRAVENTIONS

The following is a summary of each alleged contravention and the circumstances surrounding each contravention. At the enforcement hearing, the general manager will be considering this information when deciding whether each contravention occurred and the penalty, if any, for that contravention.

## CONTRAVENTION #1

Contravention notice number	Date contravention notice issued	Name of contravention and section of Act or regulations	Recommended enforcement action	Start date of suspension to be served
A014319	Jan 15, 2003 Dec 12, 2002	Operate contrary to public interest, s. 20(1)(c.1)	10 day suspension	
Reasons for Recommended Enforcement Action: See schedule 1				
Reasons for Proposed Penalty: Falls within the guidelines as set out in the Liquor Control and Licencing Act/Regulations Schedule 4.				

## DOCUMENTATION

At the enforcement hearing, the branch will likely be presenting the information listed in the following table. A copy of the contravention notice is attached. A copy of each of the other documents and any additional relevant information will be forwarded to the licensee once the enforcement hearing on this matter has been scheduled.

### Complaints:

	Date	Document Description
1	December 12, 2002	Minors A074579 - Supply to minors, s. 33 A014315
2	December 12, 2002	Minors A130701 - Supply to minors, s. 33 A014316
3	December 12, 2002	Minors A130701 - Permit a person to become intoxicated, s. 43(2)(a) A014316
4	December 12, 2002	Minors A130701 - Permit intoxicated person to remain, s. 43(2)(b) A014316
5	December 12, 2002	Minors A 130702 - Minors in premises, s. 35 A014317
6	December 12, 2002	Intoxication A 078802 - A014322
7	December 12, 2002	Intoxication A 078802 - Selling liquor to intoxicated person, s. 43(1) A014322
8	December 12, 2002	Minors A 130702 - Supply to minors, s. 33 A014317
9	September 19, 2002	A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B) A014305
10	September 19, 2002	A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A) A014305

### Contraventions:

	Date	Document Description
1	January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43, No Enforcement Action
2	January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12, No Enforcement Action
3	December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12, No Enforcement Action



## Appendix B

### HISTORY OF COMPLIANCE

At the enforcement hearing, the general manager will consider this information when determining the penalty for each contravention.

#### Establishment's history of compliance

The establishment's history of compliance is relevant when determining which level of penalty should be imposed for a contravention. The establishment's history of compliance is comprised of any prior findings of contravention that relate to the establishment in question (whether by waiver or decision of the general manager) and any prior penalty.

Findings of contravention and enforcement action under the LCLA and regulations			
	Date	Findings of Contravention	Enforcement Action
1	January 09, 2003	Contravening a term and condition, s. 12	
2	January 09, 2003	Fail to request ID, Reg. s. 45(2)	3 day suspension
3	January 04, 2003	Fail to request ID, Reg. s. 45(2)	3 day suspension
4	November 23, 2002	Minors in premises, s. 35	1 day suspension
5	November 15, 2002	Permit a person to become intoxicated, s. 43(2)(a)	
6	November 15, 2002	Permit intoxicated person to remain, s. 43(2)(b)	
7	January 04, 2003	Selling liquor to intoxicated person, s. 43(1)	
8	November 09, 2002	Supply to minors, s. 33	5 day suspension
9	November 15, 2002	Supply to minors, s. 33	5 day suspension
10	November 23, 2002	Supply to minors, s. 33	4 day suspension



## NOTICE OF ENFORCEMENT ACTION

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

February 04, 2003

File No: EH03-009

Job No: 000712780-033

636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

Dear: 636608 B.C. LTD.

**Re: Licence Number 009663**

BILTMORE MOTOR HOTEL  
395 KINGSWAY  
VANCOUVER, BC V5T 3J7

The purpose of this notice is to inform you that the general manager is scheduling an enforcement hearing in order to review whether to take enforcement action for the alleged contravention(s) of the Liquor Control and Licensing Act, the regulations, and/or the terms and conditions of the licence set out in this notice.

### ROLE OF THE LIQUOR CONTROL AND LICENSING BRANCH

The role of the Liquor Control and Licensing Branch as the regulator of licensed establishments is to provide an orderly and problem-free environment for licensed establishments. When an infraction occurs, the general manager of the Liquor Control and Licensing Branch will take whatever enforcement action is necessary:

- | to protect the public interest,
- | to ensure future compliance with the Act, the regulations, and/or the terms and conditions of licence, and
- | to ensure that licensees, employees, patrons and the community recognize the seriousness of contraventions.

The general manager is responsible for supervising the conduct and operation of every licensed establishment in British Columbia. The enforcement powers of the general manager are expressed in section 20(2) of the Liquor Control and Licensing Act as follows:

20 (2) If the general manager has the right under subsection (1) to take action against a licensee,

**Ministry of  
Public Safety and  
Solicitor General**

Liquor Control and  
Licensing Branch

Mailing address:  
PO Box 9292 Stn Prov Govt  
Victoria, BC V8W 9J8

Toll Free: 1 866 209-2111  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor  
1019 Wharf Street  
Victoria BC

<http://www.pssg.gov.bc.ca/lclb>



## **Suspension penalty falls within penalty schedule**

For the alleged contravention of Fail to request ID, Reg. s. 45(2) (Contravention Notice Number A014322) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a suspension penalty of 3 days is warranted. The suspension will be served starting on a and will continue on successive business days until completed.

The reasons for this proposed penalty are set out in Appendix A and B

The establishment's history of compliance and the compliance history of the licensee are described in the attached Appendix B

## **LICENSEE OPTIONS**

1. The licensee may accept the proposed enforcement action(s) for any or all of the contraventions set out above and waive the opportunity for an enforcement hearing on those contraventions. The process is described in more detail under heading Option to Waive Enforcement Hearing below
2. The licensee may attend an enforcement hearing for the purpose of contesting the occurrence of the contravention(s) and/or the proposed enforcement action(s). Please note, at an enforcement hearing the general manager may decline to take any enforcement action, take the proposed enforcement action set out in this letter, or take enforcement action that is less than or greater than the proposed enforcement action set out in this letter

### **Option to waive enforcement hearing**

The licensee may waive the opportunity for an enforcement hearing and accept the enforcement action proposed in this letter. If the licensee chooses this option, it is necessary to sign a waiver notice. By signing the waiver notice, the licensee expressly and irrevocably:

- 1. agrees that the licensee has committed the contravention(s)
- 1. accepts the enforcement action(s) proposed in this letter
- 1. waives the opportunity to an enforcement hearing on these matters
- 1. agrees that the finding(s) of contravention and the specified enforcement action(s) will form part of the compliance history of the licensee

If the licensee plans to sign a waiver notice, branch staff will prepare the notice. In most situations, the waiver notice must be signed within 14 days of the date of this letter. If the licensee plans to sign a waiver notice, please contact the writer to arrange an appointment as soon as possible

### **Date, time, and place of the enforcement hearing**

The case management administrator will be contacting the licensee shortly to discuss the hearing process. If the licensee signs a waiver notice, the enforcement hearing will be cancelled.

The case management administrator contact information is:

Shirley Martin; (250) 356-0010; Shirley.Martin@gems3.gov.bc.ca

## **CONTACT NUMBER**

If you have any questions regarding this letter, please contact the writer at (604) 775-0093 or Tina.Bains@gems4.gov.bc.ca for clarification.

Yours truly,

Tina Bains  
Inspector, Vancouver

Attachments:

Appendix A

Appendix B

Licence

Red Line Floor Plan

Contravention Notice

Enforcement Hearing Rule

## Appendix A

### Licence Information

Licence number: 009663  
Licence type: Liquor Primary  
Terms and conditions of the licence:

Licence expiry date: March 31, 2003

### Branch witnesses

At the enforcement hearing, the branch will be calling the following witnesses to present evidence of the alleged contravention. The following table lists the witnesses and a summary of the evidence that they will present.

	Name	Summary of Evidence
1	Badge #2036 (Constable)	Testify permitting patrons without identification
2	H. Dvorkin (constable)	Testify Permitting patrons without identification

The following is a summary of each alleged contravention and the circumstances surrounding each contravention. At the enforcement hearing, the general manager will be considering this information when deciding whether each contravention occurred and the penalty, if any, for that contravention.

## CONTRAVENTION #1

Contravention notice number	Date contravention notice issued	Name of contravention and section of Act or regulations	Recommended enforcement action	Start date of suspension to be served
A014322; A078802	Jan 15, 2003	Fail to request ID, Reg. s. 45(2)	3 day suspension	

On Jan.4, 2003 PC's conducted a LPC. PC's began checking individuals for ID. PC's asked 5 patrons for their ID. Two patrons of the five asked could not produce any ID and were referred to the bar staff who asked them to leave.

PC's 2006/ 2036 asked a male s. 22 for his ID and he did not have any s. 22 had entered the premise with no ID. s. 22 then dropped a crack pipe from his hand and was placed into custody. At that point two more patrons were removed from the pub by staff, s. 22. Both s. 22 and s. 22 were fighting inside the pub and attempted to fight the door staff after being removed. PC's placed both s. 22 into custody.

At approximately 0200 hrs the crowd began to spill onto the streets. Approx. 100 patrons just milled around the front doors to the pub with Genesis security staff doing nothing to clear the entrance. PC's observed several intoxicated patrons leaving including two females who could not walk. They were being assisted by their companions.

PC's had spoken earlier with acting manager of the pub TACHSINOGLU and informed him that the door staff appeared not to be checking ID's. TACHSINOGLU stated that it was a problem to be handled by Genesis security who is in charge of the door. TACHSINOGLU stated that the regular manager s. 22 and a new manager most likely the s. 22 would be in place next week.

Failure to request identification is a breach of section 45(2) of the regulations. Enforcement has been recommended on the contravention- Fail to ID people by Inspector Bains on Contravention A014321. This is the second contravention identified via the LPC # A07880. This establishment has LPC's on file identifying minors in premise and supplying to minors. Enforcement is being recommended as the Licensee is failing to understand the seriousness of the situation.

### Reasons for proposed penalty

Falls within the guidelines as set out in the Liquor Control and Licencing Act/Regulations Schedule 4.

### Documentation

At the enforcement hearing, the branch will likely be presenting the information listed in the following table. A copy of the contravention notice is attached. A copy of each of the other documents and any additional relevant information will be forwarded to the licensee once the enforcement hearing on this matter has been scheduled.

Complaints:		
	Date	Document Descriptor
1	December 12, 2002	Minors A074579 - Supply to minors, s. 33 A014315
2	December 12, 2002	Minors A130701 - Supply to minors, s. 33 A014316
3	December 12, 2002	Minors A130701 - Permit a person to become intoxicated, s. 43(2)(a) A014316
4	December 12, 2002	Minors A130701 - Permit intoxicated person to remain, s. 43(2)(b) A014316

**Complaints:**

	<b>Date</b>	<b>Document Description</b>
5	December 12, 2002	Minors A 130702 - Minors in premises, s. 35 A014317
6	December 12, 2002	Noise - Operate contrary to public interest, s. 20(1)(c.1) A014315
7	December 12, 2002	Minors A 130702 - Supply to minors, s. 33 A014317
8	September 19, 2002	A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B) A014305
9	September 19, 2002	A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A) A014305

**Contraventions:**

	<b>Date</b>	<b>Document Description</b>
1	January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43, No Enforcement Action
2	January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12, No Enforcement Action
3	December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12, No Enforcement Action



## **Appendix B**

### **HISTORY OF COMPLIANCE**

At the enforcement hearing, the general manager will consider this information when determining the penalty for each contravention.

#### **Establishment's history of compliance**

The establishment's history of compliance is relevant when determining which level of penalty should be imposed for a contravention. The establishment's history of compliance is comprised of any prior findings of contravention that relate to the establishment in question (whether by waiver or decision of the general manager) and any prior penalty.

#### **Compliance history of the licensee**

Compliance history is defined in section 1(4) of the Liquor Control and Licensing Regulations, B.C. Reg. 608/76. The branch records show the following licensee compliance history:

#### **Findings of contravention and enforcement action under the LCLA and regulations**

No Compliance History specified

#### **Offences under the Act and offences prescribed under section 20(3) of the Act**

No Offences under the Act specified.

#### **Other matters referred to in section 20(1)**

No other matters specified.

## No Enforcement Action Recommended

**Re: Contravention Notice Number:** B000596

**Contravention Notice Date:** Oct 1, 2010

**Job No:** 000712780-066

**Inspector:** Edward Osei-Appiah

**Date**

**Prepared:** Nov 04, 2010

**Office Location:** Vancouver

**Submitted To:** Donna Lister

---

### Establishment Information:

**Establishment Name:** Howard Johnson Plaza Hotel

**Establishment Address:** 395 Kingsway  
VANCOUVER, BC V5T 3J7

**Licence No:** 009663

**Licence Class:** Liquor Primary

**Expiry Date:** Mar 31, 2011

**Licensee Name:** Private Corporation: 636608 B.C. Ltd. c/o Khanna, Baldev

**Terms and Conditions noted on licence face:**

---

---

### Contravention Information:

Contravention Name (e.g. supplying to minors)	Date and Time identified
1. Permit intoxicated person to remain, s. 43(2)(b) Act	1. Oct 01, 2010 11:45 PM
2. Permit unlawful activities or conduct, s. 36(2)(b) Act	2. Oct 01, 2010 11:45 PM

---

## Review and Analysis

I have reviewed:

Facts and circumstances of the contravention

☒ Yes

☐ No

Establishment compliance history

☒ Yes

☐ No

- Number of contravention notices on file: 16
- Number of contravention notices in past 12 months: 0
- Name, date(s) of any proved contravention(s) and the enforcement action taken:
  - Fail to request ID, Reg. s. 45(2), January 09, 2003, 3 day suspension
  - Fail to request ID, Reg. s. 45(2), January 04, 2003, 3 day suspension
  - Minor - Permit minor to consume liquor, s. 33(1)(c) Act, November 23, 2002, 4 day suspension
  - Minor - Permit minor to enter or be on premises, s. 35 Act, November 23, 2002, 1 day suspension
  - Minor - Permit minor to consume liquor, s. 33(1)(c) Act, November 15, 2002, 5 day suspension
  - Minor - Permit minor to consume liquor, s. 33(1)(c) Act, November 09, 2002, 5 day suspension

Licensee compliance history

☒ Yes

☐ No

- If no, please explain:

Other file information

☒ Yes

☐ No

Compliance and Enforcement Program, Policy and Procedures Manual

☒ Yes

☐ No

---

### Reasons no enforcement action recommended:

Commitments made by Licensee:

A licensee must not permit a person to become intoxicated in Licensed premises. Failure to do so will result in future enforcement action against licensee.

A licensee must not allow intoxicated patrons into Licensed premises. Failure to do so will result in future enforcement action against licensee.

A licensee must not allow intoxicated patrons to remain in Licensed premises. Failure to do so will result in future enforcement action against licensee.

Licensee must utilize control signs instructing patrons to keep noise level at a minimum and not to congregate in front of residential buildings during events.

Licensee must not allow patrons to engage in unlawful activities in or on a Licensed premise. Failure to do so will result in future enforcement action against licensee.

Licensee must provide Staff Meeting Notes in regards to: Unlawful activities in establishment and Patron intoxication to Liquor Inspector by December 30th, 2010

Licensee must follow terms and conditions of Liquor Primary license. Failure to do so will result in future enforcement action against licensee.

Licensee and all of his staff must take the "Responsible Beverage Service" course and provide Inspector

Osei-Appiah with a copy of their Serving It Right numbers no later than November 20th, 2010.

---

## No Enforcement Action Recommended

**Re: Contravention Notice Number:** b001258

**Contravention Notice Date:** Jan 25, 2004

**Job No:** 000712780-042

**Inspector:** Stephen Barron

**Date  
Prepared:** Jan 28, 2004

**Office Location:** Vancouver

**Submitted To:** Wendy Jones

---

### Establishment Information:

**Establishment Name:** Biltmore Motor Hotel  
**Establishment Address:** 395 Kingsway  
VANCOUVER, BC V5T 3J7

**Licence No:** 009663      **Licence Class:** Liquor Primary      **Expiry Date:** Mar 31, 2004  
**Licensee Name:** Private Corporation: 636608 B.C. Ltd. c/o Khanna, Baldev

---

### Terms and Conditions noted on licence face:

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### Contravention Information:

Contravention Name (e.g. supplying to minors)	Date and Time identified
1. Minors in premises, s. 35	1. Jan 25, 2004 1:45 AM

---

---

## Review and Analysis:

I have reviewed:

Facts and circumstances of the contravention

☒ Yes

☐ No

Establishment compliance history

☒ Yes

☐ No

- Number of contravention notices on file: 12
- Number of contravention notices in past 12 months: 3
- Name, date(s) of any proved contravention(s) and the enforcement action taken:
  - Fail to request ID, Reg. s. 45(2), January 09, 2003, 3 day suspension
  - Fail to request ID, Reg. s. 45(2), January 04, 2003, 3 day suspension
  - Minors in premises, s. 35, November 23, 2002, 1 day suspension
  - Supply to minors, s. 33, November 23, 2002, 4 day suspension
  - Supply to minors, s. 33, November 15, 2002, 5 day suspension
  - Supply to minors, s. 33, November 09, 2002, 5 day suspension

Licensee compliance history

☒ Yes

☐ No

- If no, please explain:

Other file information

☒ Yes

☐ No

Compliance and Enforcement Program, Policy and Procedures Manual

☒ Yes

☐ No

---

### Reasons no enforcement action recommended:

No enforcement action is being pursued for minor in premise, as the branch will be pursuing the contravention of fail to request two pieces of id. This contravention has the same penalty scale.

---

## Enforcement Action Recommended

**Re: Contravention Notice Number:** b001258

**Contravention Notice Date:** Jan 25, 2004

**Job No:** 000712780-042

**Inspector:** Stephen Barron

**Date  
Prepared:**

**Office Location:** Vancouver

**Submitted To:** Wendy Jones

---

### Establishment Information:

**Establishment Name:** Biltmore Motor Hotel

**Establishment Address:** 395 Kingsway  
VANCOUVER, BC V5T 3J7

**Licence No:** 009663

**Licence Class:** Liquor Primary

**Expiry Date:** Mar 31, 2004

**Licensee Name:** 636608 B.C. Ltd. c/o Khanna, Baldev

**Terms and Conditions noted on licence face:**

---

---

### Contravention Information:

**Contravention Name (e.g. supplying to minors)**

**Date and Time identified**

1. Fail to request ID, Reg. s. 45(2)

1. Jan 25, 2004 1:45 AM

---

---

### Witness Information:

**Witness Name and Position**

**Summary of Evidence**

1. Stephen Barron (Inspector)

Will provide evidence that he seized false identification from female patron, that she was unable to produce any other id, and that the manager agreed that the identification was a poor copy.

2. Doug Dyck (Inspector)

Will provide evidence that he viewed false identification from female patron, that she was unable to produce any other id, and that the manager agreed that the identification was a poor copy.

---

---

### Details of Contravention:

#### **Details of Contravention.**

Inspectors Barron and Dyck conducted a routine inspection of this establishment on morning of Sunday, January 25, 2004, business day of Saturday, January 24th.

The Inspectors entered the premises at 0145 hours. There were three doormen outside the premise, on of whom was conversing with a female on the opposite side of the street when the inspectors drove up.

The establishment was be busy, but not overcrowded. Both inspectors walked around the establishment to observe the conduct of the patrons, and to look for young patrons. In the area outside of the DSR, both inspectors viewed two Caucasian females that appeared to be under the age of 25 years, and both inspectors agreed that they had concerns that they were the legal drinking age.

Inspector Barron asked a male staff person (identified as Brian) to request the identification from the two female patrons.

The first patron produced a BC DL with : s. 22 s well as MSP card. Both inspectors were satisfied with this identification.

The second female produced a Native Status card, and it appeared to be fake (poor computer scan of original, with date altered on back of card). The card was numbered s. 22 with the name of s. 22 She stated that she did not have any other identification. The card was seized as evidence by Inspector Barron. Barron has since confirmed that this card is an altered scan of the original card, and that the birthdate had been altered.

The patron was asked to leave and was escorted out of the premises by the staff. As the patron was leaving, Barron gave her his card, and advised that she could call him at the office if she had any concerns. She asked "Who should I have call you, my parents or the band office?" Barron advised that she could call him herself if she wished.

The manager on duty, Craig States was shown the card, and agreed that it was a very poor scanned copy. He appeared upset with his doormen. The head doorman s. 22 was emphatic that the female patron had shown them two pieces of identification at the door.

CN B001258 was issued to manager Craig States who was very cooperative with inspectors.

---

#### **Establishment Compliance History:**

- Fail to request ID, Reg. s. 45(2), January 09, 2003, 3 day suspension
- Fail to request ID, Reg. s. 45(2), January 04, 2003, 3 day suspension
- Minors in premises, s. 35, November 23, 2002, 1 day suspension
- Supply to minors, s. 33, November 23, 2002, 4 day suspension
- Supply to minors, s. 33, November 15, 2002, 5 day suspension
- Supply to minors, s. 33, November 09, 2002, 5 day suspension

---

#### **Licensee Compliance History:**

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## Other File Information:

### Complaints:

	Date	Document Description
1	December 16, 2003	Minors in premises, s. 35, Inspection Complete
2	May 07, 2003	Minors Inspection Complete
3	December 12, 2002	LPC #A074579 - Supply to minors, s. 33, CN #A014315
4	December 12, 2002	LPC #A130701 - Supply to minors, s. 33, CN #A014316
5	December 12, 2002	LPC #A130701 - Permit a person to become intoxicated, s. 43(2)(a), CN #A014316
6	December 12, 2002	LPC #A130701 - Permit intoxicated person to remain, s. 43(2)(b), CN #A014316
7	December 12, 2002	LPC #A 130702 - Minors in premises, s. 35, CN #A014317
8	December 12, 2002	LPC #A 078802 - , CN #A014322
9	December 12, 2002	Failure to take reasonable measures, operating contrary to public interest, s. 20(1)(c.1), CN #A014319
10	December 12, 2002	LPC #A 078802 - Selling liquor to intoxicated person, s. 43(1), CN #A014322
11	December 12, 2002	LPC #A 130702 - Supply to minors, s. 33, CN #A014317
12	September 19, 2002	LPC #A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B), CN #A014305
13	September 19, 2002	LPC #A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A), CN #A014305
14	May 15, 2002	LPC #A133976 - LIQUOR REMOVED FROM ESTABLISHMENT REG. S. 11(3), Complaint Received
15	April 05, 2002	LPC #A133101 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B), Complaint Received
16	April 05, 2002	LPC #A079851 - SELLING LIQUOR TO AN INTOXICATED PERSON S. 43(1), Complaint Received
17	April 05, 2002	LPC #A079851 - PERMITTING UNLAWFUL ACTIVITIES/CONDUCT S. 36(2)(B), Complaint Received
18	April 05, 2002	LPC #A079851 - SUPPLY TO MINORS, S. 33, Complaint Received

### Contraventions:

	Date	Document Description
1	January 25, 2004	CN #b001258 - Minors in premises, s. 35
2	October 24, 2003	CN #B001201 - Fail to request ID, Reg. s. 45(2)
3	June 15, 2003	CN #b004520 - Contravening a term and condition, s. 12 - Containers and the mixing of drinks
4	January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43
5	January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12
6	January 09, 2003	CN #A014321 - Contravening a term and condition, s. 12
7	December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12

**Compliance Meetings:**

	Date	Topic
1	December 02, 2003	Fail to request ID, Reg. s. 45(2)

**Contravention #1 - Fail to request ID, Reg. s. 45(2) - Recommended Enforcement Action:**

- ☒ Suspend all or any part of the licensee's licence [s. 20(2)(d)]  
6 Days.
- ☐ Impose a monetary penalty [s. 20(2)(c)]
- ☐ Impose terms and conditions or rescind or amend existing terms and conditions on licence [s. 20(2)(b)]
- ☐ Cancel all or any part of the licensee's licence [s. 20(2)(e)]

**Relevant Liquor Control and Licensing Branch policy names and reference numbers:**

4.2 Minors

**Reasons for Recommended Enforcement Action:**

Liquor Service to minors is a significant public interest issue. Allowing minors access to liquor often contributes to youth crimes, including serious driving offences, assault, sexual assault, and theft.

There are two proven contraventions of this type in the last year for this licensee.

This licensee was issued a Contravention Notice for fail to request identification via the Agent's project in October 2003. No enforcement action was pursued; the manager of this establishment attended a compliance meeting in December 2003, at which time he committed to "having a staff meeting with all staff to insure this doesn't happen again. We'll educate them on what is proper id"

In December 2003, the branch received an anonymous complaint regarding minors and illegal activity inside this establishment. In response to this, the manager of the establishment provided the branch with a letter signed by staff agreeing to a zero tolerance of patrons without identification.

Enforcement action is being recommended based on the compliance history of this licensee, and the other types of contraventions that have taken place. This establishment has a lengthy compliance history, with a 21 day suspension being served in April 2003.

The blatant disregard for the identification regulations has resulted in minors being allowed into the establishment. Previous attempts by the Branch to have voluntary compliance have failed.

**Reasons for Proposed Penalty:**

This is the minimum penalty for a third contravention of this type and falls within the guidelines in Schedule 4 of the Liquor Control and Licensing Regulation.

**Regional Manager's comments - Contravention #1:**

Proceed with recommended enforcement action for alleged contravention #1?

☐ Yes ☐ No

Proceed with recommended penalty for alleged contravention #1?

☐ Yes ☐ No ☐ N/A

**If recommended enforcement action or recommended penalty for alleged contravention #1 are changed by regional manager, please explain:**

**If recommendation for enforcement action for alleged contravention #1 is declined by regional manager, please explain:**

---

---

**Regional Manager's name:** Wendy Jones

---

**Date:** Feb 03, 2004

---

BUTMORE PUB  
P: 604 872 7820  
F: 604 872 7821

TO: BC LIQUOR CONTROL, LICENSING DATE: DEC 17 '03  
ATTN: Mr NORM STARKHOUSE FR: KEITH COLLYMORE  
FX: 604 775 0044 NO. PAGES: 2 (TO FOLLOW)  
RE: REQUESTED LETTER.

MESSAGE:

As Per Your Request....

December 16<sup>th</sup>, 2003

Inspector Norm Stackhouse  
Compliance and Enforcement Division -  
**Ministry of Public Safety &**  
**Solicitor General:** Licensing Control  
And Licensing Branch

**Re: Compliance and Enforcement Meeting held at the Biltmore Hotel ICE Bar**

Dear Sir:

In accordance to the instructions you gave to me during our telephone conversation earlier today, the following is a list of key points relayed to the staff at the Biltmore Hotel ICE Bar.

1. All staff will respect and enforce a **zero tolerance** of admission to any patron who appears under the age of twenty-five years old without two pieces of identification confirming them to be of at least nineteen years of age.
2. All staff will respect and enforce a **zero tolerance** of any patron who engages in the act of consumption of illegal substances (e.g. marijuana smoking) anywhere on the ICE Bar premises. If a patron is found to be performing this type of activity, they will be **immediately** escorted from the premises.

All Staff has agreed that they will uphold both of these key principles, as indicated by their individual signatures attached to the page accompanying this letter.

Mr. Stackhouse, we hope that this letter sufficiently covers the topics you discussed with me today and confirms our commitment to upholding the responsible laws, rules, and regulations of the Liquor Control and Licensing Branch. Should you have any questions relating to this letter, or require any further action from us, please contact me directly at (604) 872-5252 ext. 305.

Sincerely,

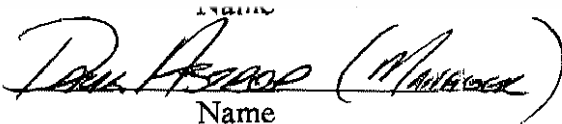



Keith Collymore

The employees who have signed below agree to uphold the items as discussed in today's meeting. In particular, we will:

3. Respect and enforce a **zero tolerance** of admission to any patron who appears under the age of twenty-five years old without two pieces of identification confirming them to be of at least nineteen years of age.
4. Respect and enforce a **zero tolerance** of any patron who engages in the consumption of illegal substances (e.g. marijuana smoking) anywhere on the ICE Bar premises. If a patron is found to be performing this type of activity, they will be **immediately** escorted from the premises.

s. 22

  
Name

  
Signature

s. 22

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

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Name

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Name

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Signature



**November 17, 2003**

**Biltmore Motor Hotel  
395 Kingsway  
Vancouver, BC V5T 3J7**

Attention: General Manager and Owners

Re: Liquor License: **009663** and Establishment Type: **Liquor Primary**  
Section 45(2) *Liquor Control & Licensing Act/Regulations*  
Fail to Request Identification (as required by legislation)

---

This is to advise that on the business day of: **October 24, 2003**, agents were employed by the Liquor Control & Licensing Branch to determine the level of compliance with the above *Regulation* within your establishment and other establishments in your area. These agents are all between the ages of 19-25 years and all appear to be under the age of 25. They all carried 2 pieces of approved identification and were under the supervision of a Liquor Inspector.

The result of this inspection showed that your establishment was not in compliance with Section 45(2) *LCLA/ Regs* (copy attached), in that the agents were either asked for no identification at all or were not asked for the required 2 pieces of approved identification. Anywhere from 1 to 5 agents were able to enter your establishment and purchase liquor once inside.

You will find enclosed a Contravention Notice which details the alleged contravention. On this occasion the Branch has decided not to impose a suspension or monetary penalty. Instead your attendance is required at a mandatory Compliance Meeting on December 2, 2003 at the LCLB office at: 100 – 133 East 8<sup>th</sup> Ave., Vancouver, B.C. Your attendance is required at: **12:00 p.m..**

I must remind you that the Branch takes the issue of access to liquor by minors as a serious public safety issue. The attached *Regulations* require the mandatory 2 piece ID check of all persons who appear to be under the age of 25, every time they enter the premises of a liquor primary, and when they request to purchase liquor at a food primary or licensee retail store. We expect that you will take immediate steps to come into compliance, as these inspections will be carried out on an ongoing basis and further contraventions can result in suspensions or monetary penalties.

---

**Ministry of Public  
Safety and Solicitor  
General**


Liquor Control and  
Licensing Branch

Mailing Address:  
100 – 133 East 8<sup>th</sup> Ave.  
Vancouver, B.C.  
V5T 1R8

Telephone: 604 775-0075  
Facsimile: 604 775-0044  
<http://www.ag.gov.bc.ca/lclb/>

If you have any questions or concerns please do not hesitate to contact me.

Yours truly,

  
Wendy Jones,  
A/Regional Manager Vancouver

c.c. Licensee file



# No Enforcement Action Recommended

**Re: Contravention Notice Number:** B001201

**Job No:** 000712780-04

**Inspector:** Ed Pudek

**Date:** Nov 13, 2003

**Office Location:** Vancouver

**Submitted To:** Wendy Jones

---

## Establishment Information:

**Establishment Name:** Biltmore Motor Hotel

**Establishment Address:** 395 Kingsway  
VANCOUVER, BC V5T 3J7

**Licence No:** 009663

**Licence Class:** Liquor Primary

**Expiry Date:** Mar 31, 2004

**Licensee Name:** Private Corporation: 636608 B.C. Ltd. c/o Khanna, Baldev

## Terms and Conditions noted on licence face:

---

---

## Contravention Information:

**Date Identified:** Oct 24, 2003

**Time Identified:** : hrs

**Contravention Name (e.g. supplying to minors)**

**Act or regulation section (e.g. LCLB s. 45(2))**

1. Fail to request ID, Reg. s. 45(2)

1. Reg. s. 45(2)

---

## Review and Analysis:

I have reviewed:

Facts and circumstances of the contravention

☒ Yes

Establishment compliance history

☒ Yes

- Number of contravention notices on file: 10
- Number of contravention notices in past 12 months: 9
- Name, date(s) of any proved contravention(s) and the enforcement action taken:
  - Fail to request ID, Reg. s. 45(2), January 09, 2003, 3 day suspension
  - Fail to request ID, Reg. s. 45(2), January 04, 2003, 3 day suspension
  - Minors in premises, s. 35, November 23, 2002, 1 day suspension
  - Supply to minors, s. 33, November 23, 2002, 4 day suspension
  - Supply to minors, s. 33, November 15, 2002, 5 day suspension
  - Supply to minors, s. 33, November 09, 2002, 5 day suspension

Licensee compliance history

☒ Yes

- If no, please explain:

Other file information

☐ Yes

Compliance and Enforcement Program, Policy and Procedures Manual

☒ Yes

---

### Reasons no enforcement action recommended:

The Branch will be holding a group compliance meeting for all licensees deemed not to be in compliance through the agents project.

CN# B001201 issued and to be sent to licensee with a template letter from RM.

Voluntary compliance is expected.

---

# No Enforcement Action Recommended

**Re: Contravention Notice Number:** b004520

**Job No:** 000712780-03

**Inspector:** Stephen Barron

**Date:** Jun 16, 2003

**Office Location:** Vancouver

**Submitted To:** Lee Murphy

---

## Establishment Information:

**Establishment Name:** BILTMORE MOTOR HOTEL

**Establishment Address:** 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

**Licence No:** 009663

**Licence Class:** Liquor Primary

**Expiry Date:** Mar 31, 2004

**Licensee Name:** Private Corporation: 636608 B.C. LTD. c/o Khanna, Baldev

---

## Terms and Conditions noted on licence face:

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---

## Contravention Information:

**Date Identified:** Jun 15, 2003

**Time Identified:** 01:03 hrs

**Contravention Name (e.g. supplying to minors)**

**Act or regulation section (e.g. LCI)**

1. Contravening a term and condition, s. 12 -  
Containers and the mixing of drinks

1. s. 12
-

## Review and Analysis:

I have reviewed:

Facts and circumstances of the contravention

☒ Yes

Establishment compliance history

☒ Yes

- Number of contravention notices on file: 9
- Number of contravention notices in past 12 months: 8
- Name, date(s) of any proved contravention(s) and the enforcement action taken:
  - Supply to minors, s. 33, November 09, 2002, 5 day suspension
  - Supply to minors, s. 33, November 15, 2002, 5 day suspension
  - Supply to minors, s. 33, November 23, 2002, 4 day suspension
  - Minors in premises, s. 35, November 23, 2002, 1 day suspension
  - Fail to request ID, Reg. s. 45(2), January 04, 2003, 3 day suspension
  - Fail to request ID, Reg. s. 45(2), January 09, 2003, 3 day suspension
  - Failure to take reasonable measures, operating contrary to public interest, s. 20(1)(c.1), 15, 2003, 10 day suspension

Licensee compliance history

☒ Yes

- If no, please explain:

Other file information

☒ Yes

Compliance and Enforcement Program, Policy and Procedures Manual

☒ Yes

---

### Reasons no enforcement action recommended:

Inspector discussed contravention with Manager who did not appear to be aware that this practice permitted. The waitress was told to stop circulating with the shooters immediately and this Inspector monitor in the future. Copy of relevant page from terms and conditions book mailed to licensee.

---



June 13, 2003

Mr. Bob Nijjar  
Biltmore Motor Hotel  
395 Kingsway  
Vancouver, BC V5T 3J7

Dear Mr. Nijjar:

**Re: Biltmore Motor Hotel  
395 Kingsway, Vancouver  
Liquor Primary Licence #9663  
Designated Smoking Room Application**

This is in response to your submission of a Structural Change Application form and floor plans for approval of a designated smoking room at the above noted establishment. Your application was received by our branch on May 26, 2003.

Please be advised, City of Vancouver has a bylaw (#6580) in place which restricts the size of a designated smoking room to 10% of the of the floor area generally open to and actively used by the public (but not including foyers, stairways, washrooms and cloakrooms), or 23.23 square metres (250 square feet), whichever is the lesser.

I have now had the opportunity to review your proposed floor plan and designated smoking room layout. The proposed smoking room measures approximately 392 square feet. Keeping in mind the City of Vancouver bylaw as noted above, your proposed smoking room exceeds the size restriction by over 140 square feet.

Therefore, I am unable to proceed with your smoking room application at this time. I am returning the set of floor plans to you in order for you to amend your proposal accordingly.

Yours truly,

Ms. Lesley Metcalfe  
Assistant Administrator

Enclosure

✓ cc: Liquor Inspector Steven Barron (job #712780-38)

LIQUOR CONTROL  
& LICENSING BRANCH  
RECEIVED  
JUN 20 2003  
VANCOUVER, BC

Ministry of Public Safety  
and Solicitor General

Liquor Control and  
Licensing Branch

Mailing Address:  
PO Box 9292 Stn Prov Govt  
Victoria BC V8W 9J8  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor, 1019 Wharf Street  
Victoria BC

[www.pssg.gov.bc.ca/lclb](http://www.pssg.gov.bc.ca/lclb)



Entered in POSSE

## COMPLIANCE MEETING

Inspector's Name: Stephen Barron

Date: 03 April 28

Office Location: LCLB Vancouver

### ESTABLISHMENT INFORMATION:

Establishment Name: B. Hume Motor Hotel

Establishment Address: 375 Kingsway Vanc

Licence No.: 9663

Licence Class: \_\_\_\_\_

Expiry date: \_\_\_\_\_

Licensee Name: 636609 BC LTD

### MEETING DETAILS:

Attendees at compliance meeting:

Name: Stephen Barron

Association/Position: Inspector

Contact No: (604) 775 0093

Name: Bob Nijer

Association/Position: owner

Contact No: 604 872 5252

Name: \_\_\_\_\_

Association/Position: \_\_\_\_\_

Contact No: \_\_\_\_\_

Name: \_\_\_\_\_

Association/Position: \_\_\_\_\_

Contact No: \_\_\_\_\_

Name: \_\_\_\_\_

Association/Position: \_\_\_\_\_

Contact No: \_\_\_\_\_

Name: \_\_\_\_\_

Association/Position: \_\_\_\_\_

Contact No: \_\_\_\_\_

Reason compliance meeting was convened (cite CN # if relevant): BC04542

Information reviewed at the meeting:

- ☐ Relevant section(s) of the *Liquor Control and Licensing Act*
- ☐ Relevant section(s) of the *Liquor Control and Licensing Regulations*
- ☐ Relevant section(s) of the *Compliance and Enforcement Program, Policy and Procedures Manual*
- ☒ Relevant section(s) of the *Guide to Liquor Licensees*

☐ Other discussion re delicensing of SOL. Advising branch of change (3rd party lease) + posting of license + floorplan

Commitments made by licensee: To post license + floorplan. To advise branch of changes to management.

Other floorplan app given to licensee if fl not found. SOL app + delicensing app given

Inspector Name: Stephen Barron

Inspector Signature: [Signature]

Licensee Name: [Signature]

Licensee Signature: \_\_\_\_\_



April 28, 2003  
Biltmore Motor Hotel/636608 BC Ltd.  
395 Kingsway  
Vancouver, BC  
V5T 3J7

Dear Owner/Manager

**RE: Suspension of Liquor License Number 9663 for 21 days.**

This is to confirm that your liquor license has been seized as of closing of business on Friday April 11, 2003. Your suspension will be served for the business days of April 12, 2003 to May 2, 2003 (Inclusive).

You can attend the Liquor Control & Licensing office at 100 – 133 East 8<sup>th</sup> Street, Vancouver between 8:30 am & 4:30 pm on Monday, May 5, 2003 for the return of your liquor license.

**Your license is reinstated as of the opening of business on Saturday May 3, 2003.**

You must post this letter in place of your license for business on May 3<sup>rd</sup> & 4<sup>th</sup>, 2003.

If there are any issues regarding your liquor license please contact Stephen Barron at 604-219-7780.

Sincerely,

*file copy.*

Stephen Barron, Inspector  
Liquor Control & Licensing Branch  
Vancouver District 3

.encl



March 12, 2003

Mr. Lee Murphy  
Regional Manager,  
Vancouver Regional Office  
Liquor Control & Licensing Branch  
Vancouver Regional Office  
133-East 8<sup>th</sup> Ave.  
Vancouver, B. C. V5T 1R8

Regarding: 636608 B.C. Ltd.  
Biltmore Motor Hotel  
395 Kingsway  
Vancouver, B. C. V5T 3J7

Dear Mr. Murphy:

This letter is further to our conversation with you regarding proposed enforcement action against the Biltmore Hotel and to advise you of the actions taken to better manage the operations of the Pub.

The problems which are clearly illustrated in your Notice of Enforcement Action documents resulted from inexperience on the part of the owners compounded by the employment of a <sup>s. 22</sup> To correct the operational problems the following actions have been taken:

The General Manager of the pub has been replaced;

The security company has been replaced and Genesis Security has been contracted to control the door and provide security for the business;

Mr. Bob Nijjar, a partner in the business, has taken over responsibility for the operation of the Pub;

<sup>s. 22</sup> has been retained to develop operational policies and procedures;

The Vancouver Police have been approached and a very strong message has been sent to them that the new management of the Biltmore Pub want to provide a better service to the neighbourhood. A series of meetings will be arranged with the Police following resolution of outstanding enforcement action;



meetings with liquor inspectors will be arranged following the resolutions of outstanding enforcement action; and

a program will be developed to ensure problems previously experienced by our neighbours are addressed and eliminated.

Recent comments by the Vancouver Police regarding the excellent improvement in the pub operation are encouraging. It also is apparent communications with police members has improved dramatically since replacement of the manager.

We are committed to not only improve the way we operate our business but, to continue to work hard to gain the confidence of the police, liquor authorities and our neighbours.

Yours truly,

A handwritten signature in black ink, appearing to read 'B. Nijjar', is written over a horizontal line.

Mr. Bob Nijjar  
General Manager

LIQUOR CONTROL  
& LICENSING BRANCH  
RECEIVED

MAR 17 2003

VANCOUVER BC

# Track a Package

Close Window



Item Number Entered: 1h228189939

Last Delivery Status

**The item has been successfully delivered to the customer.**

Final CPC Location: **VANCOUVER, BC**

Date / Time: **10 March 2003 AM**

## Trace History

Date / Time	Location	Delivery Event Description
07 March 2003 17:04	RICHMOND, BC	The item has been received by CPC.
10 March 2003 07:19	VANCOUVER, BC	The item was sent out for delivery to the customer.
10 March 2003 AM	VANCOUVER, BC	The item has been successfully delivered to the customer.

Search Again

Print



## NOTICE OF ENFORCEMENT ACTION

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

March 07, 2003

File No: EH03-014  
Job No: 000712780-035

636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252  
Fax: (604) 874-5252

Dear Owner:

**Re: Licence Number 009663**

BILTMORE MOTOR HOTEL  
395 KINGSWAY  
VANCOUVER, BC V5T 3J7

The purpose of this notice is to inform you that the general manager is scheduling an enforcement hearing in order to review whether to take enforcement action for the alleged contravention(s) of the Liquor Control and Licensing Act, the regulations, and/or the terms and conditions of the licence set out in this notice.

### ROLE OF THE LIQUOR CONTROL AND LICENSING BRANCH

The role of the Liquor Control and Licensing Branch as the regulator of licensed establishments is to help provide an orderly and problem-free environment for licensed establishments. When an infraction

W000021869

CANADA POSTES POST CANADA		Customer Acct No. N° du client/compte <b>7090703</b>	
Agreement No. N° de convention <b>40063363</b>		Office No. N° du bureau	
<input type="checkbox"/> Prepaid product Produit pré-payé	<input type="checkbox"/> Paid by meter Payé par compteur	<input type="checkbox"/> On demand pick-up Ramassage sur demande	
Reference No. N° de référence <b>LC:210731</b>	Weight Poids <b>.05</b> Kg	Declared value (Addit. Insur.) Valeur déclarée (Assur. addit.) <b>\$ 5.92</b>	
Oversize / Unpackaged (check if applicable)	Surdimensionné / Sans emballage (cocher si besoin)	Total meter amount \$	Valeur totale de l'empreinte
Sender's signature Signature de l'expéditeur		Date YA M DJ	
Accepted by Accepté par		Acceptance code Code d'acceptation	
ITEM NUMBER N° DE L'ARTICLE <b>LH 228 189 939</b>		Sender warrants that this shipment does not contain dangerous goods. L'expéditeur garantit que cet envoi ne contient pas de matières dangereuses.	
Signature on Delivery Signature à la livraison		PRIORITY MESSAGERIES COURIER PRIORITAIRES	

33-086-590 (99-09)

PRIORITY MESSAGERIES  
COURIER PRIORITAIRES

Bill of Lading Connaissance

From Expéditeur <b>HEAD PUBLIC SAFETY</b>	Telephone No. N° de téléphone <b>604 775 0105</b>
Address Adresse <b>LIQUOR CONTROL &amp; LICENSING</b>	
City / Province <b>VANCOUVER BC</b>	Postal Code Code postal <b>V5T 3J7</b>
To Destinataire <b>BILTMORE MOTOR HOTEL</b>	Telephone No. N° de téléphone
Address Adresse <b>395 KINGSWAY</b>	
City / Province <b>VANCOUVER BC</b>	Postal Code Code postal <b>V5T 3J7</b>



**NOTICE OF ENFORCEMENT ACTION**  
*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

March 07, 2003

File No: EH03-014  
Job No: 000712780-035

636608 B.C. LTD.  
395 KINGSWAY  
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Telephone: (604) 872-5252  
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Dear Owner:

**Re: Licence Number 009663**

BILTMORE MOTOR HOTEL  
395 KINGSWAY  
VANCOUVER, BC V5T 3J7

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**ROLE OF THE LIQUOR CONTROL AND LICENSING BRANCH**

The role of the Liquor Control and Licensing Branch as the regulator of licensed establishments is to help provide an orderly and problem-free environment for licensed establishments. When an infraction occurs, the general manager of the Liquor Control and Licensing Branch will take whatever enforcement action is necessary:

- to protect the public interest,
- to ensure future compliance with the Act, the regulations, and/or the terms and conditions of a licence, and
- to ensure that licensees, employees, patrons and the community recognize the seriousness of contraventions.

The general manager is responsible for supervising the conduct and operation of every licensed establishment in British Columbia. The enforcement powers of the general manager are expressed in section 20(2) of the Liquor Control and Licensing Act as follows:

---

**Ministry of  
Public Safety and  
Solicitor General**

Liquor Control and  
Licensing Branch

Mailing address:  
PO Box 9292 Stn Prov Govt  
Victoria, BC V8W 9J8

Toll Free: 1 866 209-2111  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor  
1019 Wharf Street  
Victoria BC

<http://www.pssg.gov.bc.ca/lclb>  
Page 232  
JAG-2014-01078/Phase 1

- 20 (2) If the general manager has the right under subsection (1) to take action against a licensee, the general manager may do any one or more of the following, with or without a hearing:
- a) (repealed)
  - b) impose terms and conditions on the licensee's licence or rescind or amend existing terms and conditions on the licence;
  - c) impose a monetary penalty on the licensee in accordance with the prescribed schedule of penalties;
  - d) suspend all or any part of the licensee's licence in accordance with the prescribed schedule of licence suspensions;
  - e) cancel all or any part of the licensee's licence;
  - f) order the licensee to transfer the licence, within the prescribed period, to a person who is at arm's length from the licensee.

#### THE ALLEGED CONTRAVENTION(S)

No.	Contravention name	Section of Act/regulation and term and condition of the licence	Date of alleged contravention	Recommended enforcement action
1	Operate contrary to public interest, s. 20(1)(c.1)	s. 20(1)(c.1)	Jan 15, 2003	10 day suspension

These alleged contraventions are described in full in the attached Appendix A.

#### Proposed enforcement action

The general manager may impose a penalty for a contravention of the Act, the regulations, and/or the terms and conditions of the licence(s). The general manager has the authority to cancel a licensee's licence, in whole or in part, if circumstances warrant a cancellation. Enforcement action may also include imposing terms and conditions for a contravention of the Act and the regulations.

When determining the appropriate penalty for a contravention, the general manager will consider:

- the type of contravention
- the facts of the contravention
- the establishment's history of compliance
- the compliance history of the licensee.

The general manager will also consider what action best serves the public interest.

The penalty schedule, set out in schedule 4 to the Liquor Control and Licensing Regulations, describes the penalty range for each contravention. A copy of the *Liquor Control and Licensing Act and Regulations* can be obtained on the Liquor Control and Licensing Branch website at <http://www.pssg.gov.bc.ca/lclb/>. While the general manager usually stays within this schedule, if the general manager concludes that it is in the public interest to do so, the general manager may impose a higher penalty than the penalty set out in the penalty schedule.

### **Suspension penalty falls within penalty schedule**

For the alleged contravention of Operate contrary to public interest, s. 20(1)(c.1) (Contravention Notice Number A014319) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a suspension penalty of 10 days is warranted. The suspension will be served starting on a and will continue on successive business days until completed.

The reasons for this proposed penalty are set out in Appendix A and B.

The establishment's history of compliance and the compliance history of the licensee are described in the attached Appendix B.

### **LICENSEE OPTIONS**

1. The licensee may accept the proposed enforcement action(s) for any or all of the contraventions set out above and waive the opportunity for an enforcement hearing on those contraventions. This process is described in more detail under heading Option to Waive Enforcement Hearing below.
2. The licensee may attend an enforcement hearing for the purpose of contesting the occurrence of the contravention(s) and/or the proposed enforcement action(s). Please note, at an enforcement hearing the general manager may decline to take any enforcement action, take the proposed enforcement action set out in this letter, or take enforcement action that is less than or greater than the proposed enforcement action set out in this letter.

### **Option to waive enforcement hearing**

The licensee may waive the opportunity for an enforcement hearing and accept the enforcement action(s) proposed in this letter. If the licensee chooses this option, it is necessary to sign a waiver notice. By signing the waiver notice, the licensee expressly and irrevocably:

- agrees that the licensee has committed the contravention(s)
- accepts the enforcement action(s) proposed in this letter
- waives the opportunity to an enforcement hearing on these matters
- agrees that the finding(s) of contravention and the specified enforcement action(s) will form part of the compliance history of the licensee.

If the licensee plans to sign a waiver notice, branch staff will prepare the notice. In most situations, the waiver notice must be signed within 14 days of the date of this letter. If the licensee plans to sign a waiver notice, please contact the writer to arrange an appointment as soon as possible.

### **Date, time, and place of the enforcement hearing**

The case management administrator will be contacting the licensee shortly to discuss the hearing process. If the licensee signs a waiver notice, the enforcement hearing will be cancelled.

The case management administrator contact information is:

Shirley Martin; (250) 356-0010; Shirley.Martin@gems3.gov.bc.ca

## CONTACT NUMBER

If you have any questions regarding this letter, please contact the writer at (604) 775-0093 or Tina.Bains@gems4.gov.bc.ca for clarification.

Yours truly,

A handwritten signature in black ink, appearing to read 'Tina Bains', with a stylized, cursive script.

Tina Bains  
Inspector, Vancouver

### Attachments:

Appendix A  
Appendix B  
Liquor Licence  
Red Line Floor Plan  
Schedule 1  
Contravention Notice

## Appendix A

### Licence Information

Licence number: 009663  
Licence type: Liquor Primary  
Terms and conditions of the licence:

Licence expiry date: March 31, 2003

### BRANCH WITNESSES

At the enforcement hearing, the branch will be calling the following witnesses to present evidence of the alleged contravention. The following table lists the witnesses and a summary of the evidence that they will present.

	Name	Summary of Evidence
1	Edwina Nazareth (Liquor Inspector LCLB)	Testify to measures presented to Licensee
2	Bruno Gatto (Sergeant 1072)	Testify to measures presented to Licensee
3	Pam Ruschke (Constable VPD)	Testify to measures presented to Licensee
4	Fawcett (Constable VPD)	Testify to measures presented to Licensee
5	Joanne McCormick (Constable VPD)	Testify to measures presented to Licensee
6	Jadranka Pavlovic (Site Manager)	Testify patrons of Biltmore create noise and disturb the residents of the building.
7	Zoran Orescanin (Site Manager)	Testify patrons of Biltmore create noise and disturb the residents of the building.
8	Susan Cummings (Property Manager)	Testify patrons of Biltmore create noise and disturb the residents of the building.
9	Harley Dvorkin (Constable)	Testify to doing a report on Biltmore - level of problems as a direct result of over consumption.
10	Dean Robinson (Sergeant 1095)	Testify to doing a report on Biltmore - No attempt to quell disturbances that are routinely created by large numbers of overly intoxicated individuals spilling out of the bar onto the street.
11	Val Harrison (Inspector)	Testify to measures presented to Licensee
12	M. Chalmers (Inspector)	to measures presented to Licensee

### DETAILS OF THE CONTRAVENTION NOTICE (SUMMARY OF EVIDENCE)

See schedule 1

### SUMMARY OF ALLEGED CONTRAVENTIONS

The following is a summary of each alleged contravention and the circumstances surrounding each contravention. At the enforcement hearing, the general manager will be considering this information when deciding whether each contravention occurred and the penalty, if any, for that contravention.



## CONTRAVENTION #1

Contravention notice number	Date contravention notice issued	Name of contravention and section of Act or regulations	Recommended enforcement action	Start date of suspension to be served
A014319	Jan 15, 2003 Dec 12, 2002	Operate contrary to public interest, s. 20(1)(c.1)	10 day suspension	
Reasons for Recommended Enforcement Action: See schedule 1				
Reasons for Proposed Penalty: Falls within the guidelines as set out in the Liquor Control and Licencing Act/Regulations Schedule 4.				

## DOCUMENTATION

At the enforcement hearing, the branch will likely be presenting the information listed in the following table. A copy of the contravention notice is attached. A copy of each of the other documents and any additional relevant information will be forwarded to the licensee once the enforcement hearing on this matter has been scheduled.

Complaints:		
	Date	Document Description
1	December 12, 2002	Minors A074579 - Supply to minors, s. 33 A014315
2	December 12, 2002	Minors A130701 - Supply to minors, s. 33 A014316
3	December 12, 2002	Minors A130701 - Permit a person to become intoxicated, s. 43(2)(a) A014316
4	December 12, 2002	Minors A130701 - Permit intoxicated person to remain, s. 43(2)(b) A014316
5	December 12, 2002	Minors A 130702 - Minors in premises, s. 35 A014317
6	December 12, 2002	Intoxication A 078802 - A014322
7	December 12, 2002	Intoxication A 078802 - Selling liquor to intoxicated person, s. 43(1) A014322
8	December 12, 2002	Minors A 130702 - Supply to minors, s. 33 A014317
9	September 19, 2002	A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B) A014305
10	September 19, 2002	A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A) A014305

Contraventions:		
	Date	Document Description
1	January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43, No Enforcement Action
2	January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12, No Enforcement Action
3	December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12, No Enforcement Action

## **Appendix B**

### **HISTORY OF COMPLIANCE**

At the enforcement hearing, the general manager will consider this information when determining the penalty for each contravention.

#### **Establishment's history of compliance**

The establishment's history of compliance is relevant when determining which level of penalty should be imposed for a contravention. The establishment's history of compliance is comprised of any prior findings of contravention that relate to the establishment in question (whether by waiver or decision of the general manager) and any prior penalty.

Entered in POSSE

No. A014319



BRITISH  
COLUMBIA

Liquor Control and Licensing Act  
and Regulation 608/76

### CONTRAVENTION NOTICE

Liquor Control and Licensing Branch, Ministry of Attorney General

Establishment Name: BILTMORE MOTOR HOTEL  
Establishment Address: 395 KINGSWAY  
VANCOUVER, BC V5T 3J7  
Licence #: 9663 Date: 01/15/83 Time: 13:20 hrs  
Licensee Name: 636608 B.C. LTD.

On the date noted above, the following alleged contraventions of the Liquor Control and Licensing Act or regulations were identified:

#### Minors

- ☐ Supplying to minors s. 33
- ☐ Minors in premises s. 35

#### Criminal or riotous conduct

- ☐ Drunkenness, violent, quarrelsome, disorderly conduct s. 36(2)(a)
- ☐ Permitting unlawful activities/conduct s. 36(2)(b)

#### Weapons

- ☐ Permit to enter or remain while in possession of a weapon s. 47

#### Overcrowding

- ☐ Overcrowding beyond BOL Reg. s. 4(7)
- ☐ Licence capacity - Reg.

#### Service

- ☐ Serve while under suspension s. 20
- ☐ Operating outside class s. 20(1)(d), s. 16
- ☐ Service without food Reg. s. 17(2)
- ☐ Fail to clear 1/2 hour beyond closing Reg. s. 8(1)
- ☐ Allowing to consume 1/2 hour beyond closing - Reg. s. 8(2)
- ☐ Liquor removed from establishment Reg. s. 11(3)
- ☐ Liquor not purchased in establishment Reg. s. 11(2)
- ☐ Fail to comply with RBS Reg. s. 7.1(3)
- ☐ Licensee or employee consume liquor in premises Reg. s. 10
- ☐ Free liquor Reg. s. 12(1)
- ☐ Reduced pricing Reg. s. 12(1)

#### Entertainment

- ☐ Prohibited entertainment s. 50
- ☐ Dancer prohibited acts s. 50

#### Other

Details: FAILURE TO TAKE REASONABLE MEASURES. SECTION 20(1)(C.1)

Inspector's Name (please print): TINA BAINS

Inspector #: 114 Telephone: (604) 775-0093 Area: D 3

Management Acknowledgement (Name and Title)

#### Advertising

- ☐ Advertising contrary to Reg. s. 24.2(2)

#### Gambling

- ☐ Gamble in premises s. 36(2)
- ☐ Device for gambling s. 36(2)(c)

#### Intoxicated patron

- ☐ Selling liquor to intoxicated person s. 43(1)
- ☐ Permit a person to become intoxicated s. 43(2)(a)
- ☐ Permit intoxicated person to remain s. 43(2)(b)

#### Licensee responsible

- ☐ Operate contrary to public interest s. 20(1)(c.1)

#### Illicit alcohol

- ☐ Sale of illicit liquor s. 38
- ☐ Unlawful purchase s. 39
- ☐ Over counter purchase of liquor Reg. s. 6
- ☐ Dilute/adulterate liquor s. 38.1

#### Inspections

- ☐ Refuse to permit entry to peace officer s. 67
- ☐ Refuse to permit entry to inspector s. 73, Reg. s. 16
- ☐ Refuse to allow premises inspection s. 73
- ☐ Refuse to produce documents or liquor samples for inspection s. 73

- ☐ B not primarily engaged in the service of food s. 20(1)(d), s. 16, Reg. s. 17(2)

- ☐ Contravening a term and condition s. 12

The general manager may proceed with enforcement action on the basis of this contravention notice. The licensee will generally be notified within 45 days if enforcement action is proposed.

COPY 4: LCLB FIELD OFFICE COPY (establishment file)



**NOTICE OF ENFORCEMENT ACTION**  
*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

February 04, 2003

File No: EH03-009

Job No: 000712780-033

636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

Dear: 636608 B.C. LTD.

**Re: Licence Number 009663**

BILTMORE MOTOR HOTEL  
395 KINGSWAY  
VANCOUVER, BC V5T 3J7

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- to protect the public interest,
- to ensure future compliance with the Act, the regulations, and/or the terms and conditions of a licence, and
- to ensure that licensees, employees, patrons and the community recognize the seriousness of contraventions.

The general manager is responsible for supervising the conduct and operation of every licensed establishment in British Columbia. The enforcement powers of the general manager are expressed in section 20(2) of the Liquor Control and Licensing Act as follows:

**Ministry of  
Public Safety and  
Solicitor General**

Liquor Control and  
Licensing Branch

Mailing address:  
PO Box 9292 Stn Prov Govt  
Victoria, BC V8W 9J8

Toll Free: 1 866 209-2111  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor  
1019 Wharf Street  
Victoria BC

<http://www.pssg.gov.bc.ca/lclb>





## NOTICE OF ENFORCEMENT ACTION

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

February 04, 2003

File No: EH03-012  
Job No: 000712780-027

636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

Dear: 636608 B.C. LTD.

**Re: Licence Number 009663**

BILTMORE MOTOR HOTEL  
395 KINGSWAY  
VANCOUVER, BC V5T 3J7

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Public Safety and  
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- 20 (2) If the general manager has the right under subsection (1) to take action against a licensee, the general manager may do any one or more of the following, with or without a hearing:
- (repealed)
  - impose terms and conditions on the licensee's licence or rescind or amend existing terms and conditions on the licence;
  - impose a monetary penalty on the licensee in accordance with the prescribed schedule of penalties;
  - suspend all or any part of the licensee's licence in accordance with the prescribed schedule of licence suspensions;
  - cancel all or any part of the licensee's licence;
  - order the licensee to transfer the licence, within the prescribed period, to a person who is at arm's length from the licensee.

#### THE ALLEGED CONTRAVENTION(S)

No.	Contravention name	Section of Act/regulation and term and condition of the licence	Date of alleged contravention	Recommended enforcement action
1	Supply to minors, s. 33	s. 33	Nov 09, 2002	5 day suspension

These alleged contraventions are described in full in the attached Appendix A.

#### Proposed enforcement action

The general manager may impose a penalty for a contravention of the Act, the regulations, and/or the terms and conditions of the licence(s). The general manager has the authority to cancel a licensee's licence, in whole or in part, if circumstances warrant a cancellation. Enforcement action may also include imposing terms and conditions for a contravention of the Act and the regulations.

When determining the appropriate penalty for a contravention, the general manager will consider:

- the type of contravention
- the facts of the contravention
- the establishment's history of compliance
- the compliance history of the licensee.

The general manager will also consider what action best serves the public interest.

The penalty schedule, set out in schedule 4 to the Liquor Control and Licensing Regulations, describes the penalty range for each contravention. A copy of the *Liquor Control and Licensing Act and Regulations* can be obtained on the Liquor Control and Licensing Branch website at <http://www.pssg.gov.bc.ca/lclb/>. While the general manager usually stays within this schedule, if the general manager concludes that it is in the public interest to do so, the general manager may impose a higher penalty than the penalty set out in the penalty schedule.

### **Suspension penalty falls within penalty schedule**

For the alleged contravention of Supply to minors, s. 33 (Contravention Notice Number A014315) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a suspension penalty of 5 days is warranted. The suspension will be served starting on a and will continue on successive business days until completed.

The reasons for this proposed penalty are set out in Appendix A and B.

The establishment's history of compliance and the compliance history of the licensee are described in the attached Appendix B.

### **LICENSEE OPTIONS**

1. The licensee may accept the proposed enforcement action(s) for any or all of the contraventions set out above and waive the opportunity for an enforcement hearing on those contraventions. This process is described in more detail under heading Option to Waive Enforcement Hearing below.
2. The licensee may attend an enforcement hearing for the purpose of contesting the occurrence of the contravention(s) and/or the proposed enforcement action(s). Please note, at an enforcement hearing the general manager may decline to take any enforcement action, take the proposed enforcement action set out in this letter, or take enforcement action that is less than or greater than the proposed enforcement action set out in this letter.

#### **Option to waive enforcement hearing**

The licensee may waive the opportunity for an enforcement hearing and accept the enforcement action(s) proposed in this letter. If the licensee chooses this option, it is necessary to sign a waiver notice. By signing the waiver notice, the licensee expressly and irrevocably:

- agrees that the licensee has committed the contravention(s)
- accepts the enforcement action(s) proposed in this letter
- waives the opportunity to an enforcement hearing on these matters
- agrees that the finding(s) of contravention and the specified enforcement action(s) will form part of the compliance history of the licensee.

If the licensee plans to sign a waiver notice, branch staff will prepare the notice. In most situations, the waiver notice must be signed within 14 days of the date of this letter. If the licensee plans to sign a waiver notice, please contact the writer to arrange an appointment as soon as possible.

#### **Date, time, and place of the enforcement hearing**

The case management administrator will be contacting the licensee shortly to discuss the hearing process. If the licensee signs a waiver notice, the enforcement hearing will be cancelled.

The case management administrator contact information is:

Shirley Martin; (250) 356-0010; Shirley.Martin@gems3.gov.bc.ca

### **CONTACT NUMBER**



If you have any questions regarding this letter, please contact the writer at (604) 775-0093 or Tina.Bains@gems4.gov.bc.ca for clarification.

Yours truly,

A handwritten signature in black ink, appearing to read 'Tina Bains', with a stylized, cursive script.

Tina Bains  
Inspector, Vancouver

Attachments:

Appendix A

Appendix B

Licence

Red Line Floor Plan

Contravention Notice

Enforcement Hearing Rule

## Appendix A

### Licence Information

Licence number: 009663  
Licence type: Liquor Primary  
Terms and conditions of the licence:

Licence expiry date: March 31, 2003

### Branch witnesses

At the enforcement hearing, the branch will be calling the following witnesses to present evidence of the alleged contravention. The following table lists the witnesses and a summary of the evidence that they will present.

	Name	Summary of Evidence
1	Grant Campbell (Constable 1553 VPD)	Testify - supplying to minors

The following is a summary of each alleged contravention and the circumstances surrounding each contravention. At the enforcement hearing, the general manager will be considering this information when deciding whether each contravention occurred and the penalty, if any, for that contravention.

## CONTRAVENTION #1

Contravention notice number	Date contravention notice issued	Name of contravention and section of Act or regulations	Recommended enforcement action	Start date of suspension to be served
A014315; A074579	Jan 15, 2003	Supply to minors, s. 33	5 day suspension	

As per LPC A 074579 and General Occurance Report. On Nov. 11, 2002 PC's conducted a walk around and observed 84 persons several of which appeared very young. PC's requested identification, from the parties. All of the parties supplied ID except for one female, who was holding a bottle of beer. PC's requested that she accompany them outside of the club, once outside the female was identified as s. 22 She stated that she had no ID and was not requested to produce ID upon entering the club.

PC 1553 requested to speak with the manager. A male approached PC1553 explained that a minor had been found on the premise and that she had been ejected. The manager said where is this female, I don't see her. PC 1553 stated that he had just ejected the female. The manager stated "How do I know that she was even in here?". Pc 2053 stated, because we are the police and don't lie. The manager made a face, Pc 1553 requested that the manager produce some identification. The LPC was started when the manager returned, however the manager then denied that he was the manager. PC 1553 calmly requested that the person later to become known as Bhathena, decide whether he was the manager or not. PC 1553 then stated, "That if Bhathena was staff, why did he not have a badge identifying himself displayed on his person". Bhathena's response was that he did not have to, after a long debate in which Bhathena's response was very abnoxious he finally admitted that he was the manager. The LPC was completed and served on Bhathena. PC 1553 advised the Hotel manager that his staff could be improved by proper education in regards to the Liquor Act.

Liquour control and Licensing Act s. 33 (1)(a) and (c) clearly states a person must not sell, give or otherwise supply liquor to a minor. Three LPC's in the month of Nov, 2002 have been received by the branch for the same contravention. A responsible Licensee will implement procedures to ensure that minors do not enter the establishment. Enforcement action is being recommended.

### Reasons for proposed penalty

Falls within the guidelines as set out in the Liquor Control and Licencing Act/Regulations Schedule 4.

### Documentation

At the enforcement hearing, the branch will likely be presenting the information listed in the following table. A copy of the contravention notice is attached. A copy of each of the other documents and any additional relevant information will be forwarded to the licensee once the enforcement hearing on this matter has been scheduled.

Complaints:		
	Date	Document Description
1	December 12, 2002	Minors A130701 - Supply to minors, s. 33 A014316
2	December 12, 2002	Minors A130701 - Permit a person to become intoxicated, s. 43(2)(a) A014316
3	December 12, 2002	Minors A130701 - Permit intoxicated person to remain, s. 43(2)(b) A014316
4	December 12, 2002	Minors A 130702 - Supply to minors, s. 33 A014317

**Complaints:**

	Date	Document Description
5	December 12, 2002	Intoxication A 078802 - Selling liquor to intoxicated person, s. 43(1) A014322
6	December 12, 2002	Noise - Operate contrary to public interest, s. 20(1)(c.1) A014319
7	December 12, 2002	Intoxication A 078802 - A014322
8	December 12, 2002	Minors A 130702 - Minors in premises, s. 35 A014317
9	September 19, 2002	A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B) A014305
10	September 19, 2002	A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A) A014305

**Contraventions:**

	Date	Document Description
1	January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43, No Enforcement Action
2	January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12, No Enforcement Action
3	December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12, No Enforcement Action

## **Appendix B**

### **HISTORY OF COMPLIANCE**

At the enforcement hearing, the general manager will consider this information when determining the penalty for each contravention.

#### **Establishment's history of compliance**

The establishment's history of compliance is relevant when determining which level of penalty should be imposed for a contravention. The establishment's history of compliance is comprised of any prior findings of contravention that relate to the establishment in question (whether by waiver or decision of the general manager) and any prior penalty.

#### **Compliance history of the licensee**

Compliance history is defined in section 1(4) of the Liquor Control and Licensing Regulations, B.C. Reg. 608/76. The branch records show the following licensee compliance history:

#### **Findings of contravention and enforcement action under the LCLA and regulations**

No Compliance History specified.

#### **Offences under the Act and offences prescribed under section 20(3) of the Act**

No Offences under the Act specified.

#### **Other matters referred to in section 20(1)**

No other matters specified.



BRITISH  
COLUMBIA

No. A014315

Liquor Control and Licensing Act  
and Regulation 608/76

### CONTRAVENTION NOTICE

Liquor Control and Licensing Branch, Ministry of Attorney General

Establishment Name: BILTMORE MOTOR HOTEL  
Establishment Address: 395 KINGSWAY AVE  
VANCOUVER, BC V5T 1J7  
Licence #: 9663 Date: 01-07-02 Time: 13:20 hrs  
Licensee Name: 636608 B.C. LTD

On the date noted above, the following alleged contraventions of the Liquor Control and Licensing Act or regulations were identified:

#### Minors

- ☒ Supplying to minors s. 33
- ☐ Minors in premises s. 35

#### Criminal or riotous conduct

- ☐ Drunkenness, violent, quarrelsome, disorderly conduct s. 36(2)(a)
- ☐ Permitting unlawful activities/conduct s. 36(2)(b)

#### Weapons

- ☐ Permit to enter or remain while in possession of a weapon s. 47

#### Overcrowding

- ☐ Overcrowding beyond BOL Reg. s. 4(7)
- ☐ Licence capacity - Reg.

#### Service

- ☐ Serve while under suspension s. 20
- ☐ Operating outside class s. 20(1)(d), s. 16
- ☐ Service without food Reg. s. 17(2)
- ☐ Fail to clear 1/2 hour beyond closing Reg. s. 8(1)
- ☐ Allowing to consume 1/2 hour beyond closing - Reg. s. 8(2)
- ☐ Liquor removed from establishment Reg. s. 11(3)
- ☐ Liquor not purchased in establishment Reg. s. 11(2)
- ☐ Fail to comply with RBS Reg. s. 7.1(3)
- ☐ Licensee or employee consume liquor in premises Reg. s. 10
- ☐ Free liquor Reg. s. 12(1)
- ☐ Reduced pricing Reg. s. 12(1)

#### Entertainment

- ☐ Prohibited entertainment s. 50
- ☐ Dancer prohibited acts s. 50
- ☐ Other

#### Advertising

- ☐ Advertising contrary to Reg. s. 24.2(2)

#### Gambling

- ☐ Gamble in premises s. 36(2)
- ☐ Device for gambling s. 36(2)(c)

#### Intoxicated patron

- ☐ Selling liquor to intoxicated person s. 43(1)
- ☐ Permit a person to become intoxicated s. 43(2)(a)
- ☐ Permit intoxicated person to remain s. 43(2)(b)

#### Licensee responsible

- ☐ Operate contrary to public interest s. 20(1)(c.1)

#### Illicit alcohol

- ☐ Sale of illicit liquor s. 38
- ☐ Unlawful purchase s. 39
- ☐ Over counter purchase of liquor Reg. s. 6
- ☐ Dilute/adulterate liquor s. 38.1

#### Inspections

- ☐ Refuse to permit entry to peace officer s. 67
- ☐ Refuse to permit entry to inspector s. 73, Reg. s. 16
- ☐ Refuse to allow premises inspection s. 73
- ☐ Refuse to produce documents or liquor samples for inspection s. 73
- ☐ B not primarily engaged in the service of food s. 20(1)(d), s. 16, Reg. s. 17(2)
- ☐ Contravening a term and condition s. 12

Details: LPC # A 074579  
DATE OF CONTRAVENTION 9-11-02  
Inspector's Name (please print): TINA BAINS TIME: 23:45 hrs.  
Inspector #: 114 Telephone: (604) 775-0093 Area: DISTRICT 3  
Management Acknowledgement (Name and Title):  
[Signature] [Signature]

The general manager may proceed with enforcement action on the basis of this contravention notice. The licensee will generally be notified within 45 days if enforcement action is proposed.

COPY 2: LICENSEE COPY (send to licensee)



## NOTICE OF ENFORCEMENT ACTION

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

February 04, 2003

File No: EH03-013

Job No: 000712780-025

636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

Dear: 636608 B.C. LTD.

**Re: Licence Number 009663**

BILTMORE MOTOR HOTEL  
395 KINGSWAY  
VANCOUVER, BC V5T 3J7

The purpose of this notice is to inform you that the general manager is scheduling an enforcement hearing in order to review whether to take enforcement action for the alleged contravention(s) of the Liquor Control and Licensing Act, the regulations, and/or the terms and conditions of the licence set out in this notice.

### ROLE OF THE LIQUOR CONTROL AND LICENSING BRANCH

The role of the Liquor Control and Licensing Branch as the regulator of licensed establishments is to help provide an orderly and problem-free environment for licensed establishments. When an infraction occurs, the general manager of the Liquor Control and Licensing Branch will take whatever enforcement action is necessary:

- to protect the public interest,
- to ensure future compliance with the Act, the regulations, and/or the terms and conditions of a licence, and
- to ensure that licensees, employees, patrons and the community recognize the seriousness of contraventions.

The general manager is responsible for supervising the conduct and operation of every licensed establishment in British Columbia. The enforcement powers of the general manager are expressed in section 20(2) of the Liquor Control and Licensing Act as follows:

**Ministry of  
Public Safety and  
Solicitor General**

Liquor Control and  
Licensing Branch

Mailing address:  
PO Box 9292 Stn Prov Govt  
Victoria, BC V8W 9J8

Toll Free: 1 866 209-2111  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor  
1019 Wharf Street  
Victoria BC

<http://www.pssg.gov.bc.ca/lclb>  
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- 20 (2) If the general manager has the right under subsection (1) to take action against a licensee, the general manager may do any one or more of the following, with or without a hearing:
- (repealed)
  - impose terms and conditions on the licensee's licence or rescind or amend existing terms and conditions on the licence;
  - impose a monetary penalty on the licensee in accordance with the prescribed schedule of penalties;
  - suspend all or any part of the licensee's licence in accordance with the prescribed schedule of licence suspensions;
  - cancel all or any part of the licensee's licence;
  - order the licensee to transfer the licence, within the prescribed period, to a person who is at arm's length from the licensee.

#### THE ALLEGED CONTRAVENTION(S)

No.	Contravention name	Section of Act/regulation and term and condition of the licence	Date of alleged contravention	Recommended enforcement action
1	Fail to request ID, Reg. s. 45(2)	Reg. s. 45(2)	Jan 09, 2003	3 day suspension

These alleged contraventions are described in full in the attached Appendix A.

#### Proposed enforcement action

The general manager may impose a penalty for a contravention of the Act, the regulations, and/or the terms and conditions of the licence(s). The general manager has the authority to cancel a licensee's licence, in whole or in part, if circumstances warrant a cancellation. Enforcement action may also include imposing terms and conditions for a contravention of the Act and the regulations.

When determining the appropriate penalty for a contravention, the general manager will consider:

- the type of contravention
- the facts of the contravention
- the establishment's history of compliance
- the compliance history of the licensee.

The general manager will also consider what action best serves the public interest.

The penalty schedule, set out in schedule 4 to the Liquor Control and Licensing Regulations, describes the penalty range for each contravention. A copy of the *Liquor Control and Licensing Act and Regulations* can be obtained on the Liquor Control and Licensing Branch website at <http://www.pssg.gov.bc.ca/lclb/>. While the general manager usually stays within this schedule, if the general manager concludes that it is in the public interest to do so, the general manager may impose a higher penalty than the penalty set out in the penalty schedule.



### **Suspension penalty falls within penalty schedule**

For the alleged contravention of Fail to request ID, Reg. s. 45(2) (Contravention Notice Number A014321) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a suspension penalty of 3 days is warranted. The suspension will be served starting on a and will continue on successive business days until completed.

The reasons for this proposed penalty are set out in Appendix A and B.

The establishment's history of compliance and the compliance history of the licensee are described in the attached Appendix B.

### **LICENSEE OPTIONS**

1. The licensee may accept the proposed enforcement action(s) for any or all of the contraventions set out above and waive the opportunity for an enforcement hearing on those contraventions. This process is described in more detail under heading Option to Waive Enforcement Hearing below.
2. The licensee may attend an enforcement hearing for the purpose of contesting the occurrence of the contravention(s) and/or the proposed enforcement action(s). Please note, at an enforcement hearing the general manager may decline to take any enforcement action, take the proposed enforcement action set out in this letter, or take enforcement action that is less than or greater than the proposed enforcement action set out in this letter.

#### **Option to waive enforcement hearing**

The licensee may waive the opportunity for an enforcement hearing and accept the enforcement action(s) proposed in this letter. If the licensee chooses this option, it is necessary to sign a waiver notice. By signing the waiver notice, the licensee expressly and irrevocably:

- agrees that the licensee has committed the contravention(s)
- accepts the enforcement action(s) proposed in this letter
- waives the opportunity to an enforcement hearing on these matters
- agrees that the finding(s) of contravention and the specified enforcement action(s) will form part of the compliance history of the licensee.

If the licensee plans to sign a waiver notice, branch staff will prepare the notice. In most situations, the waiver notice must be signed within 14 days of the date of this letter. If the licensee plans to sign a waiver notice, please contact the writer to arrange an appointment as soon as possible.

#### **Date, time, and place of the enforcement hearing**

The case management administrator will be contacting the licensee shortly to discuss the hearing process. If the licensee signs a waiver notice, the enforcement hearing will be cancelled.

The case management administrator contact information is:

Shirley Martin; (250) 356-0010; Shirley.Martin@gems3.gov.bc.ca

### **CONTACT NUMBER**

If you have any questions regarding this letter, please contact the writer at (604) 775-0093 or Tina.Bains@gems4.gov.bc.ca for clarification.

Yours truly,

A handwritten signature in black ink, appearing to read 'Tina Bains', with a stylized, cursive script.

Tina Bains  
Inspector, Vancouver

Attachments:

Appendix A

Appendix B

Licence

Red Line Floor Plan

Contravention Notice

Enforcement Hearing Rule

## Appendix A

### Licence Information

Licence number: 009663  
Licence type: Liquor Primary  
Terms and conditions of the licence:

Licence expiry date: March 31, 2003

### Branch witnesses

At the enforcement hearing, the branch will be calling the following witnesses to present evidence of the alleged contravention. The following table lists the witnesses and a summary of the evidence that they will present.

	Name	Summary of Evidence
1	D. Quiring (Constable #2075 VPD)	Testify regarding the alleged contravention- fail to ID patron
2	Shannan Johnston (Liquor Inspector)	Testify regarding the alleged contravention- Fail to ID patron
3	Tina Bains (Liquor Inspector)	Testify regarding the alleged contravention - Fail to ID patron

The following is a summary of each alleged contravention and the circumstances surrounding each contravention. At the enforcement hearing, the general manager will be considering this information when deciding whether each contravention occurred and the penalty, if any, for that contravention.

## CONTRAVENTION #1

Contravention notice number	Date contravention notice issued	Name of contravention and section of Act or regulations	Recommended enforcement action	Start date of suspension to be served
A014321	Jan 09, 2003	Fail to request ID, Reg. s. 45(2)	3 day suspension	
<p>On January 9, 2003 Night Shift accompanied by Insector Johnston arrived at Biltmore Motor Hotel. Noticed a police patrol car parked at the entrance. Identified ourselves as Liquor Inspectors to the officer on duty constable D.Quiring # 2075 and requested him to accompany us into the establishment.</p> <p>On entry proceeded to the bar area and requested to see the Liquor Licence, Redline floor plan and RBS certificates. No redline floor plan and RBS (Licensee level) available for inspection. Contravention Notice # A014320 issued by Inspector Bains.</p> <p>Requested to see the manager s. 22 Was advised does not work there any longer. Requested to see the manager on duty. Discussed the contraventions with Eric, manager on duty. Eric signed the contravention notice. Establishment copy of contravention notice was handed over to Eric.</p> <p>Inspector Johnston accompanied by constable D. Quiring #2075 did minor ID checks in the establishment. one male patron with no ID. He was removed from the establishment. Inspector Johnston noticed a blonde female with a pitcher of beer. She took beer to the bar service area to be safe while she smoked outside. Contravention notice # A014321 issued by Inspector Bains.</p> <p>File review of this establishment reveals contravention notices and LPC's on file for this contravention. The establishment has not rectified the situation. Recommending enforcement action.</p>				

### Reasons for proposed penalty

Falls within the guidelines as set out in the Liquor Control and Licencing Act/Regulations Schedule 4.

### Documentation

At the enforcement hearing, the branch will likely be presenting the information listed in the following table. A copy of the contravention notice is attached. A copy of each of the other documents and any additional relevant information will be forwarded to the licensee once the enforcement hearing on this matter has been scheduled.

Complaints:		
	Date	Document Description
1	December 12, 2002	Minors A074579 - Supply to minors, s. 33 A014315
2	December 12, 2002	Minors A130701 - Supply to minors, s. 33 A014316
3	December 12, 2002	Minors A130701 - Permit a person to become intoxicated, s. 43(2)(a) A014316
4	December 12, 2002	Minors A130701 - Permit intoxicated person to remain, s. 43(2)(b) A014316
5	December 12, 2002	Minors A 130702 - Minors in premises, s. 35 A014317
6	December 12, 2002	Intoxication A 078802 - A014322
7	December 12, 2002	Noise - Operate contrary to public interest, s. 20(1)(c.1) A014319
8	December 12, 2002	Intoxication A 078802 - Selling liquor to intoxicated person, s. 43(1) A014322

<b>Complaints:</b>		
	<b>Date</b>	<b>Document Description</b>
9	December 12, 2002	Minors A 130702 - Supply to minors, s. 33 A014317
10	September 19, 2002	A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B) A014305
11	September 19, 2002	A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A) A014305

<b>Contraventions:</b>		
	<b>Date</b>	<b>Document Description</b>
1	January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43, No Enforcement Action
2	January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12, No Enforcement Action
3	December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12, No Enforcement Action

## **Appendix B**

### **HISTORY OF COMPLIANCE**

At the enforcement hearing, the general manager will consider this information when determining the penalty for each contravention.

#### **Establishment's history of compliance**

The establishment's history of compliance is relevant when determining which level of penalty should be imposed for a contravention. The establishment's history of compliance is comprised of any prior findings of contravention that relate to the establishment in question (whether by waiver or decision of the general manager) and any prior penalty.

#### **Compliance history of the licensee**

Compliance history is defined in section 1(4) of the Liquor Control and Licensing Regulations, B.C. Reg. 608/76. The branch records show the following licensee compliance history:

#### **Findings of contravention and enforcement action under the LCLA and regulations**

No Compliance History specified.

#### **Offences under the Act and offences prescribed under section 20(3) of the Act**

No Offences under the Act specified.

#### **Other matters referred to in section 20(1)**

No other matters specified.

Entered in [REDACTED]

No. A014321



BRITISH  
COLUMBIA

Liquor Control and Licensing Act  
and Regulation 608/76

### CONTRAVENTION NOTICE

Liquor Control and Licensing Branch, Ministry of Attorney General

Establishment Name: BILTMORE MOTOR HOTEL  
Establishment Address: 395 KINGSTON WAY, VANCOUVER

Licence #: 9663 Date: MM / DD / YY Time: 1:20 HRS  
Licensee Name: LOUGHEED VENTURES LTD

On the date noted above, the following alleged contraventions of the *Liquor Control and Licensing Act* or regulations were identified:

#### Minors

- ☐ Supplying to minors s. 33
- ☐ Minors in premises s. 35

#### Criminal or riotous conduct

- ☐ Drunkenness, violent, quarrelsome, disorderly conduct s. 36(2)(a)
- ☐ Permitting unlawful activities/conduct s. 36(2)(b)

#### Weapons

- ☐ Permit to enter or remain while in possession of a weapon s. 47

#### Overcrowding

- ☐ Overcrowding beyond BOL Reg. s. 4(7)
- ☐ Licence capacity - Reg.

#### Service

- ☐ Serve while under suspension s. 20
- ☐ Operating outside class s. 20(1)(d), s. 16
- ☐ Service without food Reg. s. 17(2)
- ☐ Fail to clear 1/2 hour beyond closing Reg. s. 8(1)
- ☐ Allowing to consume 1/2 hour beyond closing - Reg. s. 8(2)
- ☐ Liquor removed from establishment Reg. s. 11(3)
- ☐ Liquor not purchased in establishment Reg. s. 11(2)
- ☐ Fail to comply with RBS Reg. s. 7.1(3)
- ☐ Licensee or employee consume liquor in premises Reg. s. 10
- ☐ Free liquor Reg. s. 12(1)
- ☐ Reduced pricing Reg. s. 12(1)

#### Entertainment

- ☐ Prohibited entertainment s. 50
- ☐ Dancer prohibited acts s. 50

#### Other

Details: A Pitcher sold to individual patron

Inspector's Name (please print): TINA BAINS

Inspector #: 114 Telephone: (604) 775-0093 Area: D3

Management Acknowledgement (Name and Title): ERIC TACHSINORON

The general manager may proceed with enforcement action on the basis of this contravention notice. The licensee will generally be notified within 45 days if enforcement action is proposed.

COPY 2: LICENSEE COPY (send to licensee)

#### Advertising

- ☐ Advertising contrary to Reg. s. 24.2(2)

#### Gambling

- ☐ Gamble in premises s. 36(2)
- ☐ Device for gambling s. 36(2)(c)

#### Intoxicated patron

- ☐ Selling liquor to intoxicated person s. 43(1)
- ☐ Permit a person to become intoxicated s. 43(2)(a)
- ☐ Permit intoxicated person to remain s. 43(2)(b)

#### Licensee responsible

- ☐ Operate contrary to public interest s. 20(1)(c.1)

#### Illicit alcohol

- ☐ Sale of illicit liquor s. 38
- ☐ Unlawful purchase s. 39
- ☐ Over counter purchase of liquor Reg. s. 6
- ☐ Dilute/adulterate liquor s. 38.1

#### Inspections

- ☐ Refuse to permit entry to peace officer s. 67
- ☐ Refuse to permit entry to inspector s. 73, Reg. s. 16
- ☐ Refuse to allow premises inspection s. 73
- ☐ Refuse to produce documents or liquor samples for inspection s. 73

- ☐ Not primarily engaged in the service of food s. 20(1)(d), s. 16, Reg. s. 17(2)

- ☒ Contravening a term and condition s. 12

1. Fail to ID Regs 45(2)

2. OVER SERVICE



**NOTICE OF ENFORCEMENT ACTION**  
*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

February 04, 2003

File No: EH03-011

Job No: 000712780-029

636608 B.C. LTD.  
395 KINGSWAY  
VANCOUVER, V5T 3J7

Telephone: (604) 872-5252

Fax: (604) 874-5252

Dear: 636608 B.C. LTD.

**Re: Licence Number 009663**

BILTMORE MOTOR HOTEL  
395 KINGSWAY  
VANCOUVER, BC V5T 3J7

The purpose of this notice is to inform you that the general manager is scheduling an enforcement hearing in order to review whether to take enforcement action for the alleged contravention(s) of the Liquor Control and Licensing Act, the regulations, and/or the terms and conditions of the licence set out in this notice.

**ROLE OF THE LIQUOR CONTROL AND LICENSING BRANCH**

The role of the Liquor Control and Licensing Branch as the regulator of licensed establishments is to help provide an orderly and problem-free environment for licensed establishments. When an infraction occurs, the general manager of the Liquor Control and Licensing Branch will take whatever enforcement action is necessary:

- to protect the public interest,
- to ensure future compliance with the Act, the regulations, and/or the terms and conditions of a licence, and
- to ensure that licensees, employees, patrons and the community recognize the seriousness of contraventions.

The general manager is responsible for supervising the conduct and operation of every licensed establishment in British Columbia. The enforcement powers of the general manager are expressed in section 20(2) of the Liquor Control and Licensing Act as follows:

---

**Ministry of  
Public Safety and  
Solicitor General**

Liquor Control and  
Licensing Branch

Mailing address:  
PO Box 9292 Stn Prov Govt  
Victoria, BC V8W 9J8

Toll Free: 1 866 209-2111  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor  
1019 Wharf Street  
Victoria BC

<http://www.pssg.gov.bc.ca/lclb>  
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- 20 (2) If the general manager has the right under subsection (1) to take action against a licensee, the general manager may do any one or more of the following, with or without a hearing:
- a) (repealed)
  - b) impose terms and conditions on the licensee's licence or rescind or amend existing terms and conditions on the licence;
  - c) impose a monetary penalty on the licensee in accordance with the prescribed schedule of penalties;
  - d) suspend all or any part of the licensee's licence in accordance with the prescribed schedule of licence suspensions;
  - e) cancel all or any part of the licensee's licence;
  - f) order the licensee to transfer the licence, within the prescribed period, to a person who is at arm's length from the licensee.

#### THE ALLEGED CONTRAVENTION(S)

No.	Contravention name	Section of Act/regulation and term and condition of the licence	Date of alleged contravention	Recommended enforcement action
1	Supply to minors, s. 33	s. 33	Nov 15, 2002	5 day suspension

These alleged contraventions are described in full in the attached Appendix A.

#### Proposed enforcement action

The general manager may impose a penalty for a contravention of the Act, the regulations, and/or the terms and conditions of the licence(s). The general manager has the authority to cancel a licensee's licence, in whole or in part, if circumstances warrant a cancellation. Enforcement action may also include imposing terms and conditions for a contravention of the Act and the regulations.

When determining the appropriate penalty for a contravention, the general manager will consider:

- the type of contravention
- the facts of the contravention
- the establishment's history of compliance
- the compliance history of the licensee.

The general manager will also consider what action best serves the public interest.

The penalty schedule, set out in schedule 4 to the Liquor Control and Licensing Regulations, describes the penalty range for each contravention. A copy of the *Liquor Control and Licensing Act and Regulations* can be obtained on the Liquor Control and Licensing Branch website at <http://www.pssg.gov.bc.ca/lclb/>. While the general manager usually stays within this schedule, if the general manager concludes that it is in the public interest to do so, the general manager may impose a higher penalty than the penalty set out in the penalty schedule.

### **Suspension penalty falls within penalty schedule**

For the alleged contravention of Supply to minors, s. 33 (Contravention Notice Number A014316) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a suspension penalty of 5 days is warranted. The suspension will be served starting on a and will continue on successive business days until completed.

The reasons for this proposed penalty are set out in Appendix A and B.

The establishment's history of compliance and the compliance history of the licensee are described in the attached Appendix B.

### **LICENSEE OPTIONS**

1. The licensee may accept the proposed enforcement action(s) for any or all of the contraventions set out above and waive the opportunity for an enforcement hearing on those contraventions. This process is described in more detail under heading Option to Waive Enforcement Hearing below.
2. The licensee may attend an enforcement hearing for the purpose of contesting the occurrence of the contravention(s) and/or the proposed enforcement action(s). Please note, at an enforcement hearing the general manager may decline to take any enforcement action, take the proposed enforcement action set out in this letter, or take enforcement action that is less than or greater than the proposed enforcement action set out in this letter.

### **Option to waive enforcement hearing**

The licensee may waive the opportunity for an enforcement hearing and accept the enforcement action(s) proposed in this letter. If the licensee chooses this option, it is necessary to sign a waiver notice. By signing the waiver notice, the licensee expressly and irrevocably:

- agrees that the licensee has committed the contravention(s)
- accepts the enforcement action(s) proposed in this letter
- waives the opportunity to an enforcement hearing on these matters
- agrees that the finding(s) of contravention and the specified enforcement action(s) will form part of the compliance history of the licensee.

If the licensee plans to sign a waiver notice, branch staff will prepare the notice. In most situations, the waiver notice must be signed within 14 days of the date of this letter. If the licensee plans to sign a waiver notice, please contact the writer to arrange an appointment as soon as possible.

### **Date, time, and place of the enforcement hearing**

The case management administrator will be contacting the licensee shortly to discuss the hearing process. If the licensee signs a waiver notice, the enforcement hearing will be cancelled.

The case management administrator contact information is:

Shirley Martin; (250) 356-0010; Shirley.Martin@gems3.gov.bc.ca

### **CONTACT NUMBER**

If you have any questions regarding this letter, please contact the writer at (604) 775-0093 or Tina.Bains@gems4.gov.bc.ca for clarification.

Yours truly,

A handwritten signature in black ink, appearing to read 'Tina Bains', with a stylized flourish at the end.

Tina Bains  
Inspector, Vancouver

Attachments:

Appendix A

Appendix B

Licence

Red Line Floor Plan

Contravention Notice

Enforcement Hearing Rule

## Appendix A

### Licence Information

Licence number: 009663  
Licence type: Liquor Primary  
Terms and conditions of the licence:

Licence expiry date: March 31, 2003

### Branch witnesses

At the enforcement hearing, the branch will be calling the following witnesses to present evidence of the alleged contravention. The following table lists the witnesses and a summary of the evidence that they will present.

	Name	Summary of Evidence
1	Darin Mcdougall (Constable)	Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person to remain
2	PC - VPD 1072 (Sgt)	Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person to remain
3	PC - VPD 1437 (Constable)	Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person to remain
4	PC - VPD 1712 (Constable)	Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person to remain
5	PC - VPD 2094 (Constable)	Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person to remain
6	PC - VPD 2072 (constable)	Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person to remain

The following is a summary of each alleged contravention and the circumstances surrounding each contravention. At the enforcement hearing, the general manager will be considering this information when deciding whether each contravention occurred and the penalty, if any, for that contravention.

**CONTRAVENTION #1**

Contravention notice number	Date contravention notice issued	Name of contravention and section of Act or regulations	Recommended enforcement action	Start date of suspension to be served
A014316; A130701	Jan 15, 2003	Supply to minors, s. 33	5 day suspension	

On Nov.15, 2002 PC 2072 conducted a Licensed premise check. PC checked numerous parties inside the premises. PC's noted two parties who were obviously heavily intoxicated. One male was sleeping/passed out in his chair while other male was dancing/staggering on the dance floor with an almost empty pitcher of beer in his hands.

Pc's pointed out these two parties to the staff at the bar who immediately removed the two from the premises. Sgt Gatto also located one female who appeared to be under age. When she provided Manitoba ID it indicated that she was 18 years of age.

PC McDougall and Sgt Gatto spoke with the pub manager and provided him with a copy of the LPC.

Liquor control and Licensing Act s.33(1)(a) and ((c) clearly states a person must not sell, give or otherwise supply liquor to a minor. This is the second contravention of its kind. A responsible Licensee will implement procedures to ensure that minors do not enter the establishment. This is clearly not happening at the establishment. Liquor service is a significant public interest issue. The concerns of the Liquor Control and Licensing Branch include a minor's lack of capacity to metabolize alcohol in the same manner as an adult, therefore, liquor has a more intoxicating effect on minors and Liquor is a significant factor in many youth crimes, including serious driving infractions, assault and robbery. Enforcement being recommended.

**Reasons for proposed penalty**

Falls within the guidelines as set out in the Liquor Control and Licensing Act/Regulations Schedule 4.

**Documentation**

At the enforcement hearing, the branch will likely be presenting the information listed in the following table. A copy of the contravention notice is attached. A copy of each of the other documents and any additional relevant information will be forwarded to the licensee once the enforcement hearing on this matter has been scheduled.

Complaints:		
	Date	Document Description
1	December 12, 2002	Minors A074579 - Supply to minors, s. 33 A014315
2	December 12, 2002	Minors A 130702 - Supply to minors, s. 33 A014317
3	December 12, 2002	Minors A 130702 - Minors in premises, s. 35 A014317
4	December 12, 2002	Intoxication A 078802 - Selling liquor to intoxicated person, s. 43(1) A014322
5	December 12, 2002	Noise - Operate contrary to public interest, s. 20(1)(c.1) A014319
6	December 12, 2002	Intoxication A 078802 - A014322
7	September 19, 2002	A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B) A014305
8	September 19, 2002	A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A) A014305

**Contraventions:**

	<b>Date</b>	<b>Document Description</b>
1	January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43, No Enforcement Action
2	January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12, No Enforcement Action
3	December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12, No Enforcement Action

## **Appendix B**

### **HISTORY OF COMPLIANCE**

At the enforcement hearing, the general manager will consider this information when determining the penalty for each contravention.

#### **Establishment's history of compliance**

The establishment's history of compliance is relevant when determining which level of penalty should be imposed for a contravention. The establishment's history of compliance is comprised of any prior findings of contravention that relate to the establishment in question (whether by waiver or decision of the general manager) and any prior penalty.

#### **Compliance history of the licensee**

Compliance history is defined in section 1(4) of the Liquor Control and Licensing Regulations, B.C. Reg. 608/76. The branch records show the following licensee compliance history:

#### **Findings of contravention and enforcement action under the LCLA and regulations**

No Compliance History specified.

#### **Offences under the Act and offences prescribed under section 20(3) of the Act**

No Offences under the Act specified.

#### **Other matters referred to in section 20(1)**

No other matters specified.

No. A014316

BRITISH  
COLUMBIALiquor Control and Licensing Act  
and Regulation 608/76**CONTRAVENTION NOTICE**

Liquor Control and Licensing Branch, Ministry of Attorney General

Establishment Name: BILTMORE MOTOR HOTEL  
 Establishment Address: 395 KINGSWAY  
VANCOUVER BC V5T 3J7  
 Licence #: 9663 Date: 01/15/02 Time: 13:20 hrs  
 Licensee Name: 636608 B.C LTD

On the date noted above, the following alleged contraventions of the Liquor Control and Licensing Act or regulations were identified:

**Minors**

- ☒ Supplying to minors s. 33  
☐ Minors in premises s. 35

**Criminal or riotous conduct**

- ☐ Drunkenness, violent, quarrelsome, disorderly conduct s. 36(2)(a)  
☐ Permitting unlawful activities/conduct s. 36(2)(b)

**Weapons**

- ☐ Permit to enter or remain while in possession of a weapon s. 47

**Overcrowding**

- ☐ Overcrowding beyond BOL Reg. s. 4(7)  
☐ Licence capacity - Reg.

**Service**

- ☐ Serve while under suspension s. 20  
☐ Operating outside class s. 20(1)(d), s. 16  
☐ Service without food Reg. s. 17(2)  
☐ Fail to clear 1/2 hour beyond closing Reg. s. 8(1)  
☐ Allowing to consume 1/2 hour beyond closing - Reg. s. 8(2)  
☐ Liquor removed from establishment Reg. s. 11(3)  
☐ Liquor not purchased in establishment Reg. s. 11(2)  
☐ Fail to comply with RBS Reg. s. 7.1(3)  
☐ Licensee or employee consume liquor in premises Reg. s. 10  
☐ Free liquor Reg. s. 12(1)  
☐ Reduced pricing Reg. s. 12(1)

**Entertainment**

- ☐ Prohibited entertainment s. 50  
☐ Dancer prohibited acts s. 50

**Other****Details:**

LPC # A 130701  
DATE OF CONTRAVENTION: 15/11/02  
 Inspector's Name (please print): TINA BAINS Time: 22:30 hrs

Inspector #: 114 Telephone: (604) 775-0093 Area: DISTRICT 3

Management Acknowledgement (Name and Title)

J. J. Ho Andy Ho

The general manager may proceed with enforcement action on the basis of this contravention notice. The licensee will generally be notified within 45 days if enforcement action is proposed.

**COPY 2: LICENSEE COPY (send to licensee)**

**Advertising**

- ☐ Advertising contrary to Reg. s. 24.2(2)

**Gambling**

- ☐ Gamble in premises s. 36(2)  
☐ Device for gambling s. 36(2)(c)

**Intoxicated patron**

- ☐ Selling liquor to intoxicated person s. 43(1)  
☒ Permit a person to become intoxicated s. 43(2)(a)  
☒ Permit intoxicated person to remain s. 43(2)(b)

**Licensee responsible**

- ☐ Operate contrary to public interest s. 20(1)(c.1)

**Illicit alcohol**

- ☐ Sale of illicit liquor s. 38  
☐ Unlawful purchase s. 39  
☐ Over counter purchase of liquor Reg. s. 6  
☐ Dilute/adulterate liquor s. 38.1

**Inspections**

- ☐ Refuse to permit entry to peace officer s. 67  
☐ Refuse to permit entry to inspector s. 73, Reg. s. 16  
☐ Refuse to allow premises inspection s. 73  
☐ Refuse to produce documents or liquor samples for inspection s. 73  
☐ Not primarily engaged in the service of food s. 20(1)(d), s. 16, Reg. s. 17(2)  
☐ Contravening a term and condition s. 12





BRITISH  
COLUMBIA

No. A014317

Liquor Control and Licensing Act  
and Regulation 608/76

### CONTRAVENTION NOTICE

Liquor Control and Licensing Branch, Ministry of Attorney General

Establishment Name: BILTMORE MOTOR HOTEL  
Establishment Address: 395 KINGSWAY  
VANCOUVER, BC V5T 3T7  
Licence #: 9663 Date: 01/15/02 Time: 13:20 hrs  
Licensee Name: 636608 B.C. LTD

On the date noted above, the following alleged contraventions of the Liquor Control and Licensing Act or regulations were identified:

#### Minors

- ☒ Supplying to minors s. 33
- ☒ Minors in premises s. 35

#### Criminal or riotous conduct

- ☐ Drunkenness, violent, quarrelsome, disorderly conduct s. 36(2)(a)
- ☐ Permitting unlawful activities/conduct s. 36(2)(b)

#### Weapons

- ☐ Permit to enter or remain while in possession of a weapon s. 47

#### Overcrowding

- ☐ Overcrowding beyond BOL Reg. s. 4(7)
- ☐ Licence capacity - Reg.

#### Service

- ☐ Serve while under suspension s. 20
- ☐ Operating outside class s. 20(1)(d), s. 16
- ☐ Service without food Reg. s. 17(2)
- ☐ Fail to clear 1/2 hour beyond closing Reg. s. 8(1)
- ☐ Allowing to consume 1/2 hour beyond closing - Reg. s. 8(2)
- ☐ Liquor removed from establishment Reg. s. 11(3)
- ☐ Liquor not purchased in establishment Reg. s. 11(2)
- ☐ Fail to comply with RBS Reg. s. 7.1(3)
- ☐ Licensee or employee consume liquor in premises Reg. s. 10
- ☐ Free liquor Reg. s. 12(1)
- ☐ Reduced pricing Reg. s. 12(1)

#### Entertainment

- ☐ Prohibited entertainment s. 50
- ☐ Dancer prohibited acts s. 50

#### Other

#### Details:

LPC # A 130702  
DATE OF CONTRAVENTION: 23<sup>rd</sup> / 11 / 02 TIME 00:42h

Inspector's Name (please print): TINA BAINS

Inspector #: 114 Telephone: (604) 775-0093 Area: DISTRICT 3

Management Acknowledgement (Name and Title)

Andy Ho Andy Ho

The general manager may proceed with enforcement action on the basis of this contravention notice. The licensee will generally be notified within 45 days if enforcement action is proposed.

COPY 2: LICENSEE COPY (send to licensee)

#### Advertising

- ☐ Advertising contrary to Reg. s. 24.2(2)

#### Gambling

- ☐ Gamble in premises s. 36(2)
- ☐ Device for gambling s. 36(2)(c)

#### Intoxicated patron

- ☐ Selling liquor to intoxicated person s. 43(1)
- ☐ Permit a person to become intoxicated s. 43(2)(a)
- ☐ Permit intoxicated person to remain s. 43(2)(b)

#### Licensee responsible

- ☐ Operate contrary to public interest s. 20(1)(c.1)

#### Illicit alcohol

- ☐ Sale of illicit liquor s. 38
- ☐ Unlawful purchase s. 39
- ☐ Over counter purchase of liquor Reg. s. 6
- ☐ Dilute/adulterate liquor s. 38.1

#### Inspections

- ☐ Refuse to permit entry to peace officer s. 67
- ☐ Refuse to permit entry to inspector s. 73; Reg. s. 16
- ☐ Refuse to allow premises inspection s. 73
- ☐ Refuse to produce documents or liquor samples for inspection s. 73
- ☐ B not primarily engaged in the service of food s. 20(1)(d), s. 16, Reg. s. 17(2)
- ☐ Contravening a term and condition s. 12

- 20 (2) If the general manager has the right under subsection (1) to take action against a licensee, the general manager may do any one or more of the following, with or without a hearing:
- (repealed)
  - impose terms and conditions on the licensee's licence or rescind or amend existing terms and conditions on the licence;
  - impose a monetary penalty on the licensee in accordance with the prescribed schedule of penalties;
  - suspend all or any part of the licensee's licence in accordance with the prescribed schedule of licence suspensions;
  - cancel all or any part of the licensee's licence;
  - order the licensee to transfer the licence, within the prescribed period, to a person who is at arm's length from the licensee.

#### **THE ALLEGED CONTRAVENTION(S)**

No.	Contravention name	Section of Act/regulation and term and condition of the licence	Date of alleged contravention	Recommended enforcement action
1	Fail to request ID, Reg. s. 45(2)	Reg. s. 45(2)	Jan 04, 2003	3 day suspension

These alleged contraventions are described in full in the attached Appendix A.

#### **Proposed enforcement action**

The general manager may impose a penalty for a contravention of the Act, the regulations, and/or the terms and conditions of the licence(s). The general manager has the authority to cancel a licensee's licence, in whole or in part, if circumstances warrant a cancellation. Enforcement action may also include imposing terms and conditions for a contravention of the Act and the regulations.

When determining the appropriate penalty for a contravention, the general manager will consider:

- the type of contravention
- the facts of the contravention
- the establishment's history of compliance
- the compliance history of the licensee.

The general manager will also consider what action best serves the public interest.

The penalty schedule, set out in schedule 4 to the Liquor Control and Licensing Regulations, describes the penalty range for each contravention. A copy of the *Liquor Control and Licensing Act and Regulations* can be obtained on the Liquor Control and Licensing Branch website at <http://www.pssg.gov.bc.ca/lclb/>. While the general manager usually stays within this schedule, if the general manager concludes that it is in the public interest to do so, the general manager may impose a higher penalty than the penalty set out in the penalty schedule.

### **Suspension penalty falls within penalty schedule**

For the alleged contravention of Fail to request ID, Reg. s. 45(2) (Contravention Notice Number A014322) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a suspension penalty of 3 days is warranted. The suspension will be served starting on a and will continue on successive business days until completed.

The reasons for this proposed penalty are set out in Appendix A and B.

The establishment's history of compliance and the compliance history of the licensee are described in the attached Appendix B.

### **LICENSEE OPTIONS**

1. The licensee may accept the proposed enforcement action(s) for any or all of the contraventions set out above and waive the opportunity for an enforcement hearing on those contraventions. This process is described in more detail under heading Option to Waive Enforcement Hearing below.
2. The licensee may attend an enforcement hearing for the purpose of contesting the occurrence of the contravention(s) and/or the proposed enforcement action(s). Please note, at an enforcement hearing the general manager may decline to take any enforcement action, take the proposed enforcement action set out in this letter, or take enforcement action that is less than or greater than the proposed enforcement action set out in this letter.

### **Option to waive enforcement hearing**

The licensee may waive the opportunity for an enforcement hearing and accept the enforcement action(s) proposed in this letter. If the licensee chooses this option, it is necessary to sign a waiver notice. By signing the waiver notice, the licensee expressly and irrevocably:

- agrees that the licensee has committed the contravention(s)
- accepts the enforcement action(s) proposed in this letter
- waives the opportunity to an enforcement hearing on these matters
- agrees that the finding(s) of contravention and the specified enforcement action(s) will form part of the compliance history of the licensee.

If the licensee plans to sign a waiver notice, branch staff will prepare the notice. In most situations, the waiver notice must be signed within 14 days of the date of this letter. If the licensee plans to sign a waiver notice, please contact the writer to arrange an appointment as soon as possible.

### **Date, time, and place of the enforcement hearing**

The case management administrator will be contacting the licensee shortly to discuss the hearing process. If the licensee signs a waiver notice, the enforcement hearing will be cancelled.

The case management administrator contact information is:

Shirley Martin; (250) 356-0010; Shirley.Martin@gems3.gov.bc.ca

### **CONTACT NUMBER**

If you have any questions regarding this letter, please contact the writer at (604) 775-0093 or Tina.Bains@gems4.gov.bc.ca for clarification.

Yours truly,

A handwritten signature in black ink, appearing to read 'Tina Bains', with a stylized, cursive script.

Tina Bains  
Inspector, Vancouver

Attachments:

Appendix A  
Appendix B  
Licence  
Red Line Floor Plan  
Contravention Notice  
Enforcement Hearing Rule

## Appendix A

### Licence Information

Licence number: 009663  
Licence type: Liquor Primary  
Terms and conditions of the licence:

Licence expiry date: March 31, 2003

### Branch witnesses

At the enforcement hearing, the branch will be calling the following witnesses to present evidence of the alleged contravention. The following table lists the witnesses and a summary of the evidence that they will present.

	Name	Summary of Evidence
1	Badge #2036 (Constable)	Testify permitting patrons without identification
2	H. Dvorkin (constable)	Testify Permitting patrons without identification

The following is a summary of each alleged contravention and the circumstances surrounding each contravention. At the enforcement hearing, the general manager will be considering this information when deciding whether each contravention occurred and the penalty, if any, for that contravention.

## CONTRAVENTION #1

Contravention notice number	Date contravention notice issued	Name of contravention and section of Act or regulations	Recommended enforcement action	Start date of suspension to be served
A014322; A078802	Jan 15, 2003	Fail to request ID, Reg. s. 45(2)	3 day suspension	
<p>On Jan.4, 2003 PC's conducted a LPC. PC's began checking individuals for ID. PC's asked 5 patrons for their ID. Two patrons of the five asked could not produce any ID and were referred to the bar staff who asked them to leave.</p> <p>PC's 2006/ 2036 asked a male s. 22 for his ID and he did not have any s. 22 had entered the premise with no ID. s. 22 then dropped a crack pipe from his hand and was placed into custody. At that point two more patrons were removed from the pub by staff, s. 22 Both s. 22 and s. 22 were fighting inside the pub and attempted to fight the door staff after being removed. PC's placed both s. 22 into custody.</p> <p>At approximately 0200 hrs the crowd began to spill onto the streets. Approx. 100 patrons just milled around the front doors to the pub with Genesis security staff doing nothing to clear the entrance. PC's observed several intoxicated patrons leaving including two females who could not walk. They were being assisted by their companions.</p> <p>PC's had spoken earlier with acting manager of the pub TACHSINOGLU and informed him that the door staff appeared not to be checking ID's. TACHSINOGLU stated that it was a problem to be handled by Genesis security who is in charge of the door. TACHSINOGLU stated that the regular manager s. 22 and a new manager most likely the s. 22 would be in place next week.</p> <p>Failure to request identification is a breach of section 45(2) of the regulations. Enforcement has been recommended on the contravention- Fail to ID people by Inspector Bains on Contravention A014321. This is the second contravention identified via the LPC # A07880. This establishment has LPC's on file identifying minors in premise and supplying to minors. Enforcement is being recommended as the Licensee is failing to understand the seriousness of the situation.</p>				

### Reasons for proposed penalty

Falls within the guidelines as set out in the Liquor Control and Licencing Act/Regulations Schedule 4.

### Documentation

At the enforcement hearing, the branch will likely be presenting the information listed in the following table. A copy of the contravention notice is attached. A copy of each of the other documents and any additional relevant information will be forwarded to the licensee once the enforcement hearing on this matter has been scheduled.

Complaints:		
	Date	Document Description
1	December 12, 2002	Minors A074579 - Supply to minors, s. 33 A014315
2	December 12, 2002	Minors A130701 - Supply to minors, s. 33 A014316
3	December 12, 2002	Minors A130701 - Permit a person to become intoxicated, s. 43(2)(a) A014316
4	December 12, 2002	Minors A130701 - Permit intoxicated person to remain, s. 43(2)(b) A014316
5	December 12, 2002	Minors A 130702 - Minors in premises, s. 35 A014317

**Complaints:**

	Date	Document Description
6	December 12, 2002	Noise - Operate contrary to public interest, s. 20(1)(c.1) A014319
7	December 12, 2002	Minors A 130702 - Supply to minors, s. 33 A014317
8	September 19, 2002	A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B) A014305
9	September 19, 2002	A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A) A014305

**Contraventions:**

	Date	Document Description
1	January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43, No Enforcement Action
2	January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12, No Enforcement Action
3	December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12, No Enforcement Action

## **Appendix B**

### **HISTORY OF COMPLIANCE**

At the enforcement hearing, the general manager will consider this information when determining the penalty for each contravention.

#### **Establishment's history of compliance**

The establishment's history of compliance is relevant when determining which level of penalty should be imposed for a contravention. The establishment's history of compliance is comprised of any prior findings of contravention that relate to the establishment in question (whether by waiver or decision of the general manager) and any prior penalty.

#### **Compliance history of the licensee**

Compliance history is defined in section 1(4) of the Liquor Control and Licensing Regulations, B.C. Reg. 608/76. The branch records show the following licensee compliance history:

#### **Findings of contravention and enforcement action under the LCLA and regulations**

No Compliance History specified.

#### **Offences under the Act and offences prescribed under section 20(3) of the Act**

No Offences under the Act specified.

#### **Other matters referred to in section 20(1)**

No other matters specified.





BRITISH  
COLUMBIA

No. A014322

Liquor Control and Licensing Act  
and Regulation 608/76

### CONTRAVENTION NOTICE

Liquor Control and Licensing Branch, Ministry of Attorney General

Establishment Name: BILTMORE MOTOR HOTEL  
Establishment Address: 395 KINGSWAY, VANCOUVER  
B.C. V5T 3J7  
Licence #: 9663 Date: 04/15/03 Time: 13:20 hrs  
Licensee Name: 636608 B.C. LTD.

On the date noted above, the following alleged contraventions of the Liquor Control and Licensing Act or regulations were identified:

#### Minors

- ☐ Supplying to minors s. 33
- ☐ Minors in premises s. 35

#### Criminal or riotous conduct

- ☐ Drunkenness, violent, quarrelsome, disorderly conduct s. 36(2)(a)
- ☐ Permitting unlawful activities/conduct s. 36(2)(b)

#### Weapons

- ☐ Permit to enter or remain while in possession of a weapon s. 47

#### Overcrowding

- ☐ Overcrowding beyond BCL Reg. s. 4(7)
- ☐ Licence capacity - Reg.

#### Service

- ☐ Serve while under suspension s. 20
- ☐ Operating outside class s. 20(1)(d), s. 16
- ☐ Service without food Reg. s. 17(2)
- ☐ Fail to clear 1/2 hour beyond closing Reg. s. 8(1)
- ☐ Allowing to consume 1/2 hour beyond closing - Reg. s. 8(2)
- ☐ Liquor removed from establishment Reg. s. 11(3)
- ☐ Liquor not purchased in establishment Reg. s. 11(2)
- ☐ Fail to comply with RBS Reg. s. 7.1(3)
- ☐ Licensee or employee consume liquor in premises Reg. s. 10
- ☐ Free liquor Reg. s. 12(1)
- ☐ Reduced pricing Reg. s. 12(1)

#### Entertainment

- ☐ Prohibited entertainment s. 50
- ☐ Dancer prohibited acts s. 50

☒ Other FAIL TO REQUEST ID, REG. S. 45(2)

#### Details:

LPC # A 078802  
Contravention Date 4/1/03 TIME: 00:01 hr

Inspector's Name (please print): TINA BAINS

Inspector #: 114 Telephone: 604 775-0093 Area: D3

Management Acknowledgement (Name and Title):

Andy Ho

The general manager may proceed with enforcement action on the basis of this contravention notice. The licensee will generally be notified within 45 days if enforcement action is proposed.

**COPY 2: LICENSEE COPY (send to licensee)**

Entered in POSSE

No. A014319



BRITISH  
COLUMBIA

Liquor Control and Licensing Act  
and Regulation 608/76

### CONTRAVENTION NOTICE

Liquor Control and Licensing Branch, Ministry of Attorney General

Establishment Name: BILTMORE MOTOR HOTEL  
Establishment Address: 295 KINGSTON WAY  
VANCOUVER, BC V5T 3T7  
Licence #: 9663 Date: 01/05/08 Time: 13:20 hrs  
Licensee Name: 636608 B.C. LTD

On the date noted above, the following alleged contraventions of the *Liquor Control and Licensing Act* or regulations were identified:

#### Minors

- ☐ Supplying to minors s. 33
- ☐ Minors in premises s. 35

#### Criminal or riotous conduct

- ☐ Drunkenness, violent, quarrelsome, disorderly conduct s. 36(2)(a)
- ☐ Permitting unlawful activities/conduct s. 36(2)(b)

#### Weapons

- ☐ Permit to enter or remain while in possession of a weapon s. 47

#### Overcrowding

- ☐ Overcrowding beyond BOL Reg. s. 4(7)
- ☐ Licence capacity - Reg.

#### Service

- ☐ Serve while under suspension s. 20
- ☐ Operating outside class s. 20(1)(d), s. 16
- ☐ Service without food Reg. s. 17(2)
- ☐ Fail to clear 1/2 hour beyond closing Reg. s. 8(1)
- ☐ Allowing to consume 1/2 hour beyond closing - Reg. s. 8(2)
- ☐ Liquor removed from establishment Reg. s. 11(3)
- ☐ Liquor not purchased in establishment Reg. s. 11(2)
- ☐ Fail to comply with RBS Reg. s. 7.1(3)
- ☐ Licensee or employee consume liquor in premises Reg. s. 10
- ☐ Free liquor Reg. s. 12(1)
- ☐ Reduced pricing Reg. s. 12(1)

#### Entertainment

- ☐ Prohibited entertainment s. 50
- ☐ Dancer prohibited acts s. 50

#### Other

Details: FAILURE TO TAKE REASONABLE MEASURES - SECTION 20(1)(c.1)

Inspector's Name (please print): TINA BAINES

Inspector #: 114 Telephone: (604) 775-1093 Area: D 3

Management Acknowledgement (Name and Title)

#### Advertising

- ☐ Advertising contrary to Reg. s. 24.2(2)

#### Gambling

- ☐ Gamble in premises s. 36(2)
- ☐ Device for gambling s. 36(2)(c)

#### Intoxicated patron

- ☐ Selling liquor to intoxicated person s. 43(1)
- ☐ Permit a person to become intoxicated s. 43(2)(a)
- ☐ Permit intoxicated person to remain s. 43(2)(b)

#### Licensee responsible

- ☐ Operate contrary to public interest s. 20(1)(c.1)

#### Illicit alcohol

- ☐ Sale of illicit liquor s. 38
- ☐ Unlawful purchase s. 39
- ☐ Over counter purchase of liquor Reg. s. 6
- ☐ Dilute/adulterate liquor s. 38.1

#### Inspections

- ☐ Refuse to permit entry to peace officer s. 67
- ☐ Refuse to permit entry to inspector s. 73, Reg. s. 16
- ☐ Refuse to allow premises inspection s. 73
- ☐ Refuse to produce documents or liquor samples for inspection s. 73

- ☐ B not primarily engaged in the service of food s. 20(1)(d), s. 16, Reg. s. 17(2)

- ☐ Contravening a term and condition s. 12

The general manager may proceed with enforcement action on the basis of this contravention notice. The licensee will generally be notified within 45 days if enforcement action is proposed.

## Enforcement Action Recommended

**Re: Contravention Notice Number:** A014319

**Job No:** 000712780-035

**Inspector:** Tina Bains

**Date:** Jan 21, 2003

**Office Location:** Vancouver

**Submitted To:** Lee Murphy

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### Establishment Information:

**Establishment Name:** BILTMORE MOTOR HOTEL

**Establishment Address:** 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

**Licence No:** 009663

**Licence Class:** Liquor Primary

**Expiry Date:** Mar 31, 2003

**Licensee Name:** 636608 B.C. LTD.

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### Terms and Conditions noted on licence face:

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### Contravention Information:

**Date Identified:** Jan 15, 2003

**Time Identified:** 13:20 hrs

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Contravention Name	Act or regulation section
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1. Operate contrary to public interest, s. 20(1)(c.1)	1. s. 20(1)(c.1)
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### Witness Information:

Witness Name and Position	Summary of Evidence
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1. Edwina Nazareth (Liquor Inspector LCLB)	Testify measures presented to Licensee
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2. Bruno Gatto (Sergeant 1072)	Testify measures presented to Licensee
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3. Pam Ruschke (Constable VPD)	Testify measures presented to Licensee
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4. Fawcett (Constable VPD)	Testify measures presented to Licensee
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5. McCormick (Constable VPD)	Testify measures presented to Licensee
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### Details of Contravention:

The complaint letter with details was faxed by constable Pam Ruschke of the Vancouver Police Department. Complaint received by Vancouver Police Department from Nacel Properties LTD signed by Susan Cummings, property manager, dated Nov.19, 2002. Susan Cummings has complained about property situated at 425 East 11th Avenue. This building is on the corner of Prince Edward and 11th

property situated at 425 East 11th Avenue. This building is on the corner of Prince Edward and 11th Avenue and is directly across the street from the Biltmore Hotel Pub entrance.

The letter states, historically there have been problems with patrons of the Biltmore, such as noise and litter, however recently these problems have increased in the area caused by intoxicated and unruly patrons leaving the pub at closing time. Residents of the building are woken in the early hours of the morning by shouting, swearing and fighting as patrons exit the bar. The manager at the building is constantly collecting discarded beer bottles, that have been thrown into the landscaping and flowerbeds that border the west side of the building. In the past Biltmore had opened doors on both kingsway and the Prince Edward sides of the Pub at closing time. This practice dispersed the crowds somewhat. Recently they no longer open the Kingsway side of the Pub and force all the patrons to exit onto the street across from the building.

File review:

NR

NR

- Discuss where improvements could be made to ensure public and staff safety.
- Suggest improvements to the owners
- Obtain commitment from the owners of changes to be made
- Discuss in-place business plans and security procedures.

At the Meeting Cst. Ruschke told Mr. Uppal that the recent call load reflected over-service inside his premises with staff pushing problems outside for the community to deal with. Further that citizen complaints related minors being allowed entry and serviced alcohol. Ruschke made it clear to Uppal that the police and LCLB would be closely monitoring his premises in the next few months and that if he could not or would not rectify his problems that they would be proceeding to enforcement. At the time

NR

NR

This establishment has been a problem establishment in recent months. Contravention Notices and LPC's on file. The police have advised us that there are a large number of fights that start inside the establishment and that security toss the patrons into the street and take no further action.

NR

NR

NR

These included extra security patrols, more video surveillance, being extra vigilant in checking ID for minors and reducing overservice. To date it does not appear these measures have been implemented. In addition VPD again had a meeting in March with the owners who complained that they would not be doing what the police had asked due to the costs involved. Since these meetings earlier in the year, police have continuously received calls regarding fights and disturbances both inside and outside the establishment. The management has stated to police on numerous occasions that it is not their responsibility to control patrons.

#### **Relevant Liquor Control and Licensing Branch policy names and reference numbers:**

Liquor Control and Licensing Act. S20(1)(c.1) - Failure to take reasonable measures to ensure that the operation of the Licensed establishment is not contrary to the public interest and does not disturb persons in the vicinity of the establishment.

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#### **Establishment Compliance History:**

- No Establishment Compliance History Found.

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#### **Licensee Compliance History:**

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## Other File Information:

### Complaints:

	Date	Document Description
1	December 12, 2002	Minors A074579 - Supply to minors, s. 33 A014315
2	December 12, 2002	Minors A130701 - Supply to minors, s. 33 A014316
3	December 12, 2002	Minors A130701 - Permit a person to become intoxicated, s. 43(2)(a) A014316
4	December 12, 2002	Minors A130701 - Permit intoxicated person to remain, s. 43(2)(b) A014316
5	December 12, 2002	Minors A 130702 - Minors in premises, s. 35 A014317
6	December 12, 2002	Intoxication A 078802 - A014322
7	December 12, 2002	Intoxication A 078802 - Selling liquor to intoxicated person, s. 43(1) A014322
8	December 12, 2002	Minors A 130702 - Supply to minors, s. 33 A014317
9	September 19, 2002	A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B) A014305
10	September 19, 2002	A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A) A014305

### Contraventions:

	Date	Document Description
1	January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43, No Enforcement Action
2	January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12, No Enforcement Action
3	December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12, No Enforcement Action

## Contravention #1 - Operate contrary to public interest, s. 20(1)(c.1) -

### Recommended Enforcement Action:

- ☒ Suspend all or any part of the licensee's licence [s. 20(2)(d)]
- ☐ Impose terms and conditions or rescind or amend existing terms and conditions on licence [s. 20(2)(b)]
- ☐ Impose a monetary penalty [s. 20(2)(c)]
- ☐ Cancel all or any part of the licensee's licence [s. 20(2)(e)]

### Reasons:

This establishment has been a problem establishment in recent months. Contravention Notices and LPC's on file. The police have advised us that there are a large number of fights that start inside the establishment and that security toss the patrons into the street and take no further action. NR

NR These included extra security patrols, more video surveillance, being extra vigilant in checking ID for minors and reducing overservice. To date it does not appear these measures have been implemented. NR

NR The management has stated to police on numerous occasions that it is not their responsibility to control patrons who have left the establishment and congregate in the parking lot. The meetings held with the Licensee (which are well documented) as well as the testimony of police members will detail what measures the police had advised the licensee to

well as the testimony of police members will detail what measures the police had advised the Licensee to take, and that the Licensee has failed to take measures.

**Recommended Penalty:**

10 day suspension

**Reasons:**

Falls within the guidelines as set out in the Liquor Control and Licencing Act/Regulations Schedule 4.

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**Regional Manager's comments - Contravention #1:**

Proceed with recommended enforcement action for alleged contravention #1?

☐ Yes

☐ No

Proceed with recommended penalty for alleged contravention #1?

☐ Yes

☐ No

☐ N/A

**If recommended enforcement action or recommended penalty for alleged contravention #1 are changed by regional manager, please explain:**

**If recommendation for enforcement action for alleged contravention #1 is declined by regional manager, please explain:**

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**Regional Manager's name:** Lee Murphy

**Date:** Jan 21, 2003

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## Enforcement Action Recommended

**Re: Contravention Notice Number:** A014317

**Job No:** 000712780-031

**Inspector:** Tina Bains

**Date:** Jan 17, 2003

**Office Location:** Vancouver

**Submitted To:** Lee Murphy

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### Establishment Information:

**Establishment Name:** BILTMORE MOTOR HOTEL

**Establishment Address:** 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

**Licence No:** 009663

**Licence Class:** Liquor Primary

**Expiry Date:** Mar 31, 2003

**Licensee Name:** 636608 B.C. LTD.

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### Terms and Conditions noted on licence face:

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### Contravention Information:

**Date Identified:** Jan 15, 2003

**Time Identified:** 13:20 hrs

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#### Contravention Name

1. Supply to minors, s. 33
2. Minors in premises, s. 35

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#### Act or regulation section

1. s. 33
  2. s. 35
- 

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### Witness Information:

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#### Witness Name and Position

1. Daren McDougall (Constable)

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#### Summary of Evidence

Testify- Minors on premise and  
Supplying to minors

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### Details of Contravention:

On Nov.23, 2002 conducted a LPC at the Biltmore hotel Pub. Upon entering the pub PC's were informed that there was an intoxicated male who was refusing to leave. PC's spoke with the male and informed him that he was required to leave under the liquor act. The male exited the premises without incident.

PC's conducted random checks of young looking individuals in the pub. PC McDougall located one young female who stated that she did not have her ID. SCOW agreed to leave the premises and once outside admitted that she was under-age. SCOW could not provide any ID and stated that she had used a friend's

admitted that she was under-age. SCOW could not provide any ID and stated that she had used a friend's when entering the pub.

**Relevant Liquor Control and Licensing Branch policy names and reference numbers:**

4.2.1 Selling liquor to minors

Permitting minors on Licensed premises.

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**Establishment Compliance History:**

- No Establishment Compliance History Found.

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**Licensee Compliance History:**

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**Other File Information:**

**Complaints:**

Date	Document Description
1 <No Date Entered>	Minors A074579 - Supply to minors, s. 33 A014315
2 <No Date Entered>	Minors A130701 - Supply to minors, s. 33 A014316
3 <No Date Entered>	Minors A130701 - Permit a person to become intoxicated, s. 43(2)(a) A014316
4 <No Date Entered>	Minors A130701 - Permit intoxicated person to remain, s. 43(2)(b) A014316
5 September 19, 2002	A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B) A014305
6 September 19, 2002	A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A) A014305

**Contraventions:**

Date	Document Description
1 January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43, No Enforcement Action
2 January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12, No Enforcement Action
3 December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12, No Enforcement Action

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**Contravention #1 - Supply to minors, s. 33 - Recommended Enforcement Action:**



Suspend all or any part of the licensee's licence  
[s. 20(2)(d)]



Impose terms and conditions or rescind or  
amend existing terms and conditions on licence  
[s. 20(2)(b)]



Impose a monetary penalty [s. 20(2)(c)]



Cancel all or any part of the licensee's licence  
[s. 20(2)(e)]

**Reasons:**

Liquor Control and Licensing Act.s33(1) and (c) clearly states a person must not sell, give or otherwise supply liquor to a minor. LPC's on file for this premise have identified Contraventions of supplying to minors and minors on premise.

A responsible Licensee will implement procedures to ensure that minors do not enter the establishment.



Service is a significant public interest issue. The concerns of the Liquor control and Licensing Branch include a minor's lack of capacity to metabolize alcohol in the same manner as an adult, therefore, liquor has a more intoxicating effect on minors and liquor is a significant factor in many youth crimes, including serious driving infractions, assault and robbery. Enforcement action is being recommended.

**Recommended Penalty:**

7 day suspension

**Reasons:**

Falls within the guidelines as set out in the Liquor Control and Licensing Act/Regulations Schedule 4.

**Contravention #2 - Minors in premises, s. 35 - Recommended Enforcement Action:**



Suspend all or any part of the licensee's licence  
[s. 20(2)(d)]

☐ Impose terms and conditions or rescind or  
amend existing terms and conditions on licence  
[s. 20(2)(b)]

☐ Impose a monetary penalty [s. 20(2)(c)]

☐ Cancel all or any part of the licensee's licence  
[s. 20(2)(e)]

**Reasons:**

Liquor Control and Licensing Act.s33(1) and (c) clearly states a person must not sell, give or otherwise supply liquor to a minor. LPC's on file for this premise have identified Contraventions of supplying to minors and minors on premise.

A responsible Licensee will implement procedures to ensure that minors do not enter the establishment.

Service is a significant public interest issue. The concerns of the Liquor control and Licensing Branch include a minor's lack of capacity to metabolize alcohol in the same manner as an adult, therefore, liquor has a more intoxicating effect on minors and liquor is a significant factor in many youth crimes, including serious driving infractions, assault and robbery. Enforcement action is being recommended.

**Recommended Penalty:**

3 day suspension

**Reasons:**

Falls within the guidelines as set out in the Liquor Control and Licensing Act/Regulations Schedule 4.

**Regional Manager's comments - Contravention #1:**

Proceed with recommended enforcement action for  
alleged contravention #1?

☐ Yes ☐ No

Proceed with recommended penalty for alleged  
contravention #1?

☐ Yes ☐ No ☐ N/A

**If recommended enforcement action or recommended penalty for alleged contravention #1 are changed by regional manager, please explain:**

**If recommendation for enforcement action for alleged contravention #1 is declined by regional manager, please explain:**

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**Regional Manager's comments - Contravention #2:**

Proceed with recommended enforcement action for  
alleged contravention #2?

☐ Yes

☐ No

Proceed with recommended penalty for alleged  
contravention #2?

☐ Yes

☐ No

☐ N/A

**If recommended enforcement action or recommended penalty for alleged contravention #2 are  
changed by regional manager, please explain:**

**If recommendation for enforcement action for alleged contravention #2 is declined by regional  
manager, please explain:**

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**Regional Manager's name:** Lee Murphy

**Date:** Jan 17, 2003

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## Enforcement Action Recommended

**Re: Contravention Notice Number:** A014316

**Job No:** 000712780-029

**Inspector:** Tina Bains

**Date:** Jan 16, 2003

**Office Location:** Vancouver

**Submitted To:** Lee Murphy

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### Establishment Information:

**Establishment Name:** BILTMORE MOTOR HOTEL

**Establishment Address:** 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

**Licence No:** 009663

**Licence Class:** Liquor Primary

**Expiry Date:** Mar 31, 2003

**Licensee Name:** 636608 B.C. LTD.

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### Terms and Conditions noted on licence face:

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### Contravention Information:

**Date Identified:** Jan 15, 2003

**Time Identified:** 13:20 hrs

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#### Contravention Name

1. Supply to minors, s. 33

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#### Act or regulation section

1. s. 33

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### Witness Information:

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#### Witness Name and Position

1. Darin McDougall (Constable)
2. PC - VPD 1072 (Sgt)
3. PC - VPD 1437 (Constable)
4. PC - VPD 1712 (Constable)

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#### Summary of Evidence

Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person to remain

Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person to remain

Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person to remain

Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person to remain

5. PC - VPD 2094 (Constable)

Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person to remain

6. PC - VPD 2072 (constable)

Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person to remain

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### Details of Contravention:

On Nov.15, 2002 PC 2072 conducted a Licensed premise check. PC checked numerous parties inside the premises. PC's noted two parties who were obviously heavily intoxicated. One male was sleeping/passed out in his chair while other male was dancing/staggering on the dance floor with an almost empty pitcher of beer in his hands.

Pc's pointed out these two parties to the staff at the bar who immediately removed the two from the premises. Sgt Gatto also located one female who appeared to be under age. When she provided Manitoba ID it indicated that she was 18 years of age.

PC McDougall and Sgt Gatto spoke with the pub manager and provided him with a copy of the LPC.

### Relevant Liquor Control and Licensing Branch policy names and reference numbers:

4.2.1 Selling liquor to minors/ permitting minors on Licensed premises.

4.5.1 Selling to intoxicated person or a person apparently under the influence of liquor.

Permitting a person to become intoxicated

Permitting an intoxicated person to remain

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### Establishment Compliance History:

- No Establishment Compliance History Found.

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### Licensee Compliance History:

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### Other File Information:

#### Complaints:

Date	Document Description
1 <No Date Entered>	Minors A074579 - Supply to minors, s. 33 A014315
2 September 19, 2002	A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B) A014305
3 September 19, 2002	A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A) A014305

#### Contraventions:

Date	Document Description
1 January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43, No Enforcement Action
2 January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12, No Enforcement Action
3 December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12, No Enforcement Action

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**Contravention #1 - Supply to minors, s. 33 - Recommended Enforcement Action:**

Suspend all or any part of the licensee's licence  
[s. 20(2)(d)]



Impose terms and conditions or rescind or  
amend existing terms and conditions on licence  
[s. 20(2)(b)]



Impose a monetary penalty [s. 20(2)(c)]



Cancel all or any part of the licensee's licence  
[s. 20(2)(e)]

**Reasons:**

Liquor control and Licensing Act s.33(1)(a) and ((c) clearly states a person must not sell, give or otherwise supply liquor to a minor. This is the second contravention of its kind. A responsible Licensee will implement procedures to ensure that minors do not enter the establishment. This is clearly not happening at the establishment. Liquor service is a significant public interest issue. The concerns of the Liquor Control and Licensing Branch include a minor's lack of capacity to metabolize alcohol in the same manner as an adult, therefore, liquor has a more intoxicating effect on minors and Liquor is a significant factor in many youth crimes, including serious driving infractions, assault and robbery. Enforcement being recommended.

**Recommended Penalty:**

5 day suspension

**Reasons:**

Falls within the guidelines as set out in the Liquor Control and Licensing Act/Regulations Schedule 4.

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**Regional Manager's comments - Contravention #1:**

Proceed with recommended enforcement action for  
alleged contravention #1?

☐ Yes☐ No

Proceed with recommended penalty for alleged  
contravention #1?

☐ Yes☐ No☐ N/A

**If recommended enforcement action or recommended penalty for alleged contravention #1 are changed by regional manager, please explain:**

**If recommendation for enforcement action for alleged contravention #1 is declined by regional manager, please explain:**

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**Regional Manager's name:** Lee Murphy**Date:** Jan 16, 2003

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## Enforcement Action Recommended

**Re: Contravention Notice Number:** A014315

**Job No:** 000712780-027

**Inspector:** Tina Bains

**Date:** Jan 16, 2003

**Office Location:** Vancouver

**Submitted To:** Lee Murphy

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### Establishment Information:

**Establishment Name:** BILTMORE MOTOR HOTEL

**Establishment Address:** 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

**Licence No:** 009663

**Licence Class:** Liquor Primary

**Expiry Date:** Mar 31, 2003

**Licensee Name:** 636608 B.C. LTD.

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### Terms and Conditions noted on licence face:

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### Contravention Information:

**Date Identified:** Jan 15, 2003

**Time Identified:** 01:20 hrs

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Contravention Name	Act or regulation section
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1. Supply to minors, s. 33	1. s. 33
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### Witness Information:

Witness Name and Position	Summary of Evidence
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1. Grant Campbell (Constable 1553 VPD)	Testify - supplying to minors
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### Details of Contravention:

As per LPC A 074579 and General Occurance Report. On Nov. 11, 2002 PC's conducted a walk around and observed 84 persons several of which appeared very young. PC's requested identification, from the parties. All of the parties supplied ID except for one female, who was holding a bottle of beer. PC's requested that she accompany them outside of the club, once outside the female was identified as Tracy a 17 year old. She stated that she had no ID and was not requested to produce ID upon entering the club.

PC 1553 requested to speak with the manager. A male approached PC1553 explained that a minor had been found on the premise and that she had been ejected. The manager said where is this female. I don't

see her. PC 1553 stated that he had just ejected the female. The manager stated "How do I know that she was even in here?". PC 2053 stated, because we are the police and don't lie. The manager made a face, PC 1553 requested that the manager produce some identification. The LPC was started when the manager returned, however the manager then denied that he was the manager. PC 1553 calmly requested that the person later to become known as Bhathena, decide whether he was the manager or not. PC 1553 then stated, "That if Bhathena was staff, why did he not have a badge identifying himself displayed on his person". Bhathena's response was that he did not have to, after a long debate in which Bhathena's response was very abnoxious he finally admitted that he was the manager. The LPC was completed and served on Bhathena. PC 1553 advised the Hotel manager that his staff could be improved by proper education in regards to the Liquor Act.

**Relevant Liquor Control and Licensing Branch policy names and reference numbers:**

4.2.1 supplying to Minors s.33

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**Establishment Compliance History:**

- No Establishment Compliance History Found.

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**Licensee Compliance History:**

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**Other File Information:**

**Complaints:**

	Date	Document Description
1	September 19, 2002	A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B) A014305
2	September 19, 2002	A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A) A014305

**Contraventions:**

	Date	Document Description
1	January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43, No Enforcement Action
2	January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12, No Enforcement Action
3	December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12, No Enforcement Action

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**Contravention #1 - Supply to minors, s. 33 - Recommended Enforcement Action:**



Suspend all or any part of the licensee's licence  
[s. 20(2)(d)]



Impose terms and conditions or rescind or  
amend existing terms and conditions on licence  
[s. 20(2)(b)]



Impose a monetary penalty [s. 20(2)(c)]



Cancel all or any part of the licensee's licence  
[s. 20(2)(e)]

**Reasons:**

Liquour control and Licensing Act s. 33 (1)(a) and (c) clearly states a person must not sell, give or otherwise supply liquor to a minor. Three LPC's in the month of Nov, 2002 have been received by the

branch for the same contravention. A responsible Licensee will implement procedures to ensure that minors do not enter the establishment. Enforcement action is being recommended.

**Recommended Penalty:**

4 day suspension

**Reasons:**

Falls within the guidelines as set out in the Liquor Control and Licencing Act/Regulations Schedule 4.

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**Regional Manager's comments - Contravention #1:**

Proceed with recommended enforcement action for  
alleged contravention #1?

☐ Yes

☐ No

Proceed with recommended penalty for alleged  
contravention #1?

☐ Yes

☐ No

☐ N/A

**If recommended enforcement action or recommended penalty for alleged contravention #1 are  
changed by regional manager, please explain:**

**If recommendation for enforcement action for alleged contravention #1 is declined by regional  
manager, please explain:**

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**Regional Manager's name:** Lee Murphy

**Date:** Jan 16, 2003

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## Enforcement Action Recommended

**Re: Contravention Notice Number:** A014321

**Job No:** 000712780-025

**Inspector:** Tina Bains

**Date:** Jan 15, 2003

**Office Location:** Vancouver

**Submitted To:** Lee Murphy

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### Establishment Information:

**Establishment Name:** BILTMORE MOTOR HOTEL

**Establishment Address:** 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

**Licence No:** 009663

**Licence Class:** Liquor Primary

**Expiry Date:** Mar 31, 2003

**Licensee Name:** 636608 B.C. LTD.

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### Terms and Conditions noted on licence face:

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### Contravention Information:

**Date Identified:** Jan 9, 2003

**Time Identified:** 01:20 hrs

**Contravention Name**

1. Fail to request ID, Reg. s. 45(2)

**Act or regulation section**

1. Reg. s. 45(2)

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### Witness Information:

**Witness Name and Position**

1. D. Quiring (Constable #2075 VPD)
2. Shannan Johnston (Liquor Inspector)
3. Tina Bains (Liquor Inspector)

**Summary of Evidence**

Testify regarding the alleged  
contravention- fail to ID patron  
Testify regarding the alleged  
contravention- Fail to ID patron  
Testify regarding the alleged  
contravention - Fail to ID patron

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### Details of Contravention:

On January 9, 2003 Night Shift accompanied by Insector Johnston arrived at Biltmore Motor Hotel. Noticed a police patrol car parked at the entrance. Identified ourselves as Liquor Inspectors to the officer on duty constable D.Quiring # 2075 and requested him to accompany us into the establishment.

On entry proceeded to the bar area and requested to see the Liquor Licence, Redline floor plan and RBS certificates. No redline floor plan and RBS (Licensee level) available for inspection. Contravention Notice # A014320 issued by Inspector Bains.

Requested to see the manager s. 22 Was advised does not work there any longer. Requested to see the manager on duty. Discussed the contraventions with Eric, manager on duty. Eric signed the contravention notice. Establishment copy of contravention notice was handed over to Eric.

Inspector Johnston accompanied by constable D. Quiring #2075 did minor ID checks in the establishment. one male patron with no ID. He was removed from the establishment. Inspector Johnston noticed a blonde female with a pitcher of beer. She took beer to the bar service area to be safe while she smoked outside. Contravention notice # A014321 issued by Inspector Bains.

**Relevant Liquor Control and Licensing Branch policy names and reference numbers:**

Fail to ID Regs. 45(2)

Contravening a term and condition s.12 - over service

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**Establishment Compliance History:**

- No Establishment Compliance History Found.

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**Licensee Compliance History:**

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**Other File Information:**

**Complaints:**

	Date	Document Description
1	September 19, 2002	A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B) A014305
2	September 19, 2002	A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A) A014305

**Contraventions:**

	Date	Document Description
1	January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43, No Enforcement Action
2	January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12, No Enforcement Action
3	December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12, No Enforcement Action

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**Contravention #1 - Fail to request ID, Reg. s. 45(2) - Recommended Enforcement Action:**

☒ Suspend all or any part of the licensee's licence [s. 20(2)(d)]

☐ Impose a monetary penalty [s. 20(2)(c)]

☐ Impose terms and conditions or rescind or amend existing terms and conditions on licence [s. 20(2)(b)]

☐ Cancel all or any part of the licensee's licence [s. 20(2)(e)]

**Reasons:**

File review of this establishment reveals contravention notices and LPC's on file for this contravention. The establishment has not rectified the situation. Recommending enforcement action.

**Recommended Penalty:**

3 day suspension

**Reasons:**

Falls within the guidelines as set out in the Liquor Control and Licencing Act/Regulations Schedule 4.

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**Regional Manager's comments - Contravention #1:**

Proceed with recommended enforcement action for alleged contravention #1?

☐ Yes☐ No

Proceed with recommended penalty for alleged contravention #1?

☐ Yes☐ No☐ N/A

**If recommended enforcement action or recommended penalty for alleged contravention #1 are changed by regional manager, please explain:**

**If recommendation for enforcement action for alleged contravention #1 is declined by regional manager, please explain:**

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**Regional Manager's name:** Lee Murphy

**Date:** Jan 15, 2003

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No. A014320



Liquor Control and Licensing Act  
and Regulation 608/76

**CONTRAVENTION NOTICE**

Liquor Control and Licensing Branch, Ministry of Attorney General

Establishment Name: SILTMORE MOTEL HOTEL  
Establishment Address: 395 KINGSTON WAY, VANCOUVER  
V5T 3H7  
Licence #: 945 Date: MM/DD/YYYY Time: 1-11-08  
Licensee Name: LOUCHEEN VENTURE LTD

On the date noted above, the following alleged contraventions of the *Liquor Control and Licensing Act* or regulations were identified:

**Minors**

- ☐ Supplying to minors s. 33
- ☐ Minors in premises s. 35

**Criminal or riotous conduct**

- ☐ Drunkenness, violent, quarrelsome, disorderly conduct s. 36(2)(a)
- ☐ Permitting unlawful activities/conduct s. 36(2)(b)

**Weapons**

- ☐ Permit to enter or remain while in possession of a weapon s. 47

**Overcrowding**

- ☐ Overcrowding beyond BOL Reg. s. 4(7)
- ☐ Licence capacity - Reg.

**Service**

- ☐ Serve while under suspension s. 20
- ☐ Operating outside class s. 20(1)(d), s. 16
- ☐ Service without food Reg. s. 17(2)
- ☐ Fail to clear 1/2 hour beyond closing Reg. s. 8(1)
- ☐ Allowing to consume 1/2 hour beyond closing - Reg. s. 8(2)
- ☐ Liquor removed from establishment Reg. s. 11(3)
- ☐ Liquor not purchased in establishment Reg. s. 11(2)
- ☒ Fail to comply with RBS Reg. s. 7.1(3)
- ☐ Licensee or employee consume liquor in premises Reg. s. 10
- ☐ Free liquor Reg. s. 12(1)
- ☐ Reduced pricing Reg. s. 12(1)

**Entertainment**

- ☐ Prohibited entertainment s. 50
- ☐ Dancer prohibited acts s. 50

**Other**

Details: KBC L not available for inspection

Inspector's Name (please print): AND RAINS

Inspector #: 114 Telephone: (604) 775-1692 Area: D 3

Management Acknowledgement (Name and Title)

ERIC TACHSINGLOW

The general manager may proceed with enforcement action on the basis of this contravention notice. The licensee will generally be notified within 45 days if enforcement action is proposed.

**Advertising**

- ☐ Advertising contrary to Reg. s. 24.2(2)

**Gambling**

- ☐ Gamble in premises s. 36(2)
- ☐ Device for gambling s. 36(2)(c)

**Intoxicated patron**

- ☐ Selling liquor to intoxicated person s. 43(1)
- ☐ Permit a person to become intoxicated s. 43(2)(a)
- ☐ Permit intoxicated person to remain s. 43(2)(b)

**Licensee responsible**

- ☐ Operate contrary to public interest s. 20(1)(c.1)

**Illicit alcohol**

- ☐ Sale of illicit liquor s. 38
- ☐ Unlawful purchase s. 39
- ☐ Over counter purchase of liquor Reg. s. 6
- ☐ Dilute/adulterate liquor s. 38.1

**Inspections**

- ☐ Refuse to permit entry to peace officer s. 67
- ☐ Refuse to permit entry to inspector s. 73, Reg. s. 16
- ☐ Refuse to allow premises inspection s. 73
- ☐ Refuse to produce documents or liquor samples for inspection s. 73

- ☐ **B not primarily engaged in the service of food** s. 20(1)(d), s. 16, Reg. s. 17(2)

- ☒ **Contravening a term and condition s. 12**

No redline FLOW plan

## No Enforcement Action Recommended

**Re: Contravention Notice Number:** A14320

**Job No:** 000712780-023

**Inspector:** Tina Bains

**Date:** Jan 14, 2003

**Office Location:** Vancouver

**Submitted To:** Lee Murphy

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### Establishment Information:

**Establishment Name:** BILTMORE MOTOR HOTEL

**Establishment Address:** 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

**Licence No:** 009663

**Licence Class:** Liquor Primary

**Expiry Date:** Mar 31, 2003

**Licensee Name:** Private Corporation: 636608 B.C. LTD.

**Terms and Conditions noted on licence face:**

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### Contravention Information:

**Date Identified:** Jan 9, 2003

**Time Identified:** 01:11 hrs

**Contravention Name (e.g. supplying to minors)**

**Act or regulation section (e.g. *LCLA* s.33)**

1. Fail to comply with RBS, Reg. s. 43
2. Contravening a term and condition, s. 12

1. Reg. s. 43
  2. s. 12
-

## Review and Analysis:

I have reviewed:

Facts and circumstances of the contravention

☒ Yes

☐ No

Establishment compliance history

☒ Yes

☐ No

- Number of contravention notices on file: 3
- Number of contravention notices in past 12 months: 3
- Name, date(s) of any proved contravention(s) and the enforcement action taken:
  - None

Licensee compliance history

☐ Yes

☒ No

- If no, please explain: Not available at the field office

Other file information

☒ Yes

☐ No

Compliance and Enforcement Program, Policy and Procedures Manual

☒ Yes

☐ No

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### Reasons no enforcement action recommended:

On January 9, 2003 Night Shift accompanied by Insector Johnston arrived at Biltmore Motor Hotel. Noticed a police patrol car parked at the entrance. Identified ourselves as Liquor Inspectors to the officer on duty constable D.Quiring # 2075 and requested him to accompany us into the establishment.

On entry proceeded to the bar area and requested to see the Liquor Licence, Redline floor plan and RBS certificates. No redline floor plan and RBS (Licensee level) available for inspection. Contravention Notice # A014320 issued by Inspector Bains.

Requested to see the manager s. 22 Was advised does not work there any longer. Requested to see the manager on duty. Discussed the contraventions with Eric, manager on duty. Eric signed the contravention notice. Establishment copy of contravention notice was handed over to Eric.

File review: This is the first contravention where redline floor plan has not been available for inspection. On previous inspections it has been available for inspection.

Recommendation: No enforcement action recommended at this time. The establishment has been red flagged for other contraventions and is on the Night inspections list of Liquor Inspectors in Vancouver.

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## Establishment Compliance History

**Establishment:** The Biltmore Cabaret

**Applicant:** Private Corporation: 636608 B.C. Ltd.

Licence #: 009663	Job #: 000712780-001	Current Status: Licence Approved	Licence Type: Liquor Primary
The Biltmore Cabaret			Period Associated with Licence
			Feb 15, 1982 to Oct 06, 2014

NR

Mar 07, 2006	Compliance Meeting	
	Permit intoxicated person to remain, s. 43(2)(b) Act, s. s. 43(2)(b) Act	Completed

NR

Nov 20, 2005	CN B008375, LPC 05-279103	
	Fail to clear patrons by time required, s. 44(1)(a) Reg.	No enforcement recommended
Jun 15, 2003	CN b004520	
	Contravene term & condition - Premixing drinks, s. 12 Act	No enforcement recommended
May 19, 2006	CN B005223	
	Fail to request ID, Reg. s. 45(2)	No enforcement recommended
Jan 25, 2004	CN b001258	
	Minor - Permit minor to enter or be on premises, s. 35 Act	Withdrawn
	Fail to request ID, Reg. s. 45(2)	Withdrawn
Jan 01, 2004	CN B001215	
	Permit intoxicated person to remain, s. 43(2)(b) Act	No enforcement recommended
Oct 01, 2010	CN B000596	
	Permit intoxicated person to remain, s. 43(2)(b) Act	No enforcement recommended
	Permit unlawful activities or conduct, s. 36(2)(b) Act	No enforcement recommended
Dec 11, 2002	CN A013814	
	Contravene term & condition, s. 12 Act	No enforcement recommended
Jan 09, 2003	CN A14320	
	Licensee fail to complete beverage service training program, s. 43 Reg.	No enforcement recommended
	Contravene term & condition, s. 12 Act	No enforcement recommended
Jan 09, 2003	CN A014321	
	Contravene term & condition, s. 12 Act	No enforcement recommended
	Fail to request ID, Reg. s. 45(2)	Proven, 3 day suspension
Feb 25, 2006	CN B008377	
	Permit intoxicated person to remain, s. 43(2)(b) Act	No enforcement recommended
Nov 23, 2002	CN A014317, LPC A 130702	
	Minor - Permit minor to consume liquor, s. 33(1)(c) Act	Proven, 4 day suspension
	Minor - Permit minor to enter or be on premises, s. 35 Act	Proven, 1 day suspension
Jan 04, 2003	CN A014322, LPC A 078802	
	Sell or give liquor to intoxicated person, s. 43(1) Act	No enforcement recommended
	Fail to request ID, Reg. s. 45(2)	Proven, 3 day suspension

## Establishment Compliance History

**Applicant:** Private Corporation: 636608 B.C. Ltd.

Licence #: 009663 The Biltmore Cabaret	Job #: 000712780-001 Current Status: Licence Approved	Licence Type: Liquor Primary Period Associated with Licence Feb 15, 1982 to Oct 06, 2014
-------------------------------------------	----------------------------------------------------------	------------------------------------------------------------------------------------------------

### Compliance History Activity

### Outcomes

Jan 15, 2003	CN A014319, Non-LPC Complaint Operate contrary to the public interest/disturb persons in the vicinity, s. 20(1)(c.1) Act	No enforcement action
Nov 09, 2002	CN A014315, LPC A074579 Minor - Permit minor to consume liquor, s. 33(1)(c) Act	Proven, 5 day suspension
Nov 15, 2002	CN A014316, LPC A130701 Minor - Permit minor to consume liquor, s. 33(1)(c) Act Permit person to become intoxicated, s. 43(2)(a) Act Permit intoxicated person to remain, s. 43(2)(b) Act	Proven, 5 day suspension No enforcement recommended No enforcement recommended
Oct 24, 2003	CN B001201 Fail to request ID, Reg. s. 45(2)	No enforcement recommended
Jun 26, 2006	Compliance Meeting	Completed
Dec 02, 2003	Compliance Meeting	Completed
Oct 19, 2006	Compliance Meeting Permit drunkenness or violent, quarrelsome, riotous or disorderly conduct, s. 36(2)(a) Act, s. s. 36(2)(a) Act	Completed
Jan 24, 2006	Compliance Meeting Fail to clear patrons by time required, s. 44(1)(a) Reg., s. s. 44(1)(a) Reg.	Completed
NR		
May 07, 2003	Non-LPC Complaint Minors	Complaint reviewed, no enforcement recommended
Mar 13, 2007	Non-LPC Complaint Advertising	Complaint reviewed, no enforcement
NR		
Dec 13, 2003	Non-LPC Complaint Minors	Complaint reviewed, no enforcement recommended



C & E Inspection

Job 000712780-020

V5T 3J7 VANCOUVER 395 Kingsway

Status:InspectionsCreated By:CONVERSIONDate Created:Feb 08, 2001

Parent Job:000712780-001 (009663)Date Completed:

Specific Location: Lic #009663 LP Establishment:The Biltmore Cabaret

Page 302 redacted for the following reason:

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NR

# Job 000712780-020

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Conduct Problem Establishment Inspection						
STEPHEN BARRON	Complete	No Contravention	Dec 18, 2002		May 12, 2003 11:20:30	
Lic #009663 Establishment:BILTMORE MOTOR HOTEL						
Conduct Problem Establishment Inspection						
TINA BAINS	Complete	Contravention(s) Identified	Jan 14, 2003		Jan 14, 2003 09:25:59	
Lic #009663 Establishment:BILTMORE MOTOR HOTEL						
Conduct Problem Establishment Inspection						
STEPHEN BARRON	Complete	No Contravention	Jan 14, 2003		Mar 17, 2003 17:20:12	
Lic #009663 Establishment:BILTMORE MOTOR HOTEL						
Conduct Problem Establishment Inspection						
STEPHEN BARRON	Complete	No Contravention	Jan 14, 2003		Jul 08, 2003 15:32:21	
SUNDAY INSPECTION Establishment:BILTMORE MOTOR HOTEL						
Conduct Problem Establishment Inspection						
TINA BAINS	Complete	Contravention(s) Identified	Jan 14, 2003		Jan 14, 2003 13:59:45	
Lic #009663 Establishment:BILTMORE MOTOR HOTEL						
Conduct Problem Establishment Inspection						
Doug Dyck	Complete	No Contravention	Jan 14, 2003		Mar 04, 2003 11:39:02	
Lic #009663 Establishment:BILTMORE MOTOR HOTEL						
Conduct Problem Establishment Inspection						
SHANNON JOHNSTON - OLD	Complete	No Contravention	Mar 04, 2003		Apr 02, 2003 10:48:24	
Lic #009663 Establishment:BILTMORE MOTOR HOTEL						
Conduct Problem Establishment Inspection						
STEPHEN BARRON	Complete	No Contravention	Mar 17, 2003		May 08, 2003 16:40:45	
Lic #009663 Establishment:BILTMORE MOTOR HOTEL						
Reverse Inspection Outcome						
NANCY CARLETON	Complete	Re-open inspection			Apr 17, 2003 16:49:07	
Deleting problem inspection created Jan. 14/03 - entered on wrong licence number						
Conduct Problem Establishment Inspection						
ED PUDEK	Complete	Contravention(s) Identified	Nov 13, 2003		Nov 13, 2003 16:21:30	
Agent Operations Lic #009663 LP Establishment:Biltmore Motor Hotel						
Conduct Routine Inspection						
STEPHEN BARRON	Complete	No Contravention	Nov 18, 2003		Nov 18, 2003 15:30:05	
LIT Lic #009663 LP Establishment:Biltmore Motor Hotel						
Conduct Problem Establishment Inspection						
STEPHEN BARRON	Complete	Contravention(s) Identified	Jan 27, 2004		Jan 27, 2004 14:10:34	
Lic #009663 LP Establishment:Biltmore Motor Hotel						
Conduct Problem Establishment Inspection						
ED PUDEK	Complete	Contravention(s) Identified	Jan 27, 2004		Jan 27, 2004 14:59:39	
Lic #009663 LP Establishment:Biltmore Motor Hotel						
Conduct Problem Establishment Inspection						
SCOTT JOHNSON	Complete	No Contravention	Jan 27, 2004		Feb 03, 2005 09:53:09	
Lic #009663 LP Establishment:Biltmore Motor Hotel						
Conduct Routine Inspection						
MARK TREMBLAY	Complete	No Contravention	May 04, 2005		May 04, 2005 14:25:08	
Lic #009663 LP Establishment:Biltmore Motor Hotel						
Conduct Routine Inspection						
ED PUDEK	Complete	No Contravention	Jun 07, 2005		Jun 07, 2005 14:17:13	
Lic #009663 LP Establishment:Biltmore Motor Hotel						
Conduct Routine Inspection						
ED PUDEK	Complete	No Contravention	Jun 07, 2005		Jul 11, 2005 15:49:01	
Lic #009663 LP Establishment:Biltmore Motor Hotel						

# Job 000712780-020

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Conduct Routine Inspection						
ED PUDEK; MARK TREMBLAY Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	No Contravention	Aug 29, 2005		Aug 29, 2005 13:22:35	
Conduct Routine Inspection						
ED PUDEK Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	No Contravention	Jan 30, 2006		Jan 30, 2006 13:40:40	
Conduct Routine Inspection						
ED PUDEK Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	Contravention(s) Identified	Feb 28, 2006		Feb 28, 2006 13:57:33	
Conduct Routine Inspection						
ED PUDEK Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	Contravention(s) Identified	Feb 28, 2006		May 25, 2006 15:54:27	
Conduct Routine Inspection						
STEPHEN BARRON Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	No Contravention	May 25, 2006		Feb 21, 2007 18:02:13	
Conduct Routine Inspection						
ED PUDEK Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	No Contravention	Nov 21, 2006		Nov 21, 2006 12:11:58	
Conduct Routine Inspection						
Edward Osei-Appiah Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	No Contravention	May 22, 2007		Jun 18, 2007 11:00:58	
Conduct Routine Inspection						
Bruce Clark Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	No Contravention	Apr 17, 2009		Apr 17, 2009 09:38:36	
Conduct Routine Inspection						
Bruce Clark Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	No Contravention	Jul 02, 2009		Jul 02, 2009 11:00:19	
Conduct Routine Inspection						
Edward Osei-Appiah Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	No Contravention	Oct 17, 2009		Nov 10, 2009 11:27:30	
Conduct Routine Inspection						
Edward Osei-Appiah Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	No Contravention	Nov 23, 2009		Nov 23, 2009 16:55:57	
Conduct Routine Inspection						
Edward Osei-Appiah Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	No Contravention	Feb 02, 2010		Jul 14, 2010 09:52:53	
Conduct Routine Inspection						
Edward Osei-Appiah Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	Contravention(s) Identified	Oct 05, 2010		Oct 05, 2010 09:58:44	
Conduct Routine Inspection						
Edward Osei-Appiah Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	No Contravention	Feb 01, 2011		Feb 01, 2011 11:03:00	
Conduct Routine Inspection						
Edward Osei-Appiah Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	No Contravention	Feb 14, 2011		Feb 14, 2011 20:13:48	
Conduct Routine Inspection						
Edward Osei-Appiah Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	No Contravention	Oct 03, 2011		Oct 03, 2011 17:50:25	
Conduct Routine Inspection						
Edward Osei-Appiah Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel	Complete	No Contravention	Oct 31, 2011		Oct 31, 2011 19:14:18	

Job 000712780-020

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Conduct Routine Inspection						
Edward Osei-Appiah	Complete	No Contravention	Feb 01, 2012		Feb 01, 2012 11:48:42	
Lic #009663 LP	Establishment:Howard Johnson Plaza Hotel					
Conduct Routine Inspection						
Michelle Trelenberg	Complete	No Contravention	Sep 10, 2013		Sep 10, 2013 10:35:16	
Lic #009663 LP	Establishment:Howard Johnson Plaza Hotel					
Conduct Routine Inspection						
Michelle Trelenberg	Complete	No Contravention	May 20, 2014		May 20, 2014 12:57:06	
Lic #009663 LP	Establishment:The Biltmore Cabaret					
Conduct Routine Inspection						
Michelle Trelenberg	Complete	No Contravention	Jul 21, 2014		Jul 21, 2014 13:23:23	
Lic #009663 LP	Establishment:The Biltmore Cabaret					

Notes			
Note Type	Last Updated By	On	Locked

NR

# Job 000712780-025 (EH03-013)

## Job Edit

### C & E Contravention Notice Job 000712780-025 (EH03-013)

A014321 V5T 3J7 VANCOUVER 395 Kingsway

Status: Penalty Imposed

Created By: s. 15

Date Created: Jan 14, 2003

Date Completed: Apr 14, 2003

Parent Job: 000712780-020

Specific Location: LP Lic #009663 Establishment: The Biltmore Cabaret

## Details

Adjudicator  
Advocate  
CMA SHIRLEY MARTIN  
Contravention Notice Issued Jan 9, 2003  
Contravention Notice Number A014321  
Deputy General Manager, C & E Mark Tatchell  
Enforcement Hearing  
Inspector Edward Osei-Appiah  
Judicial Review Date  
Licence Contact Info:  
LPC #  
Notice Of Enforcement Action Feb 4, 2003  
Project ID  
Regional Manager... LEE MURPHY  
Waiver Received Date Mar 25, 2003  
Written Decision

## Notes

## Alleged Contr.

Contravention: A014321 - Contravene term & condition, s. 12 Act  
Enforcement Action Recommended: N

Contravention: A014321 - Fail to request ID, Reg. s. 45(2)  
Enforcement Action Recommended: Y

## Relevant T&Cs

Relationship: C & E Relevant Terms & Conditions:  
Licence Text Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premis  
Relevant to EAR N  
Relevant to NEAR N

**Witnesses**

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Relationship: Branch Witness:  
Contact Information (604) 717-3349  
Name D. Quiring  
Position Constable #2075 VPD  
Summary of Evidence Testify regarding the alleged contravention- fail to ID patron

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Relationship: Branch Witness:  
Contact Information (604) 775-0093  
Name Tina Bains  
Position Liquor Inspector  
Summary of Evidence Testify regarding the alleged contravention - Fail to ID patron

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Relationship: Branch Witness:  
Contact Information (604) 775-0098  
Name Shannan Johnston  
Position Liquor Inspector  
Summary of Evidence Testify regarding the alleged contravention- Fail to ID patron

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## Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Decide Enforcement Action						
TINA BAINS V5T 3J7 VANCOUVER 395 KINGSWAY	Complete	Both EAR and NEAR	Jan 14, 2003		Jan 15, 2003 09:26:09	
Prepare NEAR						
TINA BAINS	Complete	EAR As Well	Jan 15, 2003		Jan 15, 2003 10:45:46	
Prepare/Amend EAR Report						
TINA BAINS	Complete	EAR Prepared	Jan 15, 2003		Jan 15, 2003 10:58:16	
Review EAR Report						
LEE MURPHY	Complete	Proceed with Enforcement	Jan 15, 2003		Jan 20, 2003 13:15:34	
Prepare NOEA						
TINA BAINS; BEV BIFFARD	Complete	NOEA Prepared	Jan 20, 2003		Feb 04, 2003 09:55:50	
Status Change						
NANCY CARLETON Needed to reset status for inspector to complete information.	Complete	In New Contravention Notic			Jan 28, 2003 10:08:55	
Status Change						
BEV BIFFARD	Complete	In EAR			Feb 04, 2003 09:52:43	
Status Change						
BEV BIFFARD	Complete	In EAR			Feb 04, 2003 13:17:33	
Prepare NOEA						
TINA BAINS	Complete	NOEA Prepared	Feb 04, 2003		Feb 04, 2003 13:20:38	
Create Waiver						
LEE MURPHY	Complete	Waiver Created			Mar 25, 2003 10:43:43	
Review Waiver						
LEE MURPHY	Complete	Enforcement Hearing Proce	Mar 25, 2003		Mar 25, 2003 14:14:43	
Waiver Signed						
LEE MURPHY	Complete	Waiver Signed	Mar 25, 2003		Mar 25, 2003 16:14:42	
Generate Penalty Letter						
BEV BIFFARD; SHIRLEY MARTIN 3 day suspension - April 17-19 inclusive	Complete	Penalty Imposed			Mar 27, 2003 15:52:16	
Notify Inspector						
STEPHEN BARRON	Complete	Noted	Mar 27, 2003		Mar 28, 2003 17:53:04	
Notification of Penalty - Licence Suspension						
Ann Shubrook; MELANIE WHITMELI	Complete	Noted	Mar 27, 2003		Mar 27, 2003 17:04:08	
Complete Contravention Notice Job						
BEV BIFFARD	Complete	Complete			Apr 14, 2003 15:14:10	
Status Change						
BEV BIFFARD to delete orphaned processes (Prepare NOEA)	Complete	In EAR			Apr 14, 2003 15:13:19	
Status Change						
BEV BIFFARD to delete orphaned processes (Assign ADV)	Complete	In NOEA Sent			Apr 14, 2003 15:13:38	
Status Change						
BEV BIFFARD	Complete	In Penalty To Be Imposed			Apr 14, 2003 15:14:03	



### C & E Contravention Notice

Job 000712780-039

b004520 V5T 3J7 VANCOUVER 395 Kingsway

Status: No Enforcement Action

Created By: s. 15

Date Created: Jun 16, 2003

Date Completed: Jun 16, 2003

Parent Job: 000712780-020

Specific Location: LP Lic #009663 Establishment: The Biltmore Cabaret

## Details

Adjudicator  
Advocate  
CMA SHIRLEY MARTIN  
Contravention Notice Issued Jun 15, 2003  
Contravention Notice Number b004520  
Deputy General Manager, C & E Mark Tatchell  
Enforcement Hearing  
Inspector Edward Osei-Appiah  
Judicial Review Date  
Licence Contact Info:  
LPC #  
Notice Of Enforcement Action  
Project ID  
Regional Manager... LEE MURPHY  
Waiver Received Date  
Written Decision

## Notes

## Alleged Contr.

Contravention: b004520 - Contravene term & condition - Premixing drinks, s. 12 Act  
Enforcement Action Recommended: N

## Relevant T&Cs

Relationship: C & E Relevant Terms & Conditions:  
Licence Text Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premis  
Relevant to EAR N  
Relevant to NEAR N

## Witnesses

			Processes			
Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Decide Enforcement Action						
STEPHEN BARRON	Complete	No Enforcement Action Re	Jun 16, 2003			Jun 16, 2003 11:33:20
V5T 3J7 VANCOUVER 395 KINGSWAY						
Prepare NEAR						
STEPHEN BARRON	Complete	NEAR Prepared	Jun 16, 2003			Jun 16, 2003 12:41:57
NEAR- Premixxed shooters						

Hearing Docs

**C & E Contravention Notice****Job 000712780-040****B001201 V5T 3J7 VANCOUVER 395 Kingsway**

Status: No Enforcement Action

Created By:

s. 15

Date Created: Nov 13, 2003

Date Completed: Nov 13, 2003

Parent Job: 000712780-020

Specific Location: LP Lic #009663 Establishment: The Biltmore Cabaret

**Details**

Adjudicator  
Advocate  
CMA SHIRLEY MARTIN  
Contravention Notice Issued Oct 24, 2003  
Contravention Notice Number B001201  
Deputy General Manager, C & E Mark Tatchell  
Enforcement Hearing  
Inspector Edward Osei-Appiah  
Judicial Review Date  
Licence Contact Info:  
LPC #  
Notice Of Enforcement Action  
Project ID Agent Ops 03-02  
Regional Manager... WENDY JONES  
Waiver Received Date  
Written Decision

**Notes****Alleged Contr.**

Contravention: B001201 - Fail to request ID, Reg. s. 45(2)  
Enforcement Action Recommended: N

**Relevant T&Cs**

Relationship:	C & E Relevant Terms & Conditions:
Licence Text	Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premis
Relevant to EAR	N
Relevant to NEAR	N

Relationship:	C & E Relevant Terms & Conditions:
Licence Text	Designated smoking room is located within an approved area as noted on the official floor plan
Relevant to EAR	N
Relevant to NEAR	N

Witnesses

Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Decide Enforcement Action						
ED PUDEK V5T 3J7 VANCOUVER 395 Kingsway	Complete	No Enforcement Action Re	Nov 13, 2003		Nov 13, 2003 16:34:49	
Prepare NEAR						
ED PUDEK Agents Operations.	Complete	NEAR Prepared	Nov 13, 2003		Nov 13, 2003 16:39:37	

Hearing Docs

# Job 000712780-042 (EH04-020)

## Job Edit

### C & E Contravention Notice Job 000712780-042 (EH04-020)

b001258 V5T 3J7 VANCOUVER 395 Kingsway

Status: Withdrawn

Created By:

s. 15

Date Created: Jan 27, 2004

Date Completed: Sep 22, 2004

Parent Job: 000712780-020

Specific Location: LP Lic #009663 Establishment: The Biltmore Cabaret

## Details

Adjudicator  
Advocate  
CMA SHIRLEY MARTIN  
Contravention Notice Issued Jan 25, 2004  
Contravention Notice Number b001258  
Deputy General Manager, C & E Mark Tatchell  
Enforcement Hearing  
Inspector Edward Osei-Appiah  
Judicial Review Date  
Licence Contact Info: Bob Nijjar 604-872-5252  
LPC #  
Notice Of Enforcement Action Mar 30, 2004  
Project ID  
Regional Manager... WENDY JONES  
Waiver Received Date  
Written Decision

## Notes

## Alleged Contr.

Contravention: b001258 - Fail to request ID, Reg. s. 45(2)  
Enforcement Action Recommended: N

Contravention: b001258 - Minor - Permit minor to enter or be on premises, s. 35 Act  
Enforcement Action Recommended: Y

## Relevant T&Cs

Relationship:	C & E Relevant Terms & Conditions:
Licence Text	Designated smoking room is located within an approved area as noted on the official floor plan
Relevant to EAR	N
Relevant to NEAR	N

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Relationship:	C & E Relevant Terms & Conditions:
Licence Text	Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premis
Relevant to EAR	N
Relevant to NEAR	N

# Job 000712780-042 (EH04-020)

## Witnesses

Relationship: Branch Witness:  
Contact Information 604-775-0053  
Name Doug Dyck  
Position Inspector  
Summary of Evidence Will provide evidence that he viewed false identification from female patron, that she was unable to

Relationship: Branch Witness:  
Contact Information 604-775-0093  
Name Stephen Barron  
Position Inspector  
Summary of Evidence Will provide evidence that he seized false identification from female patron, that she was unable to |

## Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Decide Enforcement Action						
STEPHEN BARRON V5T 3J7 VANCOUVER 395 Kingsway	Complete	Both EAR and NEAR	Jan 27, 2004			Jan 28, 2004 09:37:44
Prepare NEAR						
STEPHEN BARRON	Complete	EAR As Well	Jan 28, 2004			Jan 28, 2004 09:42:33
Prepare/Amend EAR Report						
STEPHEN BARRON EAR: Failure to request ID	Complete	EAR Prepared	Jan 28, 2004			Feb 03, 2004 16:05:47
Review EAR Report						
WENDY JONES	Complete	Proceed with Enforcement	Feb 03, 2004			Feb 20, 2004 10:38:26
Prepare NOEA						
STEPHEN BARRON Fail to request ID	Complete	NOEA Prepared	Feb 20, 2004			Feb 20, 2004 13:34:24
Review NOEA						
WENDY JONES	Complete	Changes Required	Feb 20, 2004			Mar 09, 2004 15:41:45
Prepare NOEA						
STEPHEN BARRON	Complete	NOEA Prepared	Mar 09, 2004			Mar 18, 2004 14:07:32
Review NOEA						
WENDY JONES	Complete	NOEA Approved	Mar 18, 2004			Mar 30, 2004 14:04:31
Send NOEA						
STEPHEN BARRON	Complete	NOEA Sent	Mar 30, 2004			Mar 30, 2004 14:12:10
Status Change						
SHIRLEY MARTIN Returned to NOEA sent status to Withdrawn as per DGM	Complete	In NOEA Sent				Sep 22, 2004 14:50:51
Withdraw NOEA						
Teresa Derksen; Peggy Ly; SHIRLEY NOEA Withdrawn as per DGM	Complete	Withdrawn				Sep 22, 2004 14:52:21

## Hearing Docs

**C & E Contravention Notice****Job 000712780-043****B001215 V5T 3J7 VANCOUVER 395 Kingsway**

Status: No Enforcement Action

Created By:

s. 15

Date Created: Jan 27, 2004

Date Completed: Feb 12, 2004

Parent Job: 000712780-020

Specific Location: LP Lic #009663 Establishment: The Biltmore Cabaret

**Details**

Adjudicator

Advocate

CMA

SHIRLEY MARTIN

Contravention Notice Issued

Jan 1, 2004

Contravention Notice Number

B001215

Deputy General Manager, C &amp; E

Mark Tatchell

Enforcement Hearing

Inspector

Edward Osei-Appiah

Judicial Review Date

Licence Contact Info:

Contact Number # 604-872-5252

LPC #

Notice Of Enforcement Action

Project ID

Regional Manager...

WENDY JONES

Waiver Received Date

Written Decision

**Notes****Alleged Contr.**Contravention: B001215 - Permit intoxicated person to remain, s. 43(2)(b) Act  
Enforcement Action Recommended: N**Relevant T&Cs**

Relationship: C &amp; E Relevant Terms &amp; Conditions:

Licence Text

Designated smoking room is located within an approved area as noted on the official floor plan

Relevant to EAR

N

Relevant to NEAR

N

Relationship: C &amp; E Relevant Terms &amp; Conditions:

Licence Text

Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premis

Relevant to EAR

N

Relevant to NEAR

N

Witnesses	
Relationship:	Branch Witness:
Contact Information	604-775-0075
Name	Wendy Jones
Position	Regional manager
Summary of Evidence	Witness intoxicated patron that was found in the Woman's washroom, permit an intoxicated patron i
Relationship:	Branch Witness:
Contact Information	604-775-0240
Name	Ed Pudek
Position	Liquor Inspector
Summary of Evidence	Witness intoxicated patron leaving the woman's wasroom, permit an intoxicated patron to remain

			Processes			
Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Decide Enforcement Action						
ED PUDEK	Complete	No Enforcement Action Re	Jan 27, 2004			Feb 12, 2004 11:26:13
V5T 3J7 VANCOUVER 395 Kingsway						
Prepare NEAR						
ED PUDEK	Complete	NEAR Prepared	Feb 12, 2004			Feb 12, 2004 11:57:15



# Conduct Problem Establishment Inspection (0031630) for Job 000712780-

## Process Edit

### Conduct Problem Establishment Inspection

Job 000712780-020

Lic #009663 Establishment:BILTMORE MOTOR HOTEL

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
TINA BAINS	Complete	Contravention(s) Identifie	Jan 14, 2003			Jan 14, 2003 13:59:45

## Details

Additional Inspectors...	SHANNON JOHNSTON - OLD
Another Problem Establishment Inspection Required	Y
Comments	This contravention notice A014321 was issued after the CN # A014320 had been issued by the area inspector Bains. Inspector Johnston accompanied by constable D. Quiring #2075 VPD requested to see ID of some patrons in the establishment.
External File Number	0031630
Floor Plan Inspected	N
Inspection Date	Jan 9, 2003
Inspections Required	4 - 12 within 12 months
LicenceEffectiveDate	Mar 31, 2002
Multiple Agency Inspection	N
Name and Address Checked	Y
Number of Patrons	
NumberofInspections	0
Project ID	
Talked to Manager	Y
Time In AM/PM	AM
Time In Hour	1
Time In Minute	20
Time Out AM/PM	AM
Time Out Hour	1
Time Out Minute	30
Travel Time Hour	
Travel Time Minute	40
Type of Inspection	Problem

## Add'l Insp



Staff User: SHANNON JOHNSTON - OLD

s.15

# Conduct Problem Establishment Inspection (0047244) for Job 000712780-

## Process Edit

### Conduct Problem Establishment Inspection

Job 000712780-020

Agent Operations Lic #009663 LP Establishment:Biltmore Motor Hotel

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
ED PUDEK	Complete	Contravention(s) Identifie	Nov 13, 2003			Nov 13, 2003 16:21:3

## Details

Additional Inspectors...	MARK TREMBLAY
Another Problem Establishment Inspection Required	
Comments	Agents entered establishment, with only one piece of ID provided..
External File Number	0047244
Floor Plan Inspected	N
Inspection Date	Oct 24, 2003
Inspections Required	4 - 12 within 12 months
LicenceEffectiveDate	Mar 31, 2002
Multiple Agency Inspection	N
Name and Address Checked	Y
Number of Patrons	20
NumberofInspections	0
Project ID	Agent Ops 03-02 Agent Operations, 2003, Phase 2
Talked to Manager	N
Time In AM/PM	PM
Time In Hour	9
Time In Minute	12
Time Out AM/PM	PM
Time Out Hour	9
Time Out Minute	18
Travel Time Hour	
Travel Time Minute	10
Type of Inspection	Covert

## Add'l Insp



Staff User: MARK TREMBLAY s.15

# Conduct Problem Establishment Inspection (0050180) for Job 000712780-

## Process Edit

### Conduct Problem Establishment Inspection

Job 000712780-020

Lic #009663 LP Establishment:Biltmore Motor Hotel

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
STEPHEN BARRON	Complete	Contravention(s) Identifie	Jan 27, 2004			Jan 27, 2004 14:10:34

## Details

Additional Inspectors...	Doug Dyck
Another Problem Establishment	Y
Inspection Required	
Comments	CN B001258 Minor in premises, Fail to request id
External File Number	0050180
Floor Plan Inspected	N
Inspection Date	Jan 25, 2004
Inspections Required	4 - 12 within 12 months
LicenceEffectiveDate	Mar 31, 2002
Multiple Agency Inspection	N
Name and Address Checked	N
Number of Patrons	100
NumberofInspections	0
Project ID	
Talked to Manager	Y
Time In AM/PM	AM
Time In Hour	1
Time In Minute	45
Time Out AM/PM	AM
Time Out Hour	2
Time Out Minute	05
Travel Time Hour	00
Travel Time Minute	10
Type of Inspection	Problem

## Add'l Insp



Staff User: Doug Dyck s.15

**C & E Contravention Notice****Job 000712780-049****B008377 V5T 3J7 VANCOUVER 395 Kingsway**

Status: No Enforcement Action

Created By: s. 15

Date Created: Feb 28, 2006

Date Completed: Feb 28, 2006

Parent Job: 000712780-020

Specific Location: LP Lic #009663 Establishment: The Biltmore Cabaret

**Details**

Adjudicator  
Advocate  
CMA SHIRLEY MARTIN  
Contravention Notice Issued Feb 25, 2006  
Contravention Notice Number B008377  
Deputy General Manager, C & E Mark Tatchell  
Enforcement Hearing  
Inspector Edward Osei-Appiah  
Judicial Review Date  
Licence Contact Info: 604-828-1951  
LPC #  
Notice Of Enforcement Action  
Project ID  
Regional Manager... LEE MURPHY  
Waiver Received Date  
Written Decision

**Notes****Alleged Contr.**

Contravention: B008377 - Permit intoxicated person to remain, s. 43(2)(b) Act  
Enforcement Action Recommended: N

**Relevant T&Cs**

Relationship: C & E Relevant Terms & Conditions:  
Licence Text Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premis  
Relevant to EAR N  
Relevant to NEAR N

Relationship: C & E Relevant Terms & Conditions:  
Licence Text Designated smoking room is located within an approved area as noted on the official floor plan.  
Relevant to EAR N  
Relevant to NEAR N

Witnesses

Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Decide Enforcement Action						
ED PUDEK	Complete	No Enforcement Action Re	Feb 28, 2006		Feb 28, 2006 14:05:44	
V5T 3J7 VANCOUVER 395 Kingsway						
Prepare NEAR						
ED PUDEK	Complete	NEAR Prepared	Feb 28, 2006		Feb 28, 2006 14:18:49	

Hearing Docs

# Conduct Routine Inspection (0082330) for Job 000712780-020

## Process Edit

### Conduct Routine Inspection

Job 000712780-020

Lic #009663 LP Establishment:Howard Johnson Plaza Hotel

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
ED PUDEK	Complete	Contravention(s) Identifie	Feb 28, 2006			Feb 28, 2006 13:57:30

## Details

Comments	<p>C&amp;E Officers Doug Dyck, Steve Barron and Ed Pudek enter the Howard Johnson at 2356 hours, passed security with wands checking for weapons and ID.</p> <p>Upon entering officer Ed Pudek went to talk with the new Manager Jeff Traversy while the other officers inspected the premises. Officer Steve Barron located an intoxicated patron sleeping in a booth at the back of the bar near the DJ booth. A staff member was also present within the vicinity. Both staff members were within view of the intoxicated patron and failed to remove patron. Spoke with Manager why the patron was allow to remain, Manager inform the officer that the staff had not noticed the patron. The C&amp;E Officer Ed Pudek told the Manager why did it take the C&amp;E officer two to three minutes to locate intoxicated patron, when his staff could not. I suggested that his staff were not performing their duties properly. Manager expressed annoyance with the situation, he had 8 security staff on the floor at the time. One staff member came over to remove patron but required assistance from an other staff member. The patron was finally removed. Issued CN # B008377 for Permit intoxicated patron to remain. C&amp;E Officer spoke with Manager and Owner to arrange a compliance meeting on March 7th/06.</p>
External File Number	0082330
Floor Plan Inspected	Y
Inspection Date	Feb 24, 2006
Inspections Required	1 every 3 months from the effective date
LicenceEffectiveDate	Mar 31, 2002
Multiple Agency Inspection	N
Name and Address Checked	Y
Next Scheduled Inspection	Mar 31, 2006
Next Scheduled Inspection (Months)	1
Number of Patrons	88
NumberOfInspections	33
Project ID	
Schedule Type	Create the next inspection immediately.
Talked to Manager	Y
Time In AM/PM	PM
Time In Hour	11
Time In Minute	55
Time Out AM/PM	AM
Time Out Hour	12
Time Out Minute	15
Travel Time Hour	00
Travel Time Minute	10
Violation Tickets Issued	

## Additional Insp.

Relationship: Additional Inspector:  
Inspector Name Doug Dyck

### C & E Contravention Notice

Job 000712780-051

**B005223 V5T 3J7 VANCOUVER 395 Kingsway**

Status: No Enforcement Action

Created By: s. 15

Date Created: May 25, 2006

Date Completed: Jun 30, 2006

Parent Job: 000712780-020

Specific Location: LP Lic #009663 Establishment: The Biltmore Cabaret

## Details

Adjudicator  
Advocate  
CMA SHIRLEY MARTIN  
Contravention Notice Issued May 19, 2006  
Contravention Notice Number B005223  
Deputy General Manager, C & E Mark Tatchell  
Enforcement Hearing  
Inspector Edward Osei-Appiah  
Judicial Review Date  
Licence Contact Info:  
LPC #  
Notice Of Enforcement Action  
Project ID  
Regional Manager... LEE MURPHY  
Waiver Received Date  
Written Decision

## Notes

## Alleged Contr.

Contravention: B005223 - Fail to request ID, Reg. s. 45(2)  
Enforcement Action Recommended: Y

## Relevant T&Cs

Relationship:	C & E Relevant Terms & Conditions:
Licence Text	Designated smoking room is located within an approved area as noted on the official floor plan.
Relevant to EAR	N
Relevant to NEAR	N

Relationship:	C & E Relevant Terms & Conditions:
Licence Text	Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premis
Relevant to EAR	N
Relevant to NEAR	N

## Witnesses

Relationship:	Branch Witness:
Contact Information	604-873-7947
Name	Lucia Cumerlato
Position	Property use Inspector
Summary of Evidence	Officer witnessed a patron giving a twenty dollar bill to a security staff member(Doorperson) at the fi
Relationship:	Branch Witness:
Contact Information	604-717-3716
Name	Viven Vong
Position	VPD Officer
Summary of Evidence	Officer witnessed a patron giving a twenty dollar bill to a security staff member (Doorperson) at the i
Relationship:	Branch Witness:
Contact Information	604-717-3716 Pinn 31877
Name	Sandy Avelar
Position	VPD CST. 1877
Summary of Evidence	Officer witnessed a patron giving a twenty dollar bill to a security staff member(Doorperson) at the fi
Relationship:	Branch Witness:
Contact Information	604-775-0240
Name	Ed Pudek
Position	C&E Officer
Summary of Evidence	Officer witnessed a patron handing a twenty dollar bill to a security staff member (Doorperson) at th

## Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Decide Enforcement Action						
ED PUDEK V5T 3J7 VANCOUVER 395 Kingsway	Complete	Enforcement Action Recorr	May 25, 2006			Jun 06, 2006 11:39:52
Prepare/Amend EAR Report						
ED PUDEK	Complete	EAR Prepared	Jun 06, 2006			Jun 29, 2006 12:49:46
Review EAR Report						
LEE MURPHY	Complete	Do Not Proceed with Enfor	Jun 29, 2006			Jun 30, 2006 09:14:42

## Hearing Docs



Conduct Routine Inspection (0082334) for Job 000712780-020

Process Edit

Conduct Routine Inspection

Job 000712780-020

Lic #009663 LP   Establishment:Howard Johnson Plaza Hotel

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
ED PUDEK	Complete	Contravention(s) Identifie	Feb 28, 2006			May 25, 2006 15:54:2

# Conduct Routine Inspection (0082334) for Job 000712780-020

## Details

### Comments

On May 19th, 2006, The Muti Agency Inspection Team entered the Ice Bar located at 395 Kingsway. This establishment is part of the Howard Johnson Hotel. The Liquor Primary Club is located at the back of the Hotel with the entrance facing east. The hours of this establishment are Noon till 2.00 AM Monday to Saturday and Sunday from 11:00 AM till Midnight.

Liquor primary establishments do not allow minors or anyone appearing under the age of 25 years to enter without proper ID.

Upon entry the Team noted several doormen at the front entrance, the doormen were supplied with weapon detectors, which were in use at the time of inspection.

The team completed their walk through, and found no issues at the time. C&E Officer Ed Pudek spoke with the Manger Jeff to discuss recent incidents and complaints resulting in VPD responses. The Manger informed Ed Pudek, that changes to the club are in progress, these changes should improve the recent noncompliance issues. The manager has increase security and installed video surveillance. C&E Officer ED Pudek informed the Manager that if any structural changes are to be done, he must apply for permanet change (Structural changes).

The MAIT team departed at 11:10 PM, as the team were discussing issues and note taking, ( standing 3-4 meters south of the main entrance) Vancouver Police Constables Sandy Avelar and Viven Vong, Lucia Cumerlato and C&E Officer ED Pudek witness two female patrons about to enter the establishment, one of patrons (wearing a white t-shirt, black pants and runners with black hair) entered the establishment with her friend. The patron entered by passing a twenty dollar bill to the doorman, who proceeded to take the money and let the patron enter without requesting ID.

The MAIT went back into the establishment to ask the patron for ID. The patron tried to find her ID in her purse, she told the Officers she had lost her ID. She informed us that she lost it at the front entrance, the officers and other team members tried to locate ID, to no avail. The patron was allowed to enter without proper ID, Ed Pudek spoke with the Manager again regarding the issue of requesting two peices of ID.

The Manager inform Ed Pudek that the money was paid to avoid standing in line to enter the club. Ed Pudek told the Manager that there was no line up and the only patrons that were waiting were the two that had just entered without ID. Further inspection found one of the patron did have Proper ID, the other patron s. 22 who had no ID available was removed from the establishment by police.

Ed Pudek issued a Contravention Notice (B005223)for Failure to request ID from anyone appearing under the age of 25 years. The manager argued the point about money changing hands, Ed Pudek informed the Manager that the exchange of money was witness by two Vancouver Police officers, Lucia Cumerlato(City use inspector) and Ed Pudek C&E Officer. Ed pudek requested to speak with the doorman who accepted the money and allowed the patron to enter. The doorman could not be located, the C&E officer then requested the Manager to find the doorperson so we could discuss the situation further. The Manger could not locate the doorperperson, he told us his name was s. 22 and he had started work about two months ago.

The MAIT team departed at 11:43 PM.

External File Number	0082334
Floor Plan Inspected	N
Inspection Date	May 19, 2006
Inspections Required	1 every 3 months from the effective date
LicenceEffectiveDate	Mar 31, 2002
Multiple Agency Inspection	Y
Name and Address Checked	Y
Next Scheduled Inspection	Jun 25, 2006
Next Scheduled Inspection (Months)	1
Number of Patrons	60
NumberOfInspections	33
Project ID	
Schedule Type	Create the next inspection immediately.
Talked to Manager	Y
Time In AM/PM	PM
Time In Hour	10
Time In Minute	50
Time Out AM/PM	PM
Time Out Hour	11
Time Out Minute	40
Travel Time Hour	00
Travel Time Minute	15

# Conduct Routine Inspection (0082334) for Job 000712780-020

Violation Tickets Issued

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**Additional Insp.**

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**C & E Contravention Notice****Job 000712780-066****B000596 V5T 3J7 VANCOUVER 395 Kingsway**

Status: No Enforcement Action

Created By: s. 15

Date Created: Oct 05, 2010

Date Completed: Nov 10, 2010

Parent Job: 000712780-020

Specific Location: LP Lic #009663 Establishment: The Biltmore Cabaret

**Details**

Adjudicator

Advocate

CMA Mandy Fisher

Contravention Notice Issued Oct 1, 2010

Contravention Notice Number B000596

Deputy General Manager, C &amp; E Bruce Edmundson

Enforcement Hearing

Inspector Edward Osei-Appiah

Judicial Review Date

Licence Contact Info:

LPC #

Notice Of Enforcement Action

Project ID

Regional Manager... Donna Lister

Waiver Received Date

Written Decision

**Notes****Alleged Contr.**Contravention: B000596 - Permit intoxicated person to remain, s. 43(2)(b) Act  
Enforcement Action Recommended: NContravention: B000596 - Permit unlawful activities or conduct, s. 36(2)(b) Act  
Enforcement Action Recommended: N**Relevant T&Cs**

Relationship: C &amp; E Relevant Terms &amp; Conditions:

Licence Text Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premis

Relevant to EAR N

Relevant to NEAR N

Witnesses

Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Decide Enforcement Action						
Edward Osei-Appiah V5T 3J7 VANCOUVER 395 Kingsway	Complete	No Enforcement Action Re	Oct 05, 2010		Nov 10, 2010 09:30:07	
Prepare NEAR						
Edward Osei-Appiah	Complete	NEAR Prepared	Nov 10, 2010		Nov 10, 2010 09:32:37	

Hearing Docs

# Conduct Routine Inspection (0127271) for Job 000712780-020

## Process Edit

### Conduct Routine Inspection

Job 000712780-020

Lic #009663 LP Establishment:Howard Johnson Plaza Hotel

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Edward Osei-Appiah	Complete	Contravention(s) Identifie	Oct 05, 2010			Oct 05, 2010 09:58:44

## Details

Comments	-Permit intoxicated patron to remain ( sleeping on table with no security precense and Failing to take reasonable measures (Patrons drinking and smoking drugs in line up)
External File Number	0127271
Floor Plan Inspected	N
Inspection Date	Oct 1, 2010
Inspections Required	1 every 3 months from the effective date
LicenceEffectiveDate	Mar 31, 2002
Multiple Agency Inspection	Y
Name and Address Checked	Y
Next Scheduled Inspection	Nov 5, 2010
Next Scheduled Inspection (Months)	1
Number of Patrons	320
NumberOfInspections	33
Project ID	
Schedule Type	
Talked to Manager	Y
Time In AM/PM	PM
Time In Hour	11
Time In Minute	40
Time Out AM/PM	AM
Time Out Hour	12
Time Out Minute	15
Travel Time Hour	00
Travel Time Minute	15
Violation Tickets Issued	

## Additional Insp.

C & E Complaint

Job 000712780-026

LPC A074579 V5T 3J7 VANCOUVER 395 Kingsway

Status:Contravention IdentifiedCreated By:s. 15Date Created:Jan 16, 2003

Parent Job:000712780-001 (009663)Date Completed:Jan 16, 2003

Specific Location: Lic #:009663 LP Establishment:The Biltmore Cabaret

Details

NR

Details



Establishment: The Biltmore Cabaret [Lounge] Active: Y  
395 Kingsway VANCOUVER Last Routine Inspection: 2014-07-19

Liquor Primary: Job#:000712780-001 LP- Lic.#:009663  
Status:Licence Approved Approved:1982-02-15 00:00:00 Licence Name:The Biltmore Cabaret

Alleged Contr.

NR

Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Receive Complaint/LPC						
TINA BAINS	Complete	LPC Notice Received			Jan 16, 2003 11:12:17	
Follow Up LPC						
TINA BAINS	Complete	Contravention From LPC	Jan 16, 2003		Jan 16, 2003 11:15:54	
Create Contravention Notice						
	Complete	Created CN Job			Jan 16, 2003 11:12:32	
Status Change						
BEV BIFFARD	Complete	To New/Complaint LPC			Jan 20, 2003 14:25:02	
Status Change						
BEV BIFFARD	Complete	To Contravention Identified			Jan 20, 2003 14:25:34	



# Job 000712780-027 (EH03-012)

## Job Edit

### C & E Contravention Notice Job 000712780-027 (EH03-012)

A014315 V5T 3J7 VANCOUVER 395 Kingsway

Status: Penalty Imposed

Created By: s. 15

Date Created: Jan 16, 2003

Date Completed: Apr 14, 2003

Parent Job: 000712780-026

Specific Location: LP Lic #009663 Establishment: The Biltmore Cabaret

## Details

Adjudicator  
Advocate  
CMA SHIRLEY MARTIN  
Contravention Notice Issued Jan 15, 2003  
Contravention Notice Number A014315  
Deputy General Manager, C & E Mark Tatchell  
Enforcement Hearing  
Inspector Edward Osei-Appiah  
Judicial Review Date  
Licence Contact Info:  
LPC # A074579  
Notice Of Enforcement Action Feb 4, 2003  
Project ID  
Regional Manager... LEE MURPHY  
Waiver Received Date Mar 25, 2003  
Written Decision

## Notes

## Alleged Contr.

Contravention: A014315 - Minor - Permit minor to consume liquor, s. 33(1)(c) Act  
Enforcement Action Recommended: Y

## Relevant T&Cs

Relationship: C & E Relevant Terms & Conditions:  
Licence Text Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premis  
Relevant to EAR N  
Relevant to NEAR N

Witnesses

Relationship: Branch Witness:

Contact Information

Name	Grant Campbell
Position	Constable 1553 VPD
Summary of Evidence	Testify - supplying to minors

# Job 000712780-027 (EH03-012)

## Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Decide Enforcement Action						
TINA BAINS V5T 3J7 VANCOUVER 395 KINGSWAY	Complete	Enforcement Action Recorr	Jan 16, 2003		Jan 16, 2003 11:57:27	
Prepare/Amend EAR Report						
TINA BAINS	Complete	EAR Prepared	Jan 16, 2003		Jan 16, 2003 12:07:54	
Review EAR Report						
LEE MURPHY	Complete	Proceed with Enforcement	Jan 16, 2003		Jan 20, 2003 13:14:25	
Prepare NOEA						
TINA BAINS; BEV BIFFARD	Complete	NOEA Prepared	Jan 20, 2003		Feb 04, 2003 09:58:56	
Status Change						
NANCY CARLETON Needed to reset status for inspector to complete information.	Complete	In New Contravention Notic			Jan 28, 2003 10:09:22	
Status Change						
BEV BIFFARD	Complete	In EAR			Feb 04, 2003 09:57:49	
Status Change						
BEV BIFFARD	Complete	In EAR			Feb 04, 2003 13:18:47	
Prepare NOEA						
TINA BAINS	Complete	NOEA Prepared	Feb 04, 2003		Feb 04, 2003 13:23:49	
Create Waiver						
LEE MURPHY	Complete	Waiver Created			Mar 25, 2003 10:38:47	
Review Waiver						
LEE MURPHY	Complete	Enforcement Hearing Proci	Mar 25, 2003		Mar 25, 2003 14:15:02	
Waiver Signed						
LEE MURPHY	Complete	Waiver Signed	Mar 25, 2003		Mar 25, 2003 16:14:15	
Generate Penalty Letter						
BEV BIFFARD; SHIRLEY MARTIN 5 day suspension - April 12-16 inclusive	Complete	Penalty Imposed			Mar 27, 2003 15:51:18	
Notify Inspector						
STEPHEN BARRON	Complete	Noted	Mar 27, 2003		Mar 28, 2003 17:53:32	
Notification of Penalty - Licence Suspension						
Ann Shubrook; MELANIE WHITMELL	Complete	Noted	Mar 27, 2003		Mar 27, 2003 17:04:17	
Complete Contravention Notice Job						
BEV BIFFARD	Complete	Complete			Apr 14, 2003 15:12:43	
Status Change						
BEV BIFFARD to delete orphaned processes (Assign ADV)	Complete	In NOEA Sent			Apr 14, 2003 15:12:16	
Status Change						
BEV BIFFARD	Complete	In Penalty To Be Imposed			Apr 14, 2003 15:12:36	

## Hearing Docs

C & E Complaint

Job 000712780-028

LPC A130701 V5T 3J7 VANCOUVER 395 Kingsway

Status: Contravention Identified Created By: s. 15 Date Created: Jan 16, 2003

Parent Job: 000712780-001 (009663) Date Completed: Jan 16, 2003

Specific Location: Lic #:009663 LP Establishment:The Biltmore Cabaret


Details

NR

Details

Liquor Primary: Job#:000712780-001 LP- Lic. #:009663

Status:Licence Approved Approved:1982-02-15 00:00:00 Licence Name:The Biltmore Cabaret

 Establishment: The Biltmore Cabaret [Lounge] Active: Y

395 Kingsway VANCOUVER Last Routine Inspection: 2014-07-19

NR

Processes						
Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Receive Complaint/LPC						
TINA BAINS	Complete	LPC Notice Received			Jan 16, 2003 13:19:53	
Follow Up LPC						
TINA BAINS	Complete	Contravention From LPC	Jan 16, 2003		Jan 16, 2003 13:21:40	
Create Contravention Notice						
	Complete	Created CN Job			Jan 16, 2003 13:18:41	
Status Change						
BEV BIFFARD	Complete	To New/Complaint LPC			Jan 20, 2003 14:26:01	
Status Change						
BEV BIFFARD	Complete	To Contravention Identified			Jan 20, 2003 14:26:27	

# Job 000712780-029 (EH03-011)

## Job Edit

### C & E Contravention Notice Job 000712780-029 (EH03-011)

A014316 V5T 3J7 VANCOUVER 395 Kingsway

Status: Penalty Imposed

Created By: s. 15

Date Created: Jan 16, 2003

Date Completed: Apr 14, 2003

Parent Job: 000712780-028

Specific Location: LP Lic #009663 Establishment: The Biltmore Cabaret

## Details

Adjudicator  
Advocate  
CMA SHIRLEY MARTIN  
Contravention Notice Issued Jan 15, 2003  
Contravention Notice Number A014316  
Deputy General Manager, C & E Mark Tatchell  
Enforcement Hearing  
Inspector Edward Osei-Appiah  
Judicial Review Date  
Licence Contact Info:  
LPC # A130701  
Notice Of Enforcement Action Feb 4, 2003  
Project ID  
Regional Manager... LEE MURPHY  
Waiver Received Date Mar 25, 2003  
Written Decision

## Notes

## Alleged Contr.

Contravention: A014316 - Minor - Permit minor to consume liquor, s. 33(1)(c) Act  
Enforcement Action Recommended: Y

Contravention: A014316 - Permit intoxicated person to remain, s. 43(2)(b) Act  
Enforcement Action Recommended: N

Contravention: A014316 - Permit person to become intoxicated, s. 43(2)(a) Act  
Enforcement Action Recommended: N

## Relevant T&Cs

Relationship: C & E Relevant Terms & Conditions:  
Licence Text Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premis  
Relevant to EAR N  
Relevant to NEAR N

**Witnesses**

Relationship: Branch Witness:

## Contact Information

Name PC - VPD 1072

Position Sgt

Summary of Evidence Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person t

Relationship: Branch Witness:

## Contact Information

Name PC - VPD 1437

Position Constable

Summary of Evidence Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person t

Relationship: Branch Witness:

## Contact Information

Name PC - VPD 1712

Position Constable

Summary of Evidence Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person t

Relationship: Branch Witness:

## Contact Information

Name PC - VPD 2094

Position Constable

Summary of Evidence Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person t

Relationship: Branch Witness:

## Contact Information

Name PC - VPD 2072

Position constable

Summary of Evidence Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person t

Relationship: Branch Witness:

## Contact Information

Name Darin Mcdougall

Position Constable

Summary of Evidence Testify - supplying to minors, permit a person to become intoxicated and permit intoxicated person t

## Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Decide Enforcement Action						
TINA BAINS V5T 3J7 VANCOUVER 395 KINGSWAY	Complete	Both EAR and NEAR	Jan 16, 2003		Jan 16, 2003 14:00:20	
Prepare NEAR						
TINA BAINS	Complete	EAR As Well	Jan 16, 2003		Jan 16, 2003 14:13:42	
Prepare/Amend EAR Report						
TINA BAINS	Complete	EAR Prepared	Jan 16, 2003		Jan 16, 2003 14:18:00	
Review EAR Report						
LEE MURPHY	Complete	Proceed with Enforcement	Jan 16, 2003		Jan 20, 2003 13:13:07	
Prepare NOEA						
TINA BAINS; BEV BIFFARD	Complete	NOEA Prepared	Jan 20, 2003		Feb 04, 2003 10:01:07	
Status Change						
NANCY CARLETON Needed to reset status for inspector to complete information.	Complete	In New Contravention Notic			Jan 28, 2003 10:09:50	
Status Change						
BEV BIFFARD	Complete	In EAR			Feb 04, 2003 10:00:24	
Status Change						
BEV BIFFARD	Complete	In EAR			Feb 04, 2003 13:07:13	
Prepare NOEA						
TINA BAINS	Complete	NOEA Prepared	Feb 04, 2003		Feb 04, 2003 13:12:21	
Create Waiver						
LEE MURPHY	Complete	Waiver Created			Mar 25, 2003 10:48:13	
Review Waiver						
LEE MURPHY	Complete	Enforcement Hearing Proce	Mar 25, 2003		Mar 25, 2003 14:14:22	
Waiver Signed						
LEE MURPHY	Complete	Waiver Signed	Mar 25, 2003		Mar 25, 2003 16:15:00	
Generate Penalty Letter						
BEV BIFFARD; SHIRLEY MARTIN 5 day suspension - April 20-24 inclusive	Complete	Penalty Imposed			Mar 27, 2003 15:54:14	
Notify Inspector						
STEPHEN BARRON	Complete	Noted	Mar 27, 2003		Mar 28, 2003 17:53:18	
Notification of Penalty - Licence Suspension						
Ann Shubrook; MELANIE WHITMELI	Complete	Noted	Mar 27, 2003		Mar 27, 2003 17:03:42	
Complete Contravention Notice Job						
BEV BIFFARD	Complete	Complete			Apr 14, 2003 15:11:45	
Status Change						
BEV BIFFARD to delete orphaned processes (Assign ADV)	Complete	In NOEA Sent			Apr 14, 2003 15:10:59	
Status Change						
BEV BIFFARD to change status back	Complete	In Penalty To Be Imposed			Apr 14, 2003 15:11:36	



C & E Complaint

Job 000712780-030

LPC A 130702 V5T 3J7 VANCOUVER 395 Kingsway

Status: Contravention Identified Created By: s. 15 Date Created: Jan 17, 2003

Parent Job: 000712780-001 (009663) Date Completed: Jan 17, 2003

Specific Location: Lic #:009663 LP Establishment:The Biltmore Cabaret

Details

NR

Details

Liquor Primary: Job#:000712780-001 LP- Lic. #:009663  
Status:Licence Approved Approved:1982-02-15 00:00:00 Licence Name:The Biltmore Cabaret



Establishment: The Biltmore Cabaret [Lounge] Active: Y  
395 Kingsway VANCOUVER Last Routine Inspection: 2014-07-19

NR

## Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Receive Complaint/LPC						
TINA BAINS	Complete	Complaint Received			Jan 17, 2003 09:32:45	
Review Complaint						
TINA BAINS	Complete	Inspection Required	Jan 17, 2003		Jan 17, 2003 09:34:17	
Conduct Routine Inspection						
TINA BAINS	Complete	Contravention(s) Identified			Jan 17, 2003 09:37:52	
Lic #009663 Establishment:BILTMORE MOTOR HOTEL						
Create Contravention Notice						
	Complete	Created CN Job			Jan 17, 2003 09:34:35	
Status Change						
BEV BIFFARD	Complete	To New/Complaint LPC			Jan 20, 2003 14:26:55	
Status Change						
BEV BIFFARD	Complete	To Contravention Identified			Jan 20, 2003 14:27:31	

# Job 000712780-031 (EH03-010)

## Job Edit

### C & E Contravention Notice Job 000712780-031 (EH03-010)

A014317 V5T 3J7 VANCOUVER 395 Kingsway

Status: Penalty Imposed

Created By: s. 15

Date Created: Jan 17, 2003

Date Completed: Apr 14, 2003

Parent Job: 000712780-030

Specific Location: LP Lic #009663 Establishment: The Biltmore Cabaret

## Details

Adjudicator  
Advocate  
CMA SHIRLEY MARTIN  
Contravention Notice Issued Jan 15, 2003  
Contravention Notice Number A014317  
Deputy General Manager, C & E Mark Tatchell  
Enforcement Hearing  
Inspector Edward Osei-Appiah  
Judicial Review Date  
Licence Contact Info:  
LPC # A 130702  
Notice Of Enforcement Action Feb 4, 2003  
Project ID  
Regional Manager... LEE MURPHY  
Waiver Received Date Mar 25, 2003  
Written Decision

## Notes

## Alleged Contr.

Contravention: A014317 - Minor - Permit minor to enter or be on premises, s. 35 Act  
Enforcement Action Recommended: Y

Contravention: A014317 - Minor - Permit minor to consume liquor, s. 33(1)(c) Act  
Enforcement Action Recommended: Y

## Relevant T&Cs

Relationship: C & E Relevant Terms & Conditions:  
Licence Text Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premis  
Relevant to EAR N  
Relevant to NEAR N

Witnesses

Relationship:	Branch Witness:
Contact Information	(604)717-2831#2072
Name	Daren Mcdougall
Position	Constable
Summary of Evidence	Testify- Minors on premise and Supplying to minors

# Job 000712780-031 (EH03-010)

## Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Decide Enforcement Action						
TINA BAINS V5T 3J7 VANCOUVER 395 KINGSWAY	Complete	Enforcement Action Recorr	Jan 17, 2003		Jan 17, 2003 10:09:02	
Prepare/Amend EAR Report						
TINA BAINS	Complete	EAR Prepared	Jan 17, 2003		Jan 17, 2003 10:18:13	
Review EAR Report						
LEE MURPHY	Complete	Proceed with Enforcement	Jan 17, 2003		Jan 20, 2003 13:11:59	
Prepare NOEA						
TINA BAINS; BEV BIFFARD	Complete	NOEA Prepared	Jan 20, 2003		Feb 04, 2003 10:04:26	
Status Change						
NANCY CARLETON Needed to reset status for inspector to complete information.	Complete	In New Contravention Notic			Jan 28, 2003 10:10:13	
Status Change						
BEV BIFFARD	Complete	In EAR			Feb 04, 2003 10:01:53	
Status Change						
BEV BIFFARD	Complete	In EAR			Feb 04, 2003 13:13:05	
Prepare NOEA						
TINA BAINS	Complete	NOEA Prepared	Feb 04, 2003		Feb 04, 2003 13:16:48	
Create Waiver						
LEE MURPHY	Complete	Waiver Created			Mar 25, 2003 10:54:50	
Review Waiver						
LEE MURPHY	Complete	Enforcement Hearing Proci	Mar 25, 2003		Mar 25, 2003 13:49:03	
Waiver Signed						
LEE MURPHY	Complete	Waiver Signed	Mar 25, 2003		Mar 25, 2003 16:15:30	
Generate Penalty Letter						
BEV BIFFARD; SHIRLEY MARTIN 5 day suspension - April 25-29 inclusive	Complete	Penalty Imposed			Mar 27, 2003 15:53:32	
Notify Inspector						
STEPHEN BARRON	Complete	Noted	Mar 27, 2003		Mar 28, 2003 17:52:49	
Notification of Penalty - Licence Suspension						
Ann Shubrook; MELANIE WHITMELL	Complete	Noted	Mar 27, 2003		Mar 27, 2003 17:03:54	
Complete Contravention Notice Job						
BEV BIFFARD	Complete	Complete			Apr 14, 2003 15:10:29	
Status Change						
BEV BIFFARD to delete orphaned processes (Assign ADV)	Complete	In NOEA Sent			Apr 14, 2003 15:09:52	
Status Change						
BEV BIFFARD to move status forward	Complete	In Penalty To Be Imposed			Apr 14, 2003 15:10:22	

## Hearing Docs

## C & E Complaint

### Job 000712780-032

LPC A 078802 V5T 3J7 VANCOUVER 395 Kingsway

Status: Contravention Identified

Created By:

s. 15

Date Created: Jan 17, 2003

Date Completed: Jan 17, 2003

Parent Job: 000712780-001 (009663)

Specific Location: Lic #:009663 LP Establishment: The Biltmore Cabaret

## Details

Area Code	604
Badge	2006
Complaint Type	Intoxication
Complainant Type	Police Department
Complainant Address	
Complainant Phone	7172831
Complainant's Email Address	
Complainant Name	Pam Rushke
Details	<p>On Jan.4, 2003 PC's conducted a LPC. PC's began checking individuals for ID. PC's asked 5 patrons for their ID. Two patrons of the five asked could not produce any ID and were referred to the bar staff who asked them to leave.</p> <p>PC's 2006/ 2036 asked a male s. 22 for his ID and he did not have any s. 22 ad entered the premise with no ID. s. 22 hen dropped a crack pipe from his hand and was placed into custody.</p> <p>At that point two more patrons were removed from the pub by staff, s. 22 Both s. 22 s. 22 were fighting inside the pub and attempted to fight the door staff after being removed. PC's placed both s. 22 into custody.</p> <p>At approximately 0200 hrs the crowd began to spill onto the streets. Approx. 100 patrons just milled around the front doors to the pub with Genesis security staff doing nothing to clear the entrance. PC's observed several intoxicated patrons leaving including two females who could not walk. They were being assisted by their companions.</p> <p>PC's had spoken earlier with acting manager of the pub TACHSINOGLU and informed him that the door staff appeared not to be checking ID's. TACHSINOGLU stated that it was a problem to be handled by Genesis security who is in charge of the door. TACHSINOGLU stated that the regular manage s. 22 and a new manager most likely th s. 22 s. 22 would be in place next week.</p>
End Date	
Establishment Address	The Biltmore Cabaret - 395 Kingsway VANCOUVER, BC V5T 3J7
Establishment Name	The Biltmore Cabaret
Location	
LPC No.	A 078802
Management Acknowledgement	Signed. name and title not clear
Method of Receipt	In Person
Police Detachment	
Police File Number	03-2712
Police Officer	H. Dvorkin
Project ID	
Receive Date	Dec 12, 2002
Start Date	



Establishment: The Biltmore Cabaret [Lounge] Active: Y  
395 Kingsway VANCOUVER Last Routine Inspection: 2014-07-19

Liquor Primary: Job#:000712780-001 LP- Lic.#:009663  
Status:Licence Approved Approved:1982-02-15 00:00:00 Licence Name:The Biltmore Cabaret

Alleged Contr.

Relationship:	Contravention:
Alleged Contravention...	
Alleged Contravention...	
AM/PM	AM
Date	Jan 4, 2003
Hour	
Minute	1

Relationship:	Contravention:
Alleged Contravention...	C Sell or give liquor to intoxicated person, s. 43(1) Act
Alleged Contravention...	Sell or give liquor to intoxicated person, s. 43(1) Act
AM/PM	AM
Date	Jan 4, 2003
Hour	
Minute	1

Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Receive Complaint/LPC						
TINA BAINS	Complete	LPC Notice Received				Jan 17, 2003 12:24:18
Follow Up LPC						
TINA BAINS	Complete	Contravention From LPC	Jan 17, 2003			Jan 17, 2003 12:24:51
Create Contravention Notice						
	Complete	Created CN Job				Jan 17, 2003 12:21:35
Status Change						
BEV BIFFARD	Complete	To New/Complaint LPC				Jan 20, 2003 14:27:45
Status Change						
BEV BIFFARD	Complete	To Contravention Identified				Jan 20, 2003 14:28:03

# Job 000712780-033 (EH03-009)

## Job Edit

### C & E Contravention Notice Job 000712780-033 (EH03-009)

A014322 V5T 3J7 VANCOUVER 395 Kingsway

Status: Penalty Imposed

Created By: s. 22

Date Created: Jan 17, 2003

Date Completed: Apr 14, 2003

Parent Job: 000712780-032

Specific Location: LP Lic #009663 Establishment: The Biltmore Cabaret

## Details

Adjudicator  
Advocate  
CMA SHIRLEY MARTIN  
Contravention Notice Issued Jan 15, 2003  
Contravention Notice Number A014322  
Deputy General Manager, C & E Mark Tatchell  
Enforcement Hearing  
Inspector Edward Osei-Appiah  
Judicial Review Date  
Licence Contact Info:  
LPC # A 078802  
Notice Of Enforcement Action Feb 4, 2003  
Project ID  
Regional Manager... LEE MURPHY  
Waiver Received Date Mar 25, 2003  
Written Decision

## Notes

## Alleged Contr.

Contravention: A014322 - Fail to request ID, Reg. s. 45(2)  
Enforcement Action Recommended: Y

Contravention: A014322 - Sell or give liquor to intoxicated person, s. 43(1) Act  
Enforcement Action Recommended: N

## Relevant T&Cs

Relationship: C & E Relevant Terms & Conditions:  
Licence Text Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premis  
Relevant to EAR N  
Relevant to NEAR N



Witnesses

Relationship: Branch Witness:  
Contact Information (604) 717-2831 #2006  
Name H. Dvorkin  
Position constable  
Summary of Evidence Testify Permitting patrons without identification

Relationship: Branch Witness:  
Contact Information (604)717-2831  
Name Badge #2036  
Position Constable  
Summary of Evidence Testify permitting patrons without identification

# Job 000712780-033 (EH03-009)

## Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Decide Enforcement Action						
TINA BAINS V5T 3J7 VANCOUVER 395 KINGSWAY	Complete	Both EAR and NEAR	Jan 17, 2003		Jan 17, 2003 13:37:15	
Prepare NEAR						
TINA BAINS	Complete	EAR As Well	Jan 17, 2003		Jan 17, 2003 13:44:07	
Prepare/Amend EAR Report						
TINA BAINS	Complete	EAR Prepared	Jan 17, 2003		Jan 17, 2003 13:50:41	
Review EAR Report						
LEE MURPHY	Complete	Proceed with Enforcement	Jan 17, 2003		Jan 20, 2003 13:07:32	
Prepare NOEA						
TINA BAINS; BEV BIFFARD	Complete	NOEA Prepared	Jan 20, 2003		Feb 04, 2003 10:05:53	
Status Change						
NANCY CARLETON Need to set job back to the beginning to allow inspector to complete input.	Complete	In New Contravention Notic			Jan 28, 2003 10:02:09	
Status Change						
BEV BIFFARD	Complete	In EAR			Feb 04, 2003 10:04:59	
Status Change						
BEV BIFFARD	Complete	In EAR			Feb 04, 2003 13:15:38	
Prepare NOEA						
TINA BAINS	Complete	NOEA Prepared	Feb 04, 2003		Feb 04, 2003 13:18:48	
Create Waiver						
LEE MURPHY	Complete	Waiver Created			Mar 25, 2003 10:58:25	
Review Waiver						
LEE MURPHY	Complete	Enforcement Hearing Proce	Mar 25, 2003		Mar 25, 2003 13:04:02	
Waiver Signed						
LEE MURPHY	Complete	Waiver Signed	Mar 25, 2003		Mar 25, 2003 16:15:49	
Generate Penalty Letter						
BEV BIFFARD; SHIRLEY MARTIN 3 day suspension - April 30-May 2 inclusive	Complete	Penalty Imposed			Mar 27, 2003 15:52:57	
Notify Inspector						
STEPHEN BARRON	Complete	Noted	Mar 27, 2003		Mar 28, 2003 17:52:25	
Notification of Penalty - Licence Suspension						
Ann Shubrook; MELANIE WHITMELL	Complete	Noted	Mar 27, 2003		Mar 27, 2003 17:03:18	
Complete Contravention Notice Job						
BEV BIFFARD	Complete	Complete			Apr 14, 2003 15:09:12	
Status Change						
BEV BIFFARD to delete orphaned processes (Assign ADV)	Complete	In NOEA Sent			Apr 14, 2003 15:08:37	
Status Change						
BEV BIFFARD to change status back	Complete	In Penalty To Be Imposed			Apr 14, 2003 15:09:02	

**C & E Complaint  
Job 000712780-034****LPC V5T 3J7 VANCOUVER 395 Kingsway**

Status: Contravention Identified

Created By: s. 15

Date Created: Jan 20, 2003

Date Completed: Jan 20, 2003

Parent Job: 000712780-001 (009663)

Specific Location: Lic #:009663 LP Establishment: The Biltmore Cabaret

**Details**

Area Code	604
Badge	PC 1326
Complaint Type	Noise
Complainant Type	General Public
Complainant Address	
Complainant Phone	6857789
Complainant's Email Address	
Complainant Name	Susan Cummings
Details	<p>The complaint letter was faxed by constable Pam Ruschke of the Vancouver Police Department. Complaint received from Nacel Properties LTD signed by Susan Cummings, property manager, dated Nov.19, 2002.</p> <p>Susan Cummings has complained about property situated at 425 East 11th Avenue. This building is on the corner of Prince Edward and 11th Avenue and is directly across the street from the Biltmore Hotel Pub entrance.</p> <p>The letter states, historically there have been problems with patrons of the Biltmore, such as noise and litter, however recently these problems have increased in the area caused by intoxicated and unruly patrons leaving the pub at closing time. Residents of the building are woken in the early hours of the morning by shouting, swearing and fighting as patrons exit the bar. The manager at the building is constantly collecting discarded beer bottles, that have been thrown into the landscaping and flowerbeds that border the west side of the building.</p> <p>In the past Biltmore had opened doors on both kingsway and the Prince Edward sides of the Pub at closing time. This practice dispersed the crowds somewhat. Recently they no longer open the Kingsway side of the Pub and force all the patrons to exit onto the street across from the building.</p>
End Date	
Establishment Address	The Biltmore Cabaret - 395 Kingsway VANCOUVER, BC V5T 3J7
Establishment Name	The Biltmore Cabaret
Location	
LPC No.	
Management Acknowledgement	
Method of Receipt	Phone
Police Detachment	VANCOUVER POLICE DEPT. - #5
Police File Number	
Police Officer	Pam Ruschke
Project ID	
Receive Date	Dec 12, 2002
Start Date	

## Details

Liquor Primary: Job#:000712780-001 LP- Lic.#:009663  
 Status:Licence Approved Approved:1982-02-15 00:00:00 Licence Name:The Biltmore Cabaret

Police Detachment: VANCOUVER POLICE DEPT. - #5  
 Active: Y



Establishment: The Biltmore Cabaret [Lounge] Active: Y  
 395 Kingsway VANCOUVER Last Routine Inspection: 2014-07-19

## Alleged Contr.

Relationship: Contravention:  
 Alleged Contravention... C Operate contrary to the public interest/disturb persons in the vicinity, s. 20(1)(c.1) Act  
 Alleged Contravention... Operate contrary to the public interest/disturb persons in the vicinity, s. 20(1)(c.1) Act  
 AM/PM PM  
 Date Jan 15, 2003  
 Hour 1  
 Minute 20

## Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Receive Complaint/LPC						
TINA BAINS	Complete	Complaint Received				Jan 20, 2003 12:47:05
Review Complaint						
TINA BAINS	Complete	Inspection Required	Jan 20, 2003			Jan 20, 2003 12:48:30
Conduct Routine Inspection						
TINA BAINS	Complete	Contravention(s) Identified				Jan 20, 2003 12:51:09
Lic #009663	Establishment:BILTMORE MOTOR HOTEL					
Create Contravention Notice						
	Complete	Created CN Job				Jan 20, 2003 12:53:26

# Job 000712780-035 (EH03-014)

## Job Edit

### C & E Contravention Notice Job 000712780-035 (EH03-014)

A014319 V5T 3J7 VANCOUVER 395 Kingsway

Status: Hearing - No Enforcement Actio Created By: s. 15

Date Created: Jan 20, 2003

Date Completed: Nov 20, 2003

Parent Job: 000712780-034

Specific Location: LP Lic #009663 Establishment: The Biltmore Cabaret

## Details

Adjudicator	TAYLOR, GWEN
Advocate	PETER JONES
CMA	SHIRLEY MARTIN
Contravention Notice Issued	Jan 15, 2003
Contravention Notice Number	A014319
Deputy General Manager, C & E	Mark Tatchell
Enforcement Hearing	Jun 16, 2003
Inspector	Edward Osei-Appiah
Judicial Review Date	
Licence Contact Info:	
LPC #	
Notice Of Enforcement Action	Mar 7, 2003
Project ID	
Regional Manager...	LEE MURPHY
Waiver Received Date	
Written Decision	Nov 19, 2003

## Notes

## Alleged Contr.

Contravention: A014319 - Operate contrary to the public interest/disturb persons in the vicinity, s. 20(1)(c.1) Act  
Enforcement Action Recommended: Y

## Relevant T&Cs

Relationship:	C & E Relevant Terms & Conditions:
Licence Text	Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premis
Relevant to EAR	N
Relevant to NEAR	N

**Witnesses**

Relationship:	Branch Witness:
Contact Information	(604)717-3349
Name	Val Harrison
Position	Inspector
Summary of Evidence	Testify to measures presented to Licensee
Relationship:	Branch Witness:
Contact Information	(604)685-7789
Name	Jadranka Pavlovic
Position	Site Manager
Summary of Evidence	Testify patrons of Biltmore create noise and disturb the residents of the building.
Relationship:	Branch Witness:
Contact Information	(604) 586-2657
Name	Edwina Nazareth
Position	Liquor Inspector LCLB
Summary of Evidence	Testify to measures presented to Licensee
Relationship:	Branch Witness:
Contact Information	(604)717-3349
Name	M. Chalmers
Position	Inspector
Summary of Evidence	to measures presented to Licensee
Relationship:	Branch Witness:
Contact Information	(604)685-7789
Name	Zoran Orescanin
Position	Site Manager
Summary of Evidence	Testify patrons of Biltmore create noise and disturb the residents of the building.
Relationship:	Branch Witness:
Contact Information	(604) 717-3349 #1072
Name	Bruno Gatto
Position	Sergeant 1072
Summary of Evidence	Testify to measures presented to Licensee
Relationship:	Branch Witness:
Contact Information	(604)685-7789
Name	Susan Cummings
Position	Property Manager
Summary of Evidence	Testify patrons of Biltmore create noise and disturb the residents of the building.
Relationship:	Branch Witness:
Contact Information	(604)717-2831
Name	Pam Ruschke
Position	Constable VPD
Summary of Evidence	Testify to measures presented to Licensee
Relationship:	Branch Witness:
Contact Information	(604)7173349
Name	Harley Dvorkin
Position	Constable
Summary of Evidence	Testify to doing a report on Biltmore - level of problems as a direct result of over consumption.
Relationship:	Branch Witness:
Contact Information	(604)717-2831
Name	Fawcett
Position	Constable VPD
Summary of Evidence	Testify to measures presented to Licensee
Relationship:	Branch Witness:
Contact Information	(604)717-3349

# Job 000712780-035 (EH03-014)

Relationship: Branch Witness:  
 Name Dean Robinson  
 Position Sergeant 1095  
 Summary of Evidence Testify to doing a report on Biltmore - No attempt to quell disturbances that are routinely created by

Relationship: Branch Witness:  
 Contact Information (604)717-2831  
 Name Joanne McCormick  
 Position Constable VPD  
 Summary of Evidence Testify to measures presented to Licensee

## Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Decide Enforcement Action						
TINA BAINS V5T 3J7 VANCOUVER 395 KINGSWAY	Complete	Enforcement Action Recorr	Jan 20, 2003		Jan 21, 2003 10:27:19	
Prepare/Amend EAR Report						
TINA BAINS	Complete	EAR Prepared	Jan 21, 2003		Jan 21, 2003 10:35:08	
Review EAR Report						
LEE MURPHY	Complete	Proceed with Enforcement	Jan 21, 2003		Jan 22, 2003 10:51:27	
Prepare NOEA						
TINA BAINS; LEE MURPHY	Complete	NOEA Prepared	Jan 22, 2003		Mar 06, 2003 11:43:02	
Status Change						
BEV BIFFARD to fix inspector name in signature block	Complete	In EAR			Mar 07, 2003 09:12:16	
Prepare/Amend EAR Report						
TINA BAINS; BEV BIFFARD	Complete	EAR Prepared	Mar 07, 2003		Mar 07, 2003 09:13:37	
Review EAR Report						
BEV BIFFARD; LEE MURPHY	Complete	Proceed with Enforcement	Mar 07, 2003		Mar 07, 2003 09:13:50	
Prepare NOEA						
TINA BAINS	Complete	NOEA Prepared	Mar 07, 2003		Mar 07, 2003 11:05:16	
Assign Advocate/Adjudicator or Combine NOEAs						
BEV BIFFARD; SHIRLEY MARTIN	Complete	Assignment Complete	Apr 14, 2003		Apr 14, 2003 15:39:30	
Schedule Pre-Hearing Conference						
SHIRLEY MARTIN EH set June 16-20/03	Complete	Hearing Scheduled	Apr 14, 2003		May 30, 2003 12:34:41	
Prepare Draft						
BEV BIFFARD; PETER JONES	Complete	Hearing Brief Prepared	Apr 14, 2003		Apr 14, 2003 15:39:41	
Document Pre-Hearing Outcome						
BEV BIFFARD; SHIRLEY MARTIN	Complete	Proceed with Hearing			Jul 03, 2003 13:52:59	
Schedule Hearing						
BEV BIFFARD	Complete	Hearing Scheduled			Jul 03, 2003 13:53:21	
Document Hearing Outcome						
SHIRLEY MARTIN DECL pending	Complete	Do Not Proceed with Enfor			Nov 20, 2003 11:21:16	

### C & E Complaint Job 000712780-037

LPC V5T 3J7 VANCOUVER 395 Kingsway

Status: Inspection Complete

Created By: s. 15

Date Created: May 07, 2003

Date Completed: May 20, 2003

Parent Job: 000712780-001 (009663)

Specific Location: Lic #:009663 LP Establishment:The Biltmore Cabaret

## Details

Area Code  
Badge  
Complaint Type Minors  
Complainant Type Anonymous  
Complainant Address  
Complainant Phone  
Complainant's Email Address  
Complainant Name  
Details Caller states that minors are being allowed into the Ice bar/lounge?  
End Date  
Establishment Address The Biltmore Cabaret - 395 Kingsway VANCOUVER, BC V5T 3J7  
Establishment Name The Biltmore Cabaret  
Location  
LPC No.  
Management Acknowledgement  
Method of Receipt Phone  
Police Detachment  
Police File Number  
Police Officer  
Project ID  
Receive Date May 7, 2003  
Start Date

## Details

Liquor Primary: Job#:000712780-001 LP- Lic. #:009663  
Status:Licence Approved Approved:1982-02-15 00:00:00 Licence Name:The Biltmore Cabaret



Establishment: The Biltmore Cabaret [Lounge] Active: Y  
395 Kingsway VANCOUVER Last Routine Inspection: 2014-07-19

## Alleged Contr.



Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Receive Complaint/LPC						
STEPHEN BARRON	Complete	Complaint Received				May 07, 2003 16:14:02
Review Complaint						
STEPHEN BARRON	Complete	Inspection Required	May 07, 2003			May 07, 2003 16:14:12
Conduct Routine Inspection						
STEPHEN BARRON	Complete	No Contraventions				May 20, 2003 16:08:53
Lic #:009663 LP	Establishment:BILTMORE MOTOR HOTEL					

### C & E Complaint Job 000712780-041

LPC V5T 3J7 VANCOUVER 395 Kingsway

Status: Inspection Complete

Created By: s. 15

Date Created: Dec 16, 2003

Date Completed: Jan 05, 2004

Parent Job: 000712780-001 (009663)

Specific Location: Lic #:009663 LP Establishment:The Biltmore Cabaret

## Details

Area Code

Badge

Complaint Type

Minors

Complainant Type

Anonymous

Complainant Address

Complainant Phone

Complainant's Email Address

Complainant Name

Details

Complainant states that on Sunday, December 14, 2003 there was a bunch of minors in the establishment celebrating a friends "18th" birthday in the bar. Also, there was open smoking of Marijuana inside the DRS and beside it and staff never did anything about it at all. Apparently, the complainant and her friends frequent the bar on Friday's and Sunday's and see minors in there all the time and nothing is being done about it.

End Date

Establishment Address

The Biltmore Cabaret - 395 Kingsway VANCOUVER, BC V5T 3J7

Establishment Name

The Biltmore Cabaret

Location

LPC No.

Management Acknowledgement

Method of Receipt

Phone

Police Detachment

Police File Number

Police Officer

Project ID

Receive Date

Dec 16, 2003

Start Date

## Details

Liquor Primary: Job#:000712780-001 LP- Lic. #:009663

Status:Licence Approved Approved:1982-02-15 00:00:00 Licence Name:The Biltmore Cabaret



Establishment: The Biltmore Cabaret [Lounge] Active: Y  
395 Kingsway VANCOUVER Last Routine Inspection: 2014-07-19

Relationship:      Contravention:

Alleged Contravention...      C Minor - Permit minor to enter or be on premises, s. 35 Act

Alleged Contravention...      Minor - Permit minor to enter or be on premises, s. 35 Act

AM/PM      PM

Date      Dec 13, 2003

Hour      12

Minute      10

Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Receive Complaint/LPC						
STEPHEN BARRON	Complete	Complaint Received			Jan 05, 2004 11:09:33	
Review Complaint						
STEPHEN BARRON	Complete	Inspection Required	Jan 05, 2004		Jan 05, 2004 11:09:51	
Conduct Routine Inspection						
STEPHEN BARRON	Complete	No Contraventions			Jan 05, 2004 11:10:12	
Lic #:009663 LP   Establishment:Biltmore Motor Hotel						

**C & E Complaint  
Job 000712780-047****LPC 05-279103 V5T 3J7 VANCOUVER 395 Kingsway**

Status: Contravention Identified Created By: s. 15

Date Created: Jan 25, 2006

Date Completed: Jan 25, 2006

Parent Job: 000712780-001 (009663)

Specific Location: Lic #:009663 LP Establishment:The Biltmore Cabaret

**Details**

Area Code 604  
Badge 1354  
Complaint Type Assaults  
Complainant Type Police Department  
Complainant Address  
Complainant Phone 7172831  
Complainant's Email Address  
Complainant Name Peter Ryan VPD  
Details District Three

Date:  
05-11-19Time: 0303 HOURSCase #05-279103

Incident Type:  
ASSAULT / ASSAULT PO

Address:  
BILTMORE PUB  
Suspect and/or suspect Vehicle s.22  
Victim:  
s. 22 / A/SGT 2005

Synopsis:  
POLICE RESPONDED TO AN ASSAULT CALL AT THE BILTMORE HOTEL. THE VICTIM POINTED OUT THE SUSPECT STANDING IN A CROWD IN FRONT OF THE PUB. A/SGT. 2006 APPROACHED SUSPECT AND TOOK HER INTO CUSTODY. A LARGE CROWD BEGAN TO SURROUND SGT. HAMILTON AND A/SGT. 2005 (20 - 30 PEOPLE). THE SUSPECT SLAPPED A/SGT 2005. SUSPECT WAS SUBDUED, CODE 3 COVER CROWD DISPERSED

MEMBER:A/SGT 2005

End Date  
Establishment Address The Biltmore Cabaret - 395 Kingsway VANCOUVER, BC V5T 3J7  
Establishment Name The Biltmore Cabaret  
Location  
LPC No. 05-279103  
Management Acknowledgement Peter Ryan VPD Liquor Co-ordinator  
Method of Receipt Email  
Police Detachment  
Police File Number Case File #05-279103  
Police Officer SGT. Hamilton and PC Kal Dosanjh  
Project ID  
Receive Date Nov 21, 2005  
Start Date

## Details

Liquor Primary: Job#:000712780-001 LP- Lic.#:009663  
 Status:Licence Approved Approved:1982-02-15 00:00:00 Licence Name:The Biltmore Cabaret



Establishment: The Biltmore Cabaret [Lounge] Active: Y  
 395 Kingsway VANCOUVER Last Routine Inspection: 2014-07-19

## Alleged Contr.

Relationship: Contravention:  
 Alleged Contravention... C Fail to clear patrons by time required, s. 44(1)(a) Reg.  
 Alleged Contravention... Fail to clear patrons by time required, s. 44(1)(a) Reg.  
 AM/PM AM  
 Date Nov 20, 2005  
 Hour 3  
 Minute 05

## Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Receive Complaint/LPC						
ED PUDEK	Complete	Complaint Received			Jan 25, 2006 13:10:40	
Review Complaint						
ED PUDEK	Complete	Inspection Required	Jan 25, 2006		Jan 25, 2006 13:15:15	
Conduct Routine Inspection						
ED PUDEK	Complete	Contravention(s) Identified			Jan 25, 2006 13:28:27	
Lic #:009663 LP   Establishment:Howard Johnson Plaza Hotel						
Create Contravention Notice						
	Complete	Created CN Job			Jan 25, 2006 13:28:30	

**C & E Contravention Notice****Job 000712780-048****B008375 V5T 3J7 VANCOUVER 395 Kingsway**

Status: No Enforcement Action

Created By: s. 15

Date Created: Jan 25, 2006

Date Completed: Jan 27, 2006

Parent Job: 000712780-047

Specific Location: LP Lic #009663 Establishment: The Biltmore Cabaret

**Details**

Adjudicator  
Advocate  
CMA SHIRLEY MARTIN  
Contravention Notice Issued Jan 24, 2006  
Contravention Notice Number B008375  
Deputy General Manager, C & E Mark Tatchell  
Enforcement Hearing  
Inspector Edward Osei-Appiah  
Judicial Review Date  
Licence Contact Info: Owner Bob Nijjar 604- 895-2224  
LPC # 05-279103  
Notice Of Enforcement Action  
Project ID  
Regional Manager... LEE MURPHY  
Waiver Received Date  
Written Decision

**Notes****Alleged Contr.**

Contravention: B008375 - Fail to clear patrons by time required, s. 44(1)(a) Reg.  
Enforcement Action Recommended: N

**Relevant T&Cs**

Relationship:	C & E Relevant Terms & Conditions:
Licence Text	Designated smoking room is located within an approved area as noted on the official floor plan.
Relevant to EAR	N
Relevant to NEAR	N

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Relationship:	C & E Relevant Terms & Conditions:
Licence Text	Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premis
Relevant to EAR	N
Relevant to NEAR	N

Witnesses

Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Decide Enforcement Action						
ED PUDEK V5T 3J7 VANCOUVER 395 Kingsway	Complete	No Enforcement Action Re	Jan 25, 2006		Jan 25, 2006 13:46:08	
Prepare NEAR						
ED PUDEK	Complete	NEAR Prepared	Jan 25, 2006		Jan 27, 2006 16:09:51	

Hearing Docs

### Liquor Primary Job 000712780-080

**Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.**

Status:	Licence Change Approved	Created By:	s. 15	Date Created:	Nov 28, 2012
		Date Issued:	Dec 17, 2012	Date Completed:	Dec 17, 2012

Parent Job: 000712780-001 (009663)

Specific Location: Dec 22, 2012: Glory Days DJ event. Hours extended FROM 9am -2am TO 9am -3am. LG signature/approval now provided.



**Chg. Details**

Applicant Changed	Private Corporation: 636608 B.C. Ltd.
Application Fee	\$330.00
Case Manager...	Chelsea Resch
CateringEndorsement Chg	N
Change Type	Temp Change to Hours of Sale - Any Hours (C3)
Consultant	
Establishment Chg	Howard Johnson Plaza Hotel
Executor Chg	
Expiry Date	Mar 31, 2013
FriCTAPChg	AM
FriCTHChg	2
FriCTMChg	0
FriOTAPChg	AM
FriOTHChg	9
FriOTMChg	0
Higher Authority...	Catharine Eastwood
Licence Name Chg	Howard Johnson Plaza Hotel
Licensing Clerk...	Chelsea Resch
MonCTAPChg	AM
MonCTHChg	2
MonCTMChg	0
MonOTAPChg	AM
MonOTHChg	9
MonOTMChg	0
Off Premises Sales Endorsement chg	Y
Off-Premises Sales Endorsement Comment	
One Stop Session Number	
Program Account Chg	BB0001
PST BN15 Chg	846411551BT0001
Receipt Establishment Name	
Receiver Name Chg	
Resident Manager Chg	Minwalla, Darius Sorab
SatCTAPChg	AM
SatCTHChg	2
SatCTMChg	0
SatOTAPChg	AM
SatOTHChg	9
SatOTMChg	0
Social Services Tax # (PST) Chg	R455162
Start Date	
SunCTAPChg	AM
SunCTHChg	1
SunCTMChg	0
SunOTAPChg	AM
SunOTHChg	9
SunOTMChg	0
Third Party Lessee Chg	0801414 BC Ltd
ThuCTAPChg	AM
ThuCTHChg	2
ThuCTMChg	0
ThuOTAPChg	AM
ThuOTHChg	9
ThuOTMChg	0
TueCTAPChg	AM

## Job 000712780-080

TueCTHChg	2
TueCTMChg	0
TueOTAPChg	AM
TueOTHChg	9
TueOTMChg	0
WedCTAPChg	AM
WedCTHChg	2
WedCTMChg	0
WedOTAPChg	AM
WedOTHChg	9
WedOTMChg	0

## Notes

## Fees

Description	Posted Date	Amount	Tax	Total	Balance
Liquor Primary Change Application Fee		\$330.00	\$0.00	\$330.00	\$0.00
2012-127301		(\$330.00)	\$0.00	(\$330.00)	
					\$0.00

## Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Receive Liquor Primary (Change) Application						
Rod Duncan	Complete	Licence Change Application			Nov 28, 2012	Nov 28, 2012 12:05:10
Temp hours change Dec 22nd/23rd, 2012						
Assign Staff						
Licensing Administration; Catharine E	Complete	Change Assigned	Nov 28, 2012			Nov 29, 2012 13:48:09
Enter LP Change Detail						
Chelsea Resch	Complete	Inspector Comments Requ				Dec 07, 2012 14:45:50
Dec 22, 2012: Glory Days DJ event. Hours extended FROM 9am -2am TO 9am -3am. LG signature/approval now provided.						
Inspector Comments						
Edward Osei-Appiah	Complete	Commented	Dec 07, 2012			Dec 14, 2012 13:04:08
Dec 22, 2012: Glory Days DJ event. Hours extended FROM 9am -2am TO 9am -3am. LG signature/approval now provided.						
Review Applicant/Application Suitability						
Chelsea Resch	Complete	Change Request Suitable (				Dec 17, 2012 10:20:48
Application complete, no inspector issues.						
Send LP Licence and Docs						
Chelsea Resch	Complete	Changed Licence Sent				Dec 17, 2012 10:38:28

## Watched LE

## Entities



Licensing Clerk: Chelsea Resch s. 15



Establishment: Howard Johnson Plaza Hotel [Hotel] Active: Y  
395 Kingsway VANCOUVER Last Routine Inspection: 2014-01-08



Establishment Change: Howard Johnson Plaza Hotel [Hotel] Active: Y  
395 Kingsway VANCOUVER Last Routine Inspection: 2014-01-08



Higher Authority: Catharine Eastwood s. 15



Resident Manager: Individual: Minwalla, Darius Sorab s. 22  
Active: Y



Inspector (IND): Michelle Trelenberg s. 15



Case Manager: Chelsea Resch s. 15



Applicant: Private Corporation: 636608 B.C. Ltd.  
Active: Y



Responsible Party: Private Corporation: 636608 B.C. Ltd.  
Active: Y



Third Party Lessee: Private Corporation: 0801414 BC Ltd  
Active: Y



Applicant Change: Private Corporation: 636608 B.C. Ltd.  
Active: Y



Third Party Lessee Change: Private Corporation: 0801414 BC Ltd  
Active: Y



Resident Manager Chg: Individual: Minwalla, Darius Sorab s. 22  
Active: Y

Job	Type	Created	Issued	Completed	Status
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000712780-015	Liquor Primary Renewal	Nov 30, 2002	Mar 28, 2003		Licence Renewed
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NR

# Job 000712780-080

Job	Type	Created	Issued	Completed	Status
NR					
000712780-023 A14320 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 14, 2003		Jan 14, 2003	No Enforcement Action
000712780-025 A014321 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 14, 2003	Apr 14, 2003	Apr 14, 2003	Penalty Imposed
000712780-026 LPC A074579 V5T 3J7 VANCOUVER 395 Kingsway	C & E Complaint	Jan 16, 2003		Jan 16, 2003	Contravention Identified
000712780-027 A014315 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 16, 2003	Apr 14, 2003	Apr 14, 2003	Penalty Imposed
000712780-028 LPC A130701 V5T 3J7 VANCOUVER 395 Kingsway	C & E Complaint	Jan 16, 2003		Jan 16, 2003	Contravention Identified
000712780-029 A014316 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 16, 2003	Apr 14, 2003	Apr 14, 2003	Penalty Imposed
000712780-030 LPC A 130702 V5T 3J7 VANCOUVER 395 Kingsway	C & E Complaint	Jan 17, 2003		Jan 17, 2003	Contravention Identified
000712780-031 A014317 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 17, 2003	Apr 14, 2003	Apr 14, 2003	Penalty Imposed
000712780-032 LPC A 078802 V5T 3J7 VANCOUVER 395 Kingsway	C & E Complaint	Jan 17, 2003		Jan 17, 2003	Contravention Identified
000712780-033 A014322 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 17, 2003	Apr 14, 2003	Apr 14, 2003	Penalty Imposed
000712780-034 LPC V5T 3J7 VANCOUVER 395 Kingsway	C & E Complaint	Jan 20, 2003		Jan 20, 2003	Contravention Identified
000712780-035 A014319 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 20, 2003		Nov 20, 2003	Hearing - No Enforcement Actio
000712780-036	Liquor Primary Renewal	Mar 28, 2003	Mar 30, 2004		Licence Renewed
000712780-037 LPC V5T 3J7 VANCOUVER 395 Kingsway	C & E Complaint	May 07, 2003		May 20, 2003	Inspection Complete
000712780-038 Structural - No Cap Change (DSR) (C6) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	Liquor Primary	May 27, 2003	Sep 09, 2003	Sep 09, 2003	Licence Change Approved
000712780-039 b004520 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jun 16, 2003		Jun 16, 2003	No Enforcement Action
000712780-040 B001201 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Nov 13, 2003		Nov 13, 2003	No Enforcement Action
000712780-041 LPC V5T 3J7 VANCOUVER 395 Kingsway	C & E Complaint	Dec 16, 2003		Jan 05, 2004	Inspection Complete
000712780-042 b001258 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 27, 2004		Sep 22, 2004	Withdrawn
000712780-043 B001215 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 27, 2004		Feb 12, 2004	No Enforcement Action

# Job 000712780-080

Job	Type	Created	Issued	Completed	Status
000712780-044	Liquor Primary Renewal	Mar 30, 2004	Mar 30, 2005		Licence Renewed
000712780-045	Liquor Primary Renewal	Mar 30, 2005	Mar 27, 2006		Licence Renewed
000712780-046	Liquor Primary Name Change - Licence (C2) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	May 26, 2005	Jul 08, 2005	Jul 08, 2005	Licence Change Approved
000712780-047	C & E Complaint LPC 05-279103 V5T 3J7 VANCOUVER 395 Kingsway	Jan 25, 2006		Jan 25, 2006	Contravention Identified
000712780-048	C & E Contravention Notice B008375 V5T 3J7 VANCOUVER 395 Kingsway	Jan 25, 2006		Jan 27, 2006	No Enforcement Action
000712780-049	C & E Contravention Notice B008377 V5T 3J7 VANCOUVER 395 Kingsway	Feb 28, 2006		Feb 28, 2006	No Enforcement Action
000712780-050	Liquor Primary Renewal	Mar 27, 2006	Mar 26, 2007		Licence Renewed
000712780-051	C & E Contravention Notice B005223 V5T 3J7 VANCOUVER 395 Kingsway	May 25, 2006		Jun 30, 2006	No Enforcement Action
000712780-052	C & E Complaint LPC V5T 3J7 VANCOUVER 395 Kingsway	Mar 14, 2007		Apr 02, 2008	Inspection Complete
000712780-053	Liquor Primary Renewal	Mar 26, 2007	Mar 11, 2008		Licence Renewed
000712780-054	Liquor Primary Third Party - Addition (C1) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	Nov 02, 2007	Feb 06, 2008	Feb 06, 2008	Licence Change Approved
000712780-055	Liquor Primary Resident Manager - Addition (C1) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	Nov 02, 2007	Feb 06, 2008	Feb 06, 2008	Licence Change Approved
000712780-056	Liquor Primary Renewal	Mar 11, 2008	Mar 24, 2009		Licence Renewed
000712780-057	Liquor Primary Data Correction (C99) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	Mar 13, 2008	Apr 09, 2008	Apr 09, 2008	Licence Change Approved
000712780-058	Liquor Primary Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	Jun 06, 2008	Jun 11, 2008	Jun 11, 2008	Licence Change Approved
000712780-059	Liquor Primary Renewal	Mar 24, 2009	Mar 26, 2010		Licence Renewed
000712780-060	Liquor Primary Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	Oct 16, 2009	Oct 28, 2009	Oct 28, 2009	Licence Change Approved
000712780-061	Liquor Primary Hours (C3) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.	Jan 26, 2010		Mar 31, 2010	Application Terminated
000712780-062	Liquor Primary Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	Feb 24, 2010	Mar 11, 2010	Mar 11, 2010	Licence Change Approved
000712780-063	Liquor Primary Renewal	Mar 26, 2010	Mar 25, 2011	Mar 25, 2011	Licence Renewed
000712780-064	Liquor Primary Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	Apr 08, 2010	Jul 07, 2010	Jul 07, 2010	Licence Change Approved

# Job 000712780-080

Job	Type	Created	Issued	Completed	Status
000712780-065	Liquor Primary	Jul 13, 2010	Aug 25, 2010	Aug 25, 2010	Licence Change Approved
Resident Manager - Addition (C1) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-066	C & E Contravention Notice	Oct 05, 2010		Nov 10, 2010	No Enforcement Action
B000596 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-067	Liquor Primary	Oct 13, 2010		Feb 01, 2011	Application Denied - Closed
Temp Change to Hours of Sale - Any Hours (C3) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.					
000712780-068	Liquor Primary	Jan 25, 2011	Feb 01, 2011	Feb 01, 2011	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-069	Liquor Primary Renewal	Mar 25, 2011	Mar 20, 2012	Mar 20, 2012	Licence Renewed
000712780-070	Liquor Primary	Sep 09, 2011	Sep 19, 2011	Sep 19, 2011	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-071	Liquor Primary	Oct 12, 2011	Oct 18, 2011	Oct 18, 2011	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-072	Liquor Primary	Nov 30, 2011	Dec 05, 2011	Dec 05, 2011	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-073	Liquor Primary Renewal	Apr 04, 2012	Mar 25, 2013	Mar 25, 2013	Licence Renewed
Howard Johnson Plaza Hotel - 395 Kingsway VANCOUVER, BC V5T 3J7					
000712780-074	Liquor Primary	Apr 05, 2012	Apr 18, 2012	Apr 18, 2012	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-075	Liquor Primary	May 10, 2012	May 30, 2012	May 30, 2012	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-076	Liquor Primary	Jul 30, 2012	Aug 15, 2012	Aug 15, 2012	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-077	Liquor Primary	Aug 15, 2012	Aug 22, 2012	Aug 22, 2012	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-078	Liquor Primary	Sep 07, 2012	Sep 19, 2012	Sep 19, 2012	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-079	Liquor Primary	Oct 09, 2012		Nov 07, 2012	Application Terminated
Temp Change to Hours of Sale - Any Hours (C3) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.					
000712780-080	Liquor Primary	Nov 28, 2012	Dec 17, 2012	Dec 17, 2012	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-081	Liquor Primary	Dec 20, 2012	Dec 20, 2012	Dec 20, 2012	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-082	Liquor Primary Renewal	Mar 25, 2013	Mar 03, 2014	Mar 03, 2014	Licence Renewed
000712780-083	Liquor Primary	Sep 11, 2013	Sep 18, 2013	Sep 18, 2013	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-084	Liquor Primary	Nov 15, 2013	Nov 28, 2013	Nov 28, 2013	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.					
000712780-085	Liquor Primary	Nov 22, 2013	Nov 22, 2013	Nov 22, 2013	Licence Change Approved
Data Correction (C99) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.					

## Job 000712780-080

Job	Type	Created	Issued	Completed	Status
000712780-086	Liquor Primary	Nov 28, 2013	Nov 28, 2013	Nov 28, 2013	Licence Change Approved
Data Correction (C99) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.					
000712780-087	Liquor Primary	Jan 22, 2014	Jan 31, 2014	Jan 31, 2014	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.					
000712780-088	Liquor Primary Renewal	Mar 03, 2014			Initial
000712780-089	Liquor Primary	Mar 24, 2014	Mar 25, 2014	Mar 25, 2014	Licence Change Approved
Data Correction (C99) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.					
000712780-090	Liquor Primary	Sep 30, 2014			Licence Change in Review
Temp Change to Hours of Sale - Any Hours (C3) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.					

## Sect. 16 & 18

Agreement with Other Party Comment	Applicant has no previous or current licensee status (no relationship with nor interest in other establishments).
Applicant Enforcement Actions	Applicant has no previous enforcement history.
Applicant Factors to Consider	There are no other relevant factors that the committee should consider under section 16 and 18 of the Liquor Control and Licensing Act.
Applicant Personal History	Applicant has provided personal history and criminal record search information. Applicant has no criminal record in Canada.
Applicant Resident and Age of Majority	Applicant has met the BC residency and age of majority requirements.
Applicant Suitable	Not Selected Yet
Associated with Manufacturer Comment	Applicant has no interest or association with any winery, brewery, distillery or ubrew-uvin establishments.
Exclusive Comments	
Reside at Address Comment	
Rural Agency Store Appointment Comment	

## Site Info

Local Government / First Nation	VANCOUVER (CITY OF)
Nearby Establishments Comment	
Other Privileges Requested	
Policy Considerations	
Primary Business Focus	
Primary Business Focus Comment	
Reasonable Distance Measure Used	
Regulatory Considerations	
Requested Person Capacity	352
Statutory Prohibitions to Consider	
Terms and Conditions (lookup)	off-premise sales permitted (lp)

## Site Cont'd



Relationship:	Licenced Area:
Active	Y
Capacity/OL	352
Description	at occ load
Effective Date	
Expiry Date	
Taken From Inside	N
Type	Person01

**Insp - Site Info**

Case Manager Requests  
Location/Site Factors Question 1  
Location/Site Factors Question 2  
Location/Site Factors Question 3  
Location/Site Factors Question 4  
Location/Site Factors Question 5

**LG/FN Resp.**

In Public Interest Comments  
LG/FN Additional Comments  
LG/FN Opted Out Comments  
Met Regulatory Requirements Comments  
Resolution Received Comments

**Chg T&C**

Licence Specific T&C Chg  
Licence Specific TC Chg2  
Licence Specific TC Chg3

**Chg T&C**

Terms and Conditions Change: off-premise sales permitted (lp)  
Active: Y

**Docs**

Relationship:	Document:
Description	:Liquor Primary Temp Hours Approval Letter Created 2012/12/17 10:38:08
Make Historic?	N


**Hist. Docs**

Historic Licence Document (FIL): :Liquor Primary Created 2012/12/17 10:38:19  
Lic # Job #20025765


Applicant...	Private Corporation: 636608 B.C. Ltd.
Establishment...	Howard Johnson Plaza Hotel City:VANCOUVER Address:395 KingswayVANCOUVER, BC V5T 3J7 Canada Active:Y
Executor	
FriCTAP	AM
FriCTH	2
FriCTM	0
FriOTAP	AM
FriOTH	9
FriOTM	0
Licence Name	Howard Johnson Plaza Hotel
Licence Specific T&&C	
Licence Specific TC2	
Licence Specific TC3	
MonCTAP	AM
MonCTH	2
MonCTM	0
MonOTAP	AM
MonOTH	9
MonOTM	0
Off Premises Sales Endorsement	Y
Off-Premises Sales Endorsement Comment	
Receiver Name	
Resident Manager...	Minwalla, Darius Sorab
SatCTAP	AM
SatCTH	2
SatCTM	0
SatOTAP	AM
SatOTH	9
SatOTM	0
SunCTAP	AM
SunCTH	1
SunCTM	0
SunOTAP	AM
SunOTH	9
SunOTM	0
Third Party Lessee...	0801414 BC Ltd
ThuCTAP	AM
ThuCTH	2
ThuCTM	0
ThuOTAP	AM
ThuOTH	9
ThuOTM	0
TueCTAP	AM
TueCTH	2
TueCTM	0
TueOTAP	AM
TueOTH	9
TueOTM	0
WedCTAP	AM
WedCTH	2
WedCTM	0
WedOTAP	AM
WedOTH	9
WedOTM	0

History


Terms and Conditions: off-premise sales permitted (lp)  
Active: Y




Establishment: Howard Johnson Plaza Hotel [Hotel] Active: Y  
395 Kingsway VANCOUVER Last Routine Inspection: 2014-01-08



Resident Manager: Individual: Minwalla, Darius Sorab s. 22  
Active: Y



Applicant: Private Corporation: 636608 B.C. Ltd.  
Active: Y



Third Party Lessee: Private Corporation: 0801414 BC Ltd  
Active: Y

LDB Data

Dormant

- Comments
- Date Reported
- Intentions for Re-opening
- Intentions for Re-opening Text
- Reason for Dormancy
- Reason for Dormancy Text
- Source of Information

Hub Msg.

## Licence File

Relationship: Scanned Document (IND):  
Category Licensing  
Created Oct 31, 2012  
Description V04\_2009-2012  
Last Modified Mar 27, 2014  
Last Updated By Karen Basarsky

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Relationship: Scanned Document (IND):  
Category C & E  
Created Oct 31, 2012  
Description V04\_2009-2012  
Last Modified Oct 31, 2012  
Last Updated By POSSE system power user

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Relationship: Scanned Document (IND):  
Category Renewal  
Created Oct 31, 2012  
Description V04\_2009-2012  
Last Modified Mar 10, 2014  
Last Updated By Karen Basarsky

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December 17, 2012

Job #712780-80

636608 B.C. Ltd.  
Howard Johnson Plaza hotel  
395 Kingsway  
Vancouver BC V5T 3J7

Sent via e-mail: [darius@biltmorecabaret.com](mailto:darius@biltmorecabaret.com)

Dear Darius Minwalla:

**Re: Temporary Change to a Liquor Licence – Approved  
Establishment: Howard Johnson Plaza Hotel  
Liquor Primary Licence #009663**

The Liquor Control & Licensing Branch has approved the temporary change application for the above-noted establishment.

**Temporary Extension of Hours:**

- Date: December 22, 2012 – Glory Days DJ Event
- Hours extended from 9:00 am – 2:00 am to 9:00 am – 3:00 am.

A copy of this approval letter must be kept on site, with your liquor licence and your red-lined floor plans, ready for inspection at all times during your event.

If any event approved in this letter is not being managed to the satisfaction of the General Manager, all remaining dates will be cancelled. Future approvals for similar temporary changes will be conditional on this event(s) being managed to the satisfaction of the General Manager.

Please note, there's been a change to the amount of notice the Branch requires for temporary change requests. For future requests, a complete application including the supporting documents must be submitted a **minimum of fourteen (14) business days** in advance of your event(s); otherwise your application will not be accepted and will be returned to you with the fees.

The Branch defines a business day for the purpose of processing applications as Monday - Friday excluding statutory holidays. Applications requesting discretion to policy (see Part 9) must be submitted a **minimum of two (2) months** prior to your proposed event; otherwise your application will not be accepted and will be returned to you with the fees.

If you have any questions, please contact me at 250-952-5763 or 1-866-209-2111.

Sincerely,



Chelsea Resch  
Case Manager

cc: Edward Osei-Appiah, Inspector  
Donna Lister, Regional Manager  
Vancouver Police Dept #5 Attn: Alex Clark  
City of Vancouver Attn: Lucia Cumerlato (via e-mail: [susan.smith@vancouver.ca](mailto:susan.smith@vancouver.ca))

**Please Note:**

The Branch operates on the basis that you are responsible for understanding and complying with the requirements of the LCLB Act, its Regulations, and the terms and conditions of your licence.

### Liquor Primary Job 000712780-081

**Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.**

Status:	Licence Change Approved	Created By:	s. 15	Date Created:	Dec 20, 2012
		Date Issued:	Dec 20, 2012	Date Completed:	Dec 20, 2012

Parent Job: 000712780-001 (009663)

Specific Location: Received in Branch - November 30, 2012 was attached to another application - Reviewed on December 20, 2012. Propose to extend hours on December 21, 2012 to 3:00 am. (End of the World - Ice Cream Social) LG has approved. Requires inspector comments.

**Chg. Details**

Applicant Changed	Private Corporation: 636608 B.C. Ltd.
Application Fee	\$330.00
Case Manager...	James Hackett
CateringEndorsement Chg	N
Change Type	Temp Change to Hours of Sale - Any Hours (C3)
Consultant	
Establishment Chg	Howard Johnson Plaza Hotel
Executor Chg	
Expiry Date	Mar 31, 2013
FriCTAPChg	AM
FriCTHChg	2
FriCTMChg	0
FriOTAPChg	AM
FriOTHChg	9
FriOTMChg	0
Higher Authority...	Catharine Eastwood
Licence Name Chg	Howard Johnson Plaza Hotel
Licensing Clerk...	James Hackett
MonCTAPChg	AM
MonCTHChg	2
MonCTMChg	0
MonOTAPChg	AM
MonOTHChg	9
MonOTMChg	0
Off Premises Sales Endorsement chg	Y
Off-Premises Sales Endorsement Comment	
One Stop Session Number	
Program Account Chg	BB0001
PST BN15 Chg	846411551BT0001
Receipt Establishment Name	
Receiver Name Chg	
Resident Manager Chg	Minwalla, Darius Sorab
SatCTAPChg	AM
SatCTHChg	2
SatCTMChg	0
SatOTAPChg	AM
SatOTHChg	9
SatOTMChg	0
Social Services Tax # (PST) Chg	R455162
Start Date	
SunCTAPChg	AM
SunCTHChg	1
SunCTMChg	0
SunOTAPChg	AM
SunOTHChg	9
SunOTMChg	0
Third Party Lessee Chg	0801414 BC Ltd
ThuCTAPChg	AM
ThuCTHChg	2
ThuCTMChg	0
ThuOTAPChg	AM
ThuOTHChg	9
ThuOTMChg	0
TueCTAPChg	AM

Job 000712780-081

TueCTHChg	2
TueCTMChg	0
TueOTAPChg	AM
TueOTHChg	9
TueOTMChg	0
WedCTAPChg	AM
WedCTHChg	2
WedCTMChg	0
WedOTAPChg	AM
WedOTHChg	9
WedOTMChg	0

Notes

Fees

Description	Posted Date	Amount	Tax	Total	Balance
Liquor Primary Change Application Fee		\$330.00	\$0.00	\$330.00	\$0.00
	2012-127965	(\$330.00)	\$0.00	(\$330.00)	
					\$0.00



## Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Receive Liquor Primary (Change) Application						
Joanne Dolinski; Catharine Eastwooc	Complete	Licence Change Application				Dec 20, 2012 14:42:56
Assign Staff						
Licensing Administration; Catharine E	Complete	Change Assigned	Dec 20, 2012			Dec 20, 2012 14:43:04
Notify Inspector						
Heather Lahoda	Complete	Noted	Dec 20, 2012			Dec 20, 2012 14:49:25
Received in Branch - November 30, 2012 was attahced to another appication - Reviewed on December 20, 2012. Propose to extend hours on December 21, 2012 to 3:00 am. (End of the World - Ice Cream Social) LG has approved. Requires inspector comments.						
Enter LP Change Detail						
James Hackett	Complete	Wait for LG Docs - Comme	Dec 20, 2012			Dec 20, 2012 14:46:48
Received in Branch - November 30, 2012 was attahced to another appication - Reviewed on December 20, 2012. Propose to extend hours on December 21, 2012 to 3:00 am. (End of the World - Ice Cream Social) LG has approved. Requires inspector comments.						
Inspector Comments						
Heather Lahoda	Complete	Commented	Dec 20, 2012			Dec 20, 2012 14:49:11
Received in Branch - November 30, 2012 was attahced to another appication - Reviewed on December 20, 2012. Propose to extend hours on December 21, 2012 to 3:00 am. (End of the World - Ice Cream Social) LG has approved. Requires inspector comments.						
Waiting for LG/FN Response						
James Hackett	Complete	Response Received	Dec 20, 2012			Dec 20, 2012 14:59:07
Received in Branch - November 30, 2012 was attahced to another appication - Reviewed on December 20, 2012. Propose to extend hours on December 21, 2012 to 3:00 am. (End of the World - Ice Cream Social) LG has approved. Requires inspector comments.						
Review and Record LG/FN Response						
James Hackett	Complete	LG/FN Input Final	Dec 20, 2012			Dec 20, 2012 14:59:31
LG and Inspector have no objections.						
Review Resolution						
James Hackett	Complete	In Public Interest (Change)	Dec 20, 2012			Dec 20, 2012 14:59:42
Approval						
Review Applicant/Application Suitability						
James Hackett	Complete	Change Approved	Dec 20, 2012			Dec 20, 2012 14:59:54
Suitable.						
Send LP Licence and Docs						
James Hackett	Complete	Changed Licence Sent	Dec 20, 2012			Dec 20, 2012 15:01:20

## Watched LE

## Entities



Applicant: Private Corporation: 636608 B.C. Ltd.  
Active: Y



Resident Manager Chg: Individual: Minwalla, Darius Sorab s. 22  
Active: Y



Case Manager: James Hackett s. 15



Resident Manager: Individual: Minwalla, Darius Sorab s. 22  
Active: Y



Responsible Party: Private Corporation: 636608 B.C. Ltd.  
Active: Y



Inspector (IND): Michelle Trelenberg s. 15



Establishment: Howard Johnson Plaza Hotel [Hotel] Active: Y  
395 Kingsway VANCOUVER Last Routine Inspection: 2014-01-08



Third Party Lessee Change: Private Corporation: 0801414 BC Ltd  
Active: Y



Third Party Lessee: Private Corporation: 0801414 BC Ltd  
Active: Y



Licensing Clerk: James Hackett s. 15



Higher Authority: Catharine Eastwood s. 15



Applicant Change: Private Corporation: 636608 B.C. Ltd.  
Active: Y



Establishment Change: Howard Johnson Plaza Hotel [Hotel] Active: Y  
395 Kingsway VANCOUVER Last Routine Inspection: 2014-01-08

NR

000712780-015

Liquor Primary Renewal

Nov 30, 2002 Mar 28, 2003

Licence Renewed

NR

# Job 000712780-081

Job	Type	Created	Issued	Completed	Status
		NR			
000712780-023 A14320 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 14, 2003		Jan 14, 2003	No Enforcement Action
000712780-025 A014321 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 14, 2003	Apr 14, 2003	Apr 14, 2003	Penalty Imposed
000712780-026 LPC A074579 V5T 3J7 VANCOUVER 395 Kingsway	C & E Complaint	Jan 16, 2003		Jan 16, 2003	Contravention Identified
000712780-027 A014315 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 16, 2003	Apr 14, 2003	Apr 14, 2003	Penalty Imposed
000712780-028 LPC A130701 V5T 3J7 VANCOUVER 395 Kingsway	C & E Complaint	Jan 16, 2003		Jan 16, 2003	Contravention Identified
000712780-029 A014316 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 16, 2003	Apr 14, 2003	Apr 14, 2003	Penalty Imposed
000712780-030 LPC A 130702 V5T 3J7 VANCOUVER 395 Kingsway	C & E Complaint	Jan 17, 2003		Jan 17, 2003	Contravention Identified
000712780-031 A014317 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 17, 2003	Apr 14, 2003	Apr 14, 2003	Penalty Imposed
000712780-032 LPC A 078802 V5T 3J7 VANCOUVER 395 Kingsway	C & E Complaint	Jan 17, 2003		Jan 17, 2003	Contravention Identified
000712780-033 A014322 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 17, 2003	Apr 14, 2003	Apr 14, 2003	Penalty Imposed
000712780-034 LPC V5T 3J7 VANCOUVER 395 Kingsway	C & E Complaint	Jan 20, 2003		Jan 20, 2003	Contravention Identified
000712780-035 A014319 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 20, 2003		Nov 20, 2003	Hearing - No Enforcement Actio
000712780-036	Liquor Primary Renewal	Mar 28, 2003	Mar 30, 2004		Licence Renewed
000712780-037 LPC V5T 3J7 VANCOUVER 395 Kingsway	C & E Complaint	May 07, 2003		May 20, 2003	Inspection Complete
000712780-038 Structural - No Cap Change (DSR) (C6) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	Liquor Primary	May 27, 2003	Sep 09, 2003	Sep 09, 2003	Licence Change Approved
000712780-039 b004520 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jun 16, 2003		Jun 16, 2003	No Enforcement Action
000712780-040 B001201 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Nov 13, 2003		Nov 13, 2003	No Enforcement Action
000712780-041 LPC V5T 3J7 VANCOUVER 395 Kingsway	C & E Complaint	Dec 16, 2003		Jan 05, 2004	Inspection Complete
000712780-042 b001258 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 27, 2004		Sep 22, 2004	Withdrawn
000712780-043 B001215 V5T 3J7 VANCOUVER 395 Kingsway	C & E Contravention Notice	Jan 27, 2004		Feb 12, 2004	No Enforcement Action

# Job 000712780-081

Job	Type	Created	Issued	Completed	Status
000712780-044	Liquor Primary Renewal	Mar 30, 2004	Mar 30, 2005		Licence Renewed
000712780-045	Liquor Primary Renewal	Mar 30, 2005	Mar 27, 2006		Licence Renewed
000712780-046	Liquor Primary Name Change - Licence (C2) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	May 26, 2005	Jul 08, 2005	Jul 08, 2005	Licence Change Approved
000712780-047	C & E Complaint LPC 05-279103 V5T 3J7 VANCOUVER 395 Kingsway	Jan 25, 2006		Jan 25, 2006	Contravention Identified
000712780-048	C & E Contravention Notice B008375 V5T 3J7 VANCOUVER 395 Kingsway	Jan 25, 2006		Jan 27, 2006	No Enforcement Action
000712780-049	C & E Contravention Notice B008377 V5T 3J7 VANCOUVER 395 Kingsway	Feb 28, 2006		Feb 28, 2006	No Enforcement Action
000712780-050	Liquor Primary Renewal	Mar 27, 2006	Mar 26, 2007		Licence Renewed
000712780-051	C & E Contravention Notice B005223 V5T 3J7 VANCOUVER 395 Kingsway	May 25, 2006		Jun 30, 2006	No Enforcement Action
000712780-052	C & E Complaint LPC V5T 3J7 VANCOUVER 395 Kingsway	Mar 14, 2007		Apr 02, 2008	Inspection Complete
000712780-053	Liquor Primary Renewal	Mar 26, 2007	Mar 11, 2008		Licence Renewed
000712780-054	Liquor Primary Third Party - Addition (C1) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	Nov 02, 2007	Feb 06, 2008	Feb 06, 2008	Licence Change Approved
000712780-055	Liquor Primary Resident Manager - Addition (C1) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	Nov 02, 2007	Feb 06, 2008	Feb 06, 2008	Licence Change Approved
000712780-056	Liquor Primary Renewal	Mar 11, 2008	Mar 24, 2009		Licence Renewed
000712780-057	Liquor Primary Data Correction (C99) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	Mar 13, 2008	Apr 09, 2008	Apr 09, 2008	Licence Change Approved
000712780-058	Liquor Primary Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	Jun 06, 2008	Jun 11, 2008	Jun 11, 2008	Licence Change Approved
000712780-059	Liquor Primary Renewal	Mar 24, 2009	Mar 26, 2010		Licence Renewed
000712780-060	Liquor Primary Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	Oct 16, 2009	Oct 28, 2009	Oct 28, 2009	Licence Change Approved
000712780-061	Liquor Primary Hours (C3) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.	Jan 26, 2010		Mar 31, 2010	Application Terminated
000712780-062	Liquor Primary Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	Feb 24, 2010	Mar 11, 2010	Mar 11, 2010	Licence Change Approved
000712780-063	Liquor Primary Renewal	Mar 26, 2010	Mar 25, 2011	Mar 25, 2011	Licence Renewed
000712780-064	Liquor Primary Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.	Apr 08, 2010	Jul 07, 2010	Jul 07, 2010	Licence Change Approved

# Job 000712780-081

Job	Type	Created	Issued	Completed	Status
000712780-065	Liquor Primary	Jul 13, 2010	Aug 25, 2010	Aug 25, 2010	Licence Change Approved
Resident Manager - Addition (C1) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-066	C & E Contravention Notice	Oct 05, 2010		Nov 10, 2010	No Enforcement Action
B000596 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-067	Liquor Primary	Oct 13, 2010		Feb 01, 2011	Application Denied - Closed
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Howard Johnson Plaza Hotel - 395 Kingsway VANCOUVER, BC V5T 3J7					
000712780-074	Liquor Primary	Apr 05, 2012	Apr 18, 2012	Apr 18, 2012	Licence Change Approved
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000712780-075	Liquor Primary	May 10, 2012	May 30, 2012	May 30, 2012	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-076	Liquor Primary	Jul 30, 2012	Aug 15, 2012	Aug 15, 2012	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-077	Liquor Primary	Aug 15, 2012	Aug 22, 2012	Aug 22, 2012	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-078	Liquor Primary	Sep 07, 2012	Sep 19, 2012	Sep 19, 2012	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-079	Liquor Primary	Oct 09, 2012		Nov 07, 2012	Application Terminated
Temp Change to Hours of Sale - Any Hours (C3) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.					
000712780-080	Liquor Primary	Nov 28, 2012	Dec 17, 2012	Dec 17, 2012	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-081	Liquor Primary	Dec 20, 2012	Dec 20, 2012	Dec 20, 2012	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-082	Liquor Primary Renewal	Mar 25, 2013	Mar 03, 2014	Mar 03, 2014	Licence Renewed
000712780-083	Liquor Primary	Sep 11, 2013	Sep 18, 2013	Sep 18, 2013	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-084	Liquor Primary	Nov 15, 2013	Nov 28, 2013	Nov 28, 2013	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.					
000712780-085	Liquor Primary	Nov 22, 2013	Nov 22, 2013	Nov 22, 2013	Licence Change Approved
Data Correction (C99) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.					

# Job 000712780-081

Job	Type	Created	Issued	Completed	Status
000712780-086	Liquor Primary	Nov 28, 2013	Nov 28, 2013	Nov 28, 2013	Licence Change Approved
Data Correction (C99) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.					
000712780-087	Liquor Primary	Jan 22, 2014	Jan 31, 2014	Jan 31, 2014	Licence Change Approved
Temp Change to Hours of Sale - Any Hours (C3) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.					
000712780-088	Liquor Primary Renewal	Mar 03, 2014			Initial
000712780-089	Liquor Primary	Mar 24, 2014	Mar 25, 2014	Mar 25, 2014	Licence Change Approved
Data Correction (C99) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.					
000712780-090	Liquor Primary	Sep 30, 2014			Licence Change in Review
Temp Change to Hours of Sale - Any Hours (C3) The Biltmore Cabaret Private Corporation: 636608 B.C. Ltd.					

## Sect. 16 & 18

Agreement with Other Party Comment	Applicant has no previous or current licensee status (no relationship with nor interest in other establishments).
Applicant Enforcement Actions	Applicant has no previous enforcement history.
Applicant Factors to Consider	There are no other relevant factors that the committee should consider under section 16 and 18 of the Liquor Control and Licensing Act.
Applicant Personal History	Applicant has provided personal history and criminal record search information. Applicant has no criminal record in Canada.
Applicant Resident and Age of Majority	Applicant has met the BC residency and age of majority requirements.
Applicant Suitable	Not Selected Yet
Associated with Manufacturer Comment	Applicant has no interest or association with any winery, brewery, distillery or brew-uvn establishments.
Exclusive Comments	
Reside at Address Comment	
Rural Agency Store Appointment Comment	

## Site Info

Local Government / First Nation	VANCOUVER (CITY OF)
Nearby Establishments Comment	
Other Privileges Requested	
Policy Considerations	
Primary Business Focus	
Primary Business Focus Comment	
Reasonable Distance Measure Used	
Regulatory Considerations	
Requested Person Capacity	352
Statutory Prohibitions to Consider	
Terms and Conditions (lookup)	off-premise sales permitted (lp)

## Site Cont'd

Relationship:	Licenced Area:
Active	Y
Capacity/OL	352
Description	at occ load
Effective Date	
Expiry Date	
Taken From Inside	N
Type	Person01

**Insp - Site Info**

Case Manager Requests  
Location/Site Factors Question 1  
Location/Site Factors Question 2  
Location/Site Factors Question 3  
Location/Site Factors Question 4  
Location/Site Factors Question 5

**LG/FN Resp.**

In Public Interest Comments  
LG/FN Additional Comments  
LG/FN Opted Out Comments  
Met Regulatory Requirements Comments  
Resolution Received Comments

**Chg T&C**

Licence Specific T&C Chg  
Licence Specific TC Chg2  
Licence Specific TC Chg3

**Chg T&C**

Terms and Conditions Change: off-premise sales permitted (lp)  
Active: Y

**Docs**

Relationship:	Document:
Description	:Liquor Primary Approval letter Created 2012/12/20 15:00:38
Make Historic?	N

**Hist. Docs**

Historic Licence Document (FIL): :Liquor Primary Created 2012/12/20 15:01:05  
Lic # Job #20188781



Applicant...	Private Corporation: 636608 B.C. Ltd.
Establishment...	Howard Johnson Plaza Hotel City:VANCOUVER Address:395 KingswayVANCOUVER, BC V5T 3J7 Canada Active:Y
Executor	
FriCTAP	AM
FriCTH	2
FriCTM	0
FriOTAP	AM
FriOTH	9
FriOTM	0
Licence Name	Howard Johnson Plaza Hotel
Licence Specific T&&C	
Licence Specific TC2	
Licence Specific TC3	
MonCTAP	AM
MonCTH	2
MonCTM	0
MonOTAP	AM
MonOTH	9
MonOTM	0
Off Premises Sales Endorsement	Y
Off-Premises Sales Endorsement Comment	
Receiver Name	
Resident Manager...	Minwalla, Darius Sorab
SatCTAP	AM
SatCTH	2
SatCTM	0
SatOTAP	AM
SatOTH	9
SatOTM	0
SunCTAP	AM
SunCTH	1
SunCTM	0
SunOTAP	AM
SunOTH	9
SunOTM	0
Third Party Lessee...	0801414 BC Ltd
ThuCTAP	AM
ThuCTH	2
ThuCTM	0
ThuOTAP	AM
ThuOTH	9
ThuOTM	0
TueCTAP	AM
TueCTH	2
TueCTM	0
TueOTAP	AM
TueOTH	9
TueOTM	0
WedCTAP	AM
WedCTH	2
WedCTM	0
WedOTAP	AM
WedOTH	9
WedOTM	0

History	
	Applicant: Private Corporation: 636608 B.C. Ltd. Active: Y
	Resident Manager: Individual: Minwalla, Darius Sor s. 22 Active: Y
	Establishment: Howard Johnson Plaza Hotel [Hotel] Active: Y 395 Kingsway VANCOUVER Last Routine Inspection: 2014-01-08
	Third Party Lessee: Private Corporation: 0801414 BC Ltd Active: Y
	Terms and Conditions: off-premise sales permitted (lp) Active: Y

LDB Data

Dormant	
Comments	
Date Reported	
Intentions for Re-opening	
Intentions for Re-opening Text	
Reason for Dormancy	
Reason for Dormancy Text	
Source of Information	

Hub Msg.

## Licence File

Relationship:	Scanned Document (IND):
Category	C & E
Created	Oct 31, 2012
Description	V04_2009-2012
Last Modified	Oct 31, 2012
Last Updated By	POSSE system power user

---

Relationship:	Scanned Document (IND):
Category	Licensing
Created	Oct 31, 2012
Description	V04_2009-2012
Last Modified	Mar 27, 2014
Last Updated By	Karen Basarsky

---

Relationship:	Scanned Document (IND):
Category	Renewal
Created	Oct 31, 2012
Description	V04_2009-2012
Last Modified	Mar 10, 2014
Last Updated By	Karen Basarsky

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December 20, 2012

Job #712780-81

636608 B.C. Ltd.  
Howard Johnson Plaza hotel  
395 Kingsway  
Vancouver BC V5T 3J7

Sent via e-mail: [darius@biltmorecabaret.com](mailto:darius@biltmorecabaret.com)

Dear Darius Minwalla:

**Re: Temporary Change to a Liquor Licence – Approved**  
**Establishment: Howard Johnson Plaza Hotel**  
**Liquor Primary Licence #009663**

The Liquor Control & Licensing Branch has approved the temporary change application for the above-noted establishment.

**Temporary Extension of Hours:**

- Date: December 21, 2012 – Ice Cream Social “End of the World Party”
- Hours extended from 9:00 am – 2:00 am to 9:00 am – 3:00 am.

A copy of this approval letter must be kept on site, with your liquor licence and your red-lined floor plans, ready for inspection at all times during your event.

If any event approved in this letter is not being managed to the satisfaction of the General Manager, all remaining dates will be cancelled. Future approvals for similar temporary changes will be conditional on this event(s) being managed to the satisfaction of the General Manager.

Please note, there's been a change to the amount of notice the Branch requires for temporary change requests. For future requests, a complete application including the supporting documents must be submitted a **minimum of fourteen (14) business days** in advance of your event(s); otherwise your application will not be accepted and will be returned to you with the fees.

The Branch defines a business day for the purpose of processing applications as Monday - Friday excluding statutory holidays. Applications requesting discretion to policy (see Part 9) must be submitted a **minimum of two (2) months** prior to your proposed event; otherwise your application will not be accepted and will be returned to you with the fees.

If you have any questions, please contact me at 250-952-5703 or 1-866-209-2111.

Sincerely,

James Hackett  
Case Manager

**Please Note:**

The Branch operates on the basis that you are responsible for understanding and complying with the requirements of the LCLB Act, its Regulations, and the terms and conditions of your licence.

cc: Edward Osei-Appiah, Heather Lahoda Inspector  
Donna Lister, Regional Manager  
Vancouver Police Dept #5 Attn: Alex Clark  
City of Vancouver Attn: Lucia Cumerlato (via e-mail: [susan.smith@vancouver.ca](mailto:susan.smith@vancouver.ca))

**Liquor Control and  
Licensing Branch**

Mailing Address:  
PO Box 9292 Stn Prov Govt  
Victoria BC V8W 9J8  
Telephone: 250 952-5787  
Facsimile: 250 952-7066

Location:  
4<sup>th</sup> Floor, 3350 Douglas Street  
Victoria, BC

<http://www.pssg.gov.bc.ca/lclb>  
Page 392  
JAG-2014-01078/Phase 1

### C & E Contravention Notice

Job 000712780-023

A14320 V5T 3J7 VANCOUVER 395 Kingsway

Status: No Enforcement Action

Created By: s. 15

Date Created: Jan 14, 2003

Date Completed: Jan 14, 2003

Parent Job: 000712780-020

Specific Location: LP Lic #009663 Establishment: The Biltmore Cabaret

## Details

Adjudicator  
Advocate  
CMA BEV BIFFARD  
Contravention Notice Issued Jan 9, 2003  
Contravention Notice Number A14320  
Deputy General Manager, C & E Mark Tatchell  
Enforcement Hearing  
Inspector Edward Osei-Appiah  
Judicial Review Date  
Licence Contact Info:  
LPC #  
Notice Of Enforcement Action  
Project ID  
Regional Manager... LEE MURPHY  
Waiver Received Date  
Written Decision

## Notes

## Alleged Contr.

Contravention: A14320 - Licensee fail to complete beverage service training program, s. 43 Reg.  
Enforcement Action Recommended: N

Contravention: A14320 - Contravene term & condition, s. 12 Act  
Enforcement Action Recommended: N

## Relevant T&Cs

Relationship: C & E Relevant Terms & Conditions:  
Licence Text Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premis  
Relevant to EAR N  
Relevant to NEAR N

Witnesses	
Relationship:	Branch Witness:
Contact Information	(604) 775-0093
Name	Tina Bains
Position	Liquor Inspector
Summary of Evidence	Testify to contravening a term and condition and fail to comply with RBS Regs
Relationship:	Branch Witness:
Contact Information	(604) 717-3349
Name	D. Quiring
Position	Constable VPD # 2075
Summary of Evidence	Testify present at the time of inspection
Relationship:	Branch Witness:
Contact Information	(604) 775-0098
Name	Shannan Johnston
Position	Liquor Inspector
Summary of Evidence	Testify to contravening a term and condition and fail to comply with RBS Regs

			Processes			
Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Decide Enforcement Action						
TINA BAINS	Complete	No Enforcement Action Re	Jan 14, 2003			Jan 14, 2003 12:11:59
V5T 3J7 VANCOUVER 395 KINGSWAY						
Prepare NEAR						
TINA BAINS	Complete	NEAR Prepared	Jan 14, 2003			Jan 14, 2003 12:26:27

# Job 000712780-052

## Job Edit

### C & E Complaint Job 000712780-052

LPC V5T 3J7 VANCOUVER 395 Kingsway

Status: Inspection Complete

Created By: s. 15

Date Created: Mar 14, 2007

Date Completed: Apr 02, 2008

Parent Job: 000712780-001 (009663)

Specific Location: Lic #:009663 LP Establishment:The Biltmore Cabaret

## Details

Area Code

Badge

Complaint Type

Advertising

Complainant Type

Anonymous

Complainant Address

Complainant Phone

Complainant's Email Address

Complainant Name

Details Their sign which displays a rotating message - is advertising "Happy Hour" 5:30 -7:00.

End Date

Establishment Address

The Biltmore Cabaret - 395 Kingsway VANCOUVER, BC V5T 3J7

Establishment Name

The Biltmore Cabaret

Location

LPC No.

Management Acknowledgement

Method of Receipt

Phone

Police Detachment

Police File Number

Police Officer

Project ID

Receive Date

Mar 13, 2007

Start Date

## Details

Liquor Primary: Job#:000712780-001 LP- Lic. #:009663

Status:Licence Approved Approved:1982-02-15 00:00:00 Licence Name:The Biltmore Cabaret



Establishment: The Biltmore Cabaret [Lounge] Active: Y

395 Kingsway VANCOUVER Last Routine Inspection: 2014-07-19

## Alleged Contr.

# Job 000712780-052

## Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Receive Complaint/LPC						
Edward Osei-Appiah	Complete	Complaint Received				Jun 07, 2007 13:41:13
Review Complaint						
Edward Osei-Appiah	Complete	Inspection Required	Jun 07, 2007			Jun 07, 2007 13:41:32
Conduct Routine Inspection						
Edward Osei-Appiah	Complete	No Contraventions				Apr 02, 2008 13:06:34
Lic #:009663 LP   Establishment:Howard Johnson Plaza Hotel						





## DAILY INCIDENT REPORT

May 19/06 - Everything went smoothly.  
No problems this afternoon.

H.H.

May 19/06

Fire Marshall, police + LCB came in together. We had a few problems with obstructions in fire ~~exit's~~ exit's. asked to remove items, Had a line up of 5 to 10 people, two females ~~entered~~ entered the bar passing the line and paying \$20.00. Both with ID. The police were leaving and witnessed the passing of money. ~~They then proceeded~~ They then proceeded to ask the ~~two~~ women for their ID's. One gave the ID no problem the other did not. The LCB officer then wrote us up for letting a girl in with no ID. This is clearly not what happened. A few regulars witnessed the whole thing and will ~~be~~ be willing to discuss this miss understanding with the authorities.

Witness:

s. 22

*[Signature]*



**DAILY INCIDENT REPORT**

Date: May 12 2006.

117

Every thing went well inside no problems to speak of. Police were outside taking care of drunk drivers and a few rowdy people at the end of the night. Pretty slow but good.

117

Date: May 13 2006.

ALL DOORMAN HAD NO PROBLEMS TONIGHT WITH ANY PATRONS, CLEARED EVERYONE OUT VERY QUICKLY DUE TO A SLOW NIGHT ALL ROUND.

117



**DAILY INCIDENT REPORT**

DATE: April 28/06

WRITTEN BY: Paul Kelman

After the bar was closed a fight broke out, outside the front door of the bar. We went out to see what was going on and to stop things from getting any worse than it was.

5-8 women were fighting each other over god knows what, the police showed up after and ask us to help clear the crowd which we did.

As for what was said to start it we the staff were not there to know this.

The parties involved left and we closed our doors.

SIGNED

PK

[Signature]



**DAILY INCIDENT REPORT**

DATE: May 4/06

WRITTEN BY: Paul Kelman

A Fight broke out inside the bar and I stop it.

s. 22

I walked 3 latin guys out of the bar in the front door. One of them had a beer bottle in his jacket, I asked him for the bottle he said no and then tried to hit me with it.

I moved out of the way and pushed him down, the 2nd guy punched at me and I put him on the ground, the next thing I knew the 3rd guy had a gun at my head I pushed him off and ran inside and told  
to call 911.

s. 22

They showed up I told them what happened and we closed up and I went home.

SIGNED

PKel



Ministry of  
Public Safety and  
Solicitor General

Liquor Control and  
Licensing Branch

Mailing Address:  
PO Box 9292 Stn Prov Govt  
Victoria, B.C. V8W 9J8  
Telephone: (250) 387-1254  
Facsimile: (250) 387-9184

No. C002628

## COMPLIANCE MEETING

Inspector's Name: ED PUBEK Date: JAN 24/06  
Office Location: Suite 100 - 133 East 8th Ave. VAN. B.C.

### ESTABLISHMENT INFORMATION:

Establishment Name: HOWARD JOHNSON PLAZA HOTEL  
Establishment Address: 395 KINGSWAY AVE. VAN. B.C. V5T-3J7  
Licence No.: 009663 Licence Class: L.P. Expiry date: MAR 31/06  
Licensee Name: HOWARD JOHNSON PLAZA HOTEL 436608 B.C. LTD

### MEETING DETAILS:

Attendees at compliance meeting:

Name: <u>T.J. Gill</u>	Association/Position: <u>G.M.</u>	Contact No: <u>778-895-2224</u>
Name: <u>Bob Nijjar</u>	Association/Position: <u>OWNER</u>	Contact No: <u>604-828-1951</u>
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____

Reason compliance meeting was convened (cite CN # if relevant): CN# B008375 issued for VPD

Information reviewed at the meeting: INCIDENT THAT OCCURRED NOV 19/05 - PATRONS SUBORNED POLICE & KIDNAPED OFFICER WHILE PATRONS WERE EXITING ESTABLISHMENT @ 3:15AM. LIQUOR SERVICE BANNED @ 2:00AM.

- ☐ Relevant section(s) of the Liquor Control and Licensing Act
- ☒ Relevant section(s) of the Liquor Control and Licensing Regulations 44(1)(a) FAIL TO CLEAR PATRONS WITHIN 1/2 HOUR AFTER LIQUOR SERVICE BANNED. C&E MANUAL 19.2.1
- ☐ Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual
- ☐ Relevant section(s) of the Guide to Liquor Licensees
- ☒ Other VPD CASE FILE# s. 16 1 FILE#

NOV 19/05 - ASSAULTS (PATRONS & VPD) COMMUNITY SAFETY ISSUES  
JAN 06 - SHOOTING (PATRONS FROM EST) " "  
SEE ATTACHED REPORTS IN EST. FILE

Commitments made by licensee:

(1) Release Previous Management Fined  
(2) Will Send you new business Plan w/o took over Jan. 19

Other more commitments to be furnished. LICENSEES TO INSTALL WEAPON DETECTORS AND VIDEO CAMERAS.

Inspector Name: ED PUBEK

Licensee Name: PH

LIQUOR CONTROL & LICENSING  
RECEIVED

JAN 26 2006

Inspector Signature: [Signature]

PM VICTORIA BC Licensee Signature: Bob Nijjar

## Compliance Meeting

Date: Jan 24, 2006 Fail to clear patrons within 1/2 hours after liquor service hours, Reg. s. 44(1)(a)

Effective Start Date:

Effective End Date:

### Details

Date Jan 24, 2006  
Comments Howard Johnson Night Club (AKA Biltmore Ice Night club)

Recent incidents created a need to hold a compliance meeting.

Vancouver Police Dept had to attend three separate incidents that occurred at the above establishment, first one was to do with patron assaults and VPD (Nov 19/05), 2nd indecent was a shooting (Jan 7/06), and the 3rd one resulted in a stabbing (Jan 20/06).

This establishment is returning to it's old ways. Serious public safety issues are at stake. The local community is at risk due to the criminal behavior taking place at this establishment.

LCLB Officer Ed Pudek issued CN# B008375 for Fail to Clear Patrons 1/2 hour after liquor service ends. Police report indicated on Nov 19/05 at 0300- 0315 hours(early Sunday morning Nov 20/05) A fight between Patrons occurred and VPD attended. VPD were trying to bring some order to the crowd coming out of the Bar and were surrounded and assaulted by patrons. VPD report shows that 0315 patrons were still exiting the establishment.

Attendees : T.J. Gill GM new Manager as of Jan20th/06

Bob Nijjar Owner

Ed Pudek C&E Officer

Lou Helmes C&E Officer

Items discussed- VPD reports(3) Community safety concerns

Failing to clear Patrons 1/2 hour after liquor service ends

Commitments by Licensee: Released previous Manager incidents)

Will provide new policy and procedures for staff and their new business plan.(to be forwarded this week)

Licensees will install weapon detectors and video surveillance cameras.

009663

Licence

Project ID

Topic

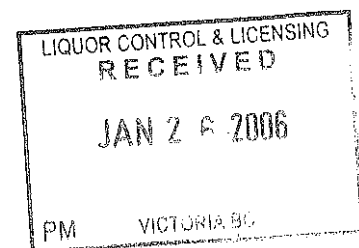
C Fail to clear patrons within 1/2 hours after liquor service hours, Reg. s. 44(1)(a)

### Inspectors

### Licence

Job	Type	Status	Created	Issued	Completed
External File Number	Address	Description			
000712780-001	Liquor Primary	Howard Johnson Plaza Hotel - 395 King	Nov 19, 1962	Feb 15, 1982	Feb 15, 1982
009663	Howard Johnson Plaza Hotel	Howard Johnson Plaza Hotel - 395 Kingsway	VANCOUVER, BC	V5T 3J7	

### Legal Entity



## COMPLIANCE MEETING

Inspector's Name: Edward Osci Appiah Date: June 7/07  
Office Location: Vancouver - Office - 100-133 CANT 8th

## ESTABLISHMENT INFORMATION:

Establishment Name: Kings Crossing - Howard Johnson Plaza Hotel  
Establishment Address: 395 Kingsway, Van. D.C V5T 3J7  
Licence No.: 009663 Licence Class: LP Expiry date: March 31/08  
Licensee Name: Howard Johnson Plaza Hotel

## MEETING DETAILS:

Attendees at compliance meeting:

Name: <u>DEEPAK, ARORA</u>	Association/Position: <u>General Manager</u>	Contact No: <u>872-5252</u>
Name: _____	Association/Position: _____	Contact No: _____
Name: <u>Edward Osci Appiah</u>	Association/Position: <u>lig Inspector</u>	Contact No: <u>775-0059</u>
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____
Name: _____	Association/Position: _____	Contact No: _____

Reason compliance meeting was convened (cite CN # if relevant): Noise ComplaintsInformation reviewed at the meeting: Minors on premises Allegations

- ☐ Relevant section(s) of the Liquor Control and Licensing Act - Penalties
- ☐ Relevant section(s) of the Liquor Control and Licensing Regulations
- ☐ Relevant section(s) of the Compliance and Enforcement Program, Policy and Procedures Manual
- ☒ Relevant section(s) of the Guide to Liquor Licensees Terms / Conditions
- ☐ Other \_\_\_\_\_

Provide a copy of lig Primary Terms / Conditions  
And Minor id sign.

Commitments made by licensee: Noise levels - Close Main doors for patrons, Advise patrons to keep Noise level down  
Add signs to front entrance advising patrons.

Minors - No minors on the premises; Check for two  
Other pieces of id, conduct staff meetings to educate employees.

Inspector Name: Edward Osci Appiah Inspector Signature: [Signature]  
Licensee Name: DEEPAK ARORA Licensee Signature: [Signature]

**Osei-Appiah, Edward SG:EX**

**From:** Barron, Stephen SG:EX  
**Sent:** April 20, 2007 10:55 AM  
**To:** Osei-Appiah, Edward SG:EX  
**Subject:** Howard Johnson Lounge pic  
**Attachments:** DSCN0454.JPG

For your info...

Stephen Barron  
Inspector  
Liquor Control and Licensing Branch  
604-775-0093 Office  
604-775-0044 fax  
604-908-5407 cellular  
Web: <http://www.pssg.gov.bc.ca/lclb>

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## Osei-Appiah, Edward SG:EX



**From:** Lister, Donna O SG:EX  
**Sent:** February 22, 2007 7:02 AM  
**To:** Barron, Stephen SG:EX; Osei-Appiah, Edward SG:EX  
**Subject:** FW: Crime Stoppers Tip...re: Kings Crossing 395 Kingsway.. Howard Johnson (aka Biltmore)

fyi

---

**From:** Ryan, Peter [mailto:peter.ryan@vpd.ca]  
**Sent:** February 21, 2007 4:00 PM  
**To:** Lister, Donna O SG:EX  
**Subject:** Crime Stoppers Tip...re: Kings Crossing 395 Kingsway.. Howard Johnson (aka Biltmore)

Donna,

Received a tip that Kings Crossing is allowing minors into the premise for \$20.00... I call this the tip of the month....

Peter

*Peter Ryan Constable 1148  
Liquor Co-ordinator  
Office: (604) 717-2831*

s. 15

**Osei-Appiah, Edward SG:EX**

---

**From:** Lister, Donna O SG:EX  
**Sent:** March 28, 2007 8:19 AM  
**To:** XT:Ryan, Peter SG:IN  
**Cc:** Osei-Appiah, Edward SG:EX  
**Subject:** RE: Howard Johnson aka Biltmore Hotel.... 395 Kingsway...

FYI Ed

---

**From:** Ryan, Peter [mailto:peter.ryan@vpd.ca]  
**Sent:** March 27, 2007 4:37 PM  
**To:** Lister, Donna O SG:EX  
**Subject:** Howard Johnson aka Biltmore Hotel.... 395 Kingsway...

Hi Donna,

Could you please forward this to Ed as I do not have his e-mail and cc me so I will have it....

Ed,

I have been looking into problems at the Howard Johnson and I was advised by the City that this premise only has a 1 AM closing and they have been staying open until 2 AM.. Could you look into that for me and also e-mail me the Liq. Lic. and red line map of this premise....

Thanks,  
Peter

*Peter Ryan Constable 1148  
Liquor Co-ordinator  
Office (604) 717-2831*

s. 15

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### District Three Overnights

<b>DATE:</b> 07.02.23	<b>TIME:</b> 01:48 hrs	<b>CASE</b> s. 16
<b>INCIDENT TYPE:</b>	Assault w/ Weapon, Possible Dangerous Weapon	
<b>ADDRESS:</b>	395 Kingsway (Jakes Crossing Pub)	
<b>SUSPECT:</b>	s. 22	
<b>VEHICLE:</b>		
<b>DESCRIPTION</b>		
<b>VICTIM:</b>		
<b>SYNOPSIS:</b>		
<b>MEMBER:</b>	2207, 2130 2512	

**Osei-Appiah, Edward SG:EX**

**From:** Lister, Donna O SG:EX  
**Sent:** February 27, 2007 7:32 AM  
**To:** Osei-Appiah, Edward SG:EX  
**Subject:** FW: Jakes Crossing..07-02-23 (2).  
**Sensitivity:** Confidential  
**Attachments:** Jakes Crossing..07-02-23 (2)..doc

Edward, I think this is one of yours. It's an FYI only

**From:** Ryan, Peter [mailto:peter.ryan@vpd.ca]  
**Sent:** February 26, 2007 12:50 PM  
**To:** Pudek, Ed SG:EX  
**Cc:** Lister, Donna O SG:EX  
**Subject:** Jakes Crossing..07-02-23 (2).  
**Sensitivity:** Confidential

<<Jakes Crossing..07-02-23 (2)..doc>>

Ed,

More problems at this premise.... Though this may not be the fault of the staff... The City has received an e-mail of complaint from a resident in the area. I will forward it over to you..

Peter

**Osei-Appiah, Edward SG:EX**

**From:** Lister, Donna O SG:EX  
**Sent:** February 22, 2007 7:02 AM  
**To:** Barron, Stephen SG:EX; Osei-Appiah, Edward SG:EX  
**Subject:** FW: Crime Stoppers Tip...re: Kings Crossing 395 Kingsway.. Howard Johnson (aka Biltmore)

fyi

---

**From:** Ryan, Peter [mailto:peter.ryan@vpd.ca]  
**Sent:** February 21, 2007 4:00 PM  
**To:** Lister, Donna O SG:EX  
**Subject:** Crime Stoppers Tip...re: Kings Crossing 395 Kingsway.. Howard Johnson (aka Biltmore)

Donna,

Received a tip that Kings Crossing is allowing minors into the premise for \$20.00... I call this the tip of the month....

Peter

*Peter Ryan Constable 1148  
Liquor Co-ordinator  
Office: (604) 717-2831*

s. 15

## Compliance Meeting

Date: Oct 19, 2006 Drunkenness, violent, quarrelsome, riotous or disorderly conduct, s. 36(2)(a)

Effective Start Date:

Effective End Date:

### Details

Date Oct 19, 2006

Comments Compliance Meeting # C002782  
Howard Johnson Hotel  
Two 911 calls to VPD, stabbing, assaults and weapon infractions  
Meeting held to deal with concerns of safety to surrounding community.  
VPD Reports Aug 26/06 and Sept 27/06 two separate incidents involving weapons and injuries.(stabbing)

Attendees: TJ Gill (Manager), Mark Thompson and Brandon Loughrery (Assist. managers)  
C&E Officer Ed Pudek  
Items discussed: Section 36(2) licensee must not permit disorderly or riotous conduct, licensee responsibility to notify police of any disorderly or riotous conduct, keep incidents reports of issues of concerns which involve safety of the public. (Management incident Reports provided for the two 911 call outs.)  
Discuss section s.47 weapons, report any weapons found on patrons to police and retain weapons and do not allow patron access to the establishment.

Licensees commitments: Licensee has installed three surveillance cameras at the front entrance and 16 additional cameras installed throughout establishment. Digital data will be store on the harddrive for 30 days.  
Improved lighting at front entrance and street/parking lot.  
Establishment name change to Kings Crossing, new clientele, new music and improve menus and food items. General improvements to the establishment should result in better compliance.

Licence 009663

Project ID

Topic C Drunkenness, violent, quarrelsome, riotous or disorderly conduct, s. 36(2)(a)

### Inspectors

### Licence

Job	Type	Status	Created	Issued	Completed
External File Number	Address	Description			
000712780-001	Liquor Primary	Howard Johnson Plaza Hotel - 395 King	Nov 19, 1962	Feb 15, 1982	Feb 15, 1982
009663	Howard Johnson Plaza Hotel	Howard Johnson Plaza Hotel - 395 Kingsway	VANCOUVER, BC	V5T 3J7	

### Legal Entity



**FILE COPY**

September 27, 2006

Howard Johnson Plaza Hotel  
395 Kingsway  
Vancouver B.C.  
V5T 3J7

Attention: Manager and Owners

Re: **Liquor License # 009663 and type: Liquor Primary**  
Contraventions: Section s.47, and Section 36(2) *Liquor Control & Licensing Act/Regulations*

---

This is to advise you that on the business days of August 26 and September 27, 2006, Vancouver Police Department (VPD) responded to two separate 911 calls, that require the Police to attend your establishment as a result of assaults (stabbing) and weapons infractions. These issues of non-compliance have created a serious concern for safety to general public and the surrounding community.

**The result of VPD call outs shows that your establishment was not in compliance with LCLAct/Regulations. Section s.47 Weapons and Section 36(2) Licensee must not permit disorderly or riotous conduct.**

On this occasion the Branch has decided that your attendance is required at a **mandatory Compliance Meeting to discuss and correct the above concerns and issues. A Compliance meeting will be held on Thursday October 19, 2006.** at the LCLB office at: 100 – 133 East 8<sup>th</sup> Ave., Vancouver, B.C. Your attendance is required at: **11:00 AM.**

We expect that you will take immediate steps to come into compliance, as the VPD and LCLB are greatly concerned over issues of safety to the surrounding community and to the general public. Your establishment has become a problem establishment which requires immediate attention. Further incidents could result in a suspension of your liquor license. VPD and the LCLB will be conducted further inspections to ensure compliance.

If you have any questions or concerns please do not hesitate to contact me @ 604-775-0240.

Yours truly,

Ed Pudek,  
Compliance and Enforcement Officer

---

Ministry of Public Safety  
and Solicitor General

Liquor Control and  
Licensing Branch

Mailing Address:  
133 East 8<sup>th</sup> Avenue  
Vancouver BC V5T 1R8

Telephone: 604 775-0100  
Facsimile: 604 775-0044  
[www.pssg.gov.bc.ca/lclb](http://www.pssg.gov.bc.ca/lclb)

# FILE COPY

## District Three

<b>Date:</b> 06-08-26	<b>Time:</b> 0246 hrs.	<b>Case</b> s. 16
<b>Incident Type:</b>	Assault w/Weapon	
<b>Address:</b>	395 Kingsway Biltmore	
<b>Suspect and/or suspect Vehicle</b>	s. 22	
<b>Victim:</b>		
<b>Synopsis:</b>		
<b>MEMBER:</b>		
	2199 / 2430	



**Memo to File: Biltmore/Howard Johnson Hotel  
356 Kingsway.**

**August 26/06 Incident Assault w/weapon  
Hours 0246**

Operator, Bob Nijjar, Managers TJ Gill and Mark Thompson  
Liquor Primary Licence # 636608

Received VPD incident report from s. 22, Two males 22,-24 years were involved in a physical altercation inside the establishment known as the Ice Bar, the confrontation continued outside, where one male was stabbed in the arm and chest. Victim name was s. 22

A call was made to TJ Gill (manager) to request video surveillance tapes from the night of the incident; the manager informed the branch that the video cameras were not in operation at the time of the incident due to renovations.

A second call was made to Mark Thompson assistant manager on duty the night of the stabbing, Mark informed the branch that the victim/patron s. 22 attempted to enter establishment with a knife, after a body search the knife was removed and retained by staff. The patron was allowed to enter but became agitated and confrontational with staff and patrons. The patron/victim s. 22 continued to disturb patrons and staff inside the club. The manager said it appeared that s. 22 was high on drugs and that s. 22 was the cause of the confrontation/fight with

another patron. The staff attempted to break up the fight and remove the patron.

The patron was removed, and the fight continued down the street from the establishment. The incident resulted in a stabbing of the patron/victim s. 22 The patron s. 22 blamed the establishment for removing his knife and therefore he could not defend himself during the fight outside. The patron threatens to sue the establishment for removing his knife and not returning it. The VPD responded to the incident, and tried to place the patron into the ambulance. The patron refused, and was then strapped to the stretcher and taken to the hospital.

A meeting will be held after receiving the police report.

The establishment is still under renovations, therefore video surveillance cameras were not in operation at the time of the incident.

Further investigation is required; enforcement action will depend on the outcome of the police report.

Ed Pudek August 29, 2006

**KINGS CROSSING ICE BAR**  
**DAILY INCIDENT REPORT**

IN regards to Wednesday Night Incident – September 27<sup>th</sup> 2006

Approx. between 1.45am and 2am a customer that frequents our establishment here at the ICE BAR / Kings Crossing was leaving the premise. He had gotten into his Ford Explorer that was parked right outside our doors. Out of no where, several undercover police cars and an SUV came and surrounded his vehicle. There were 2 large blasts that were shot off from one of the police officers guns. They were not bullets but was some sort of loud boom and came out of the weapon the officer was using. All the customers inside the club began to panic and run out the back doors thinking there was some sort of gun fire right outside our doors. We had the music stopped and had everyone stay inside as we did not know what was going on outside. We had the doormen standing at the bottom of the steps keeping all the customers away from the front door. We began using our rear exit doors to remove the patrons in our establishment.

The customer inside the Ford Explorer was apprehended and was removed by the officers attending the scene. Two of the officers then came in the pub to talk to myself and a few of the staff, ensuring that all was well and not to worry. The customer that was arrested did nothing illegal nor wrong in our club. His arrest had, in no way, anything to do with our business. Once the area outside the club was secured, the police allowed the remaining patrons inside the pub to vacate the building using our front entrance.

The staff then closed up as usual, cashed out and we all left together. I locked the doors at approx. 3.15am with two of my doormen and bartender and headed home.

Mark Thomson, Manager/Director

**KINGS CROSSING ICE BAR**  
**DAILY INCIDENT REPORT**

IN regards to Friday Night Incident August 25<sup>th</sup> -26<sup>th</sup>

At approx. s. 22 tried to enter to club with a weapon. He had a concealed knife on him. Our door staff removed the object after a pat down search was done. All customers are patted down before entering the club.

Although s. 22 was angry and irritated he agreed to give up his weapon. He requested that it be returned to him when he was to leave the bar. Our door staff said "No".

He then asked me if he would be allowed to get back his weapon when he would leave, and I said no. He finally gave up the idea, apologized and I let him come in.

s. 22 previously and allowed him to stay in the club. Later on during the evening approx. 1.45am s. 22 had an argument with his girlfriend and another patron. s. 22 then left the building requesting once again for his knife. Our door staff told him "no" and that if he ever tried to bring any kind of weapon to our club again that he would be barred and we would call the police.

Approximately 5-10 minutes later s. 22 came back to the club, and was injured. He had gotten himself into an altercation a block down the street. He was stabbed in the arm. He came back to the club screaming at myself and the door staff saying that if he would have had his weapon with him he would have been able to better defend himself and injure the other person that he was fighting with. He yelled that he was going to call the police and sue us for not returning his weapon to him. My door staff attended to his cut on his arm by trying to give him first aid. Because of the incident and the yelling and screaming that s. 22 had been doing, several customers outside became scared and left at a rapid pace. Police were called as well as an ambulance to deal with s. 22 injury. We explained to the police officers on the scene the incident that had just occurred. They were very easy to talk to and calmed everyone down with their presence.

NO Weapons were ever inside the club. No one was injured inside the club. NO one in our doorway or surrounding area was injured.

There were no other problems this evening other than s. 22  
s. 22 is no longer welcome in our establishment.

Mark Thomson, Manager / Director



## DAILY INCIDENT REPORT

Friday Sept 22/06

Tonight started as a quite night in the early hours. No problems at all very mellow crowd. At around 1:30-1:45 a young native male threw a pint glass at one of the mirrors in the club. The mirror smashed and caused a small pushing match around the mirror between the young male and the group of people sitting near by. Our doorman stepped in and stopped the problem from escalating inside. When the young man was removed his friends followed him out. Approx 8 young males then tried to push their way back into the club trying to fight our door staff. The staff calmed the situation telling the group what had happened and explained that we just had to remove them for the night and that they were welcome to come back on a later date but because of the problems caused they would not be allowed back inside tonight. The group calmed down and said that they understood our side of the situation and went on their way up the street to go home.

At approx 1:40-2am the city police arrived due to a phone call from a young woman which one of the officers explained to me. The officer told me that a woman called saying that there was a threat of a shooting which there was not. She just was afraid of the group of hot headed young men.



## DAILY INCIDENT REPORT

When the city police arrived a young male threw a rock at one of the police cars. The rock missed and smashed the window of a near by parked van. At this point approx 4 or 5 more cars showed up. The young man was arrested. At this point we closed up the club and while doing so the officers stayed to watch for more trouble. While closing the club I talked to the officer in charge. He told me that he understood how the nightlife industry can be hard to deal with and that he to at one time had done the same job as me and was very understanding. I had a quick talk with him and returned to my duties closing the bar thinking that the problem had been dealt with.

Then just as I had finished removing all the customers from the club a second officer came down I was told he was in charge. This second officer was no where near as understanding as the ~~the~~ first. He was extremely angry and did not want to hear a word I had to say. He blamed us for empty bottles that were outside even though we don't sell most of the bottles out there.

He also commented on the fact that we did not have counters on the front door even though we were nowhere near ~~exactly~~ our 352 cap. And the fact that we had numbered tickets and still knew the numbers inside. His last issue was that there wasn't enough doormen at the front door watching for bottles going outside even though there was 3 doormen at the door doing just that. All in all



**DAILY INCIDENT REPORT**

the night was calm except one small issue which was escalated with the arrival of a large number of police. Everything ended up being sorted and I returned to close up.

MANAGER BRANDON LOUGHEEY

A handwritten signature in black ink, appearing to read "Brandon Loughiey", is written over the printed name. The signature is stylized with large, sweeping loops.

**Pudek, Ed SG:EX**

**From:** Ryan, Peter [peter.ryan@vpd.ca]  
**Sent:** September 24, 2006 9:31 PM  
**To:** Pudek, Ed SG:EX  
**Cc:** Murphy, Lee I SG:EX  
**Subject:** FW: Biltmore Pub

Hi Ed,

E-mail below from Patrol Sgt....

Looks like the Biltmore is becoming a problem again.. s. 22 so will not be able to get you these reports right away. Will get them to you as soon as I can...

Would you be able to drop in there again and talk with the owners.. The last time you did that they cleaned up their act for a little while... Looks like they are slipping back into their old ways again.

Thanks,  
Peter

Peter,

It appears that the Biltmore is flying under the radar as far as LPC's go. The other night we had a Gun call there, which was quickly followed by a mischief where a patron who had left the bar, threw a rock towards where a police member had just been and ended up smashing a van window. See attached GO's. Needless to say, we spent a bit of time clearing the area.

Tonight A/Sgt Ell and two of the Beat Teams did a walk through of the Bar. We are going to try and start doing this on a regular basis. Would it be possible to enlist the help of the Liquor Inspectors on this place?

I will be on course the next three weeks, so I will not be here. PC Campbell and A/Sgt Ell will be here and can assist in keeping this going.

s. 16 /Weapons call  
Mischief  
SIPP outside after two previous calls.

Tom McLean  
A/Sgt 1500  
D3/9

*Peter Ryan Constable 1148  
Liquor Co-ordinator  
Patrol Support Section  
Vancouver Police Department  
Office: (604)717-2831  
Pager: (604)473-3597  
Fax: (604)257-3716*

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25/09/2006



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## District Three

<b>Date: 06-08-26</b>	<b>Time: 0246 hrs.</b>	<b>Case 1</b>	s. 16
<b>Incident Type:</b>	Assault w/Weapon		
<b>Address:</b>	395 Kingsway Biltmore		
<b>Suspect and/or suspect Vehicle</b>	s. 22		
<b>Victim:</b>			
<b>Synopsis:</b>			
<b>MEMBER:</b>	2199 / 2430		



**FILE COPY**

September 27, 2006

**Howard Johnson Plaza Hotel  
395 Kingsway  
Vancouver B.C.  
V5T 3J7**

Attention: Manager and Owners

Re: **Liquor License # 009663 and type: Liquor Primary**  
Contraventions: Section s.47, and Section 36(2) *Liquor Control & Licensing Act/Regulations*

---

This is to advise you that on the business days of August 26 and September 27, 2006, Vancouver Police Department (VPD) responded to two separate 911 calls, that require the Police to attend your establishment as a result of assaults (stabbing) and weapons infractions. These issues of non-compliance have created a serious concern for safety to general public and the surrounding community.

**The result of VPD call outs shows that your establishment was not in compliance with LCLAct/Regulations. Section s.47 Weapons and Section 36(2) Licensee must not permit disorderly or riotous conduct.**

On this occasion the Branch has decided that your attendance is required at a **mandatory Compliance Meeting to discuss and correct the above concerns and issues. A Compliance meeting will be held on Thursday October 19, 2006.** at the LCLB office at: 100 – 133 East 8<sup>th</sup> Ave., Vancouver, B.C. Your attendance is required at: **11:00 AM.**

We expect that you will take immediate steps to come into compliance, as the VPD and LCLB are greatly concerned over issues of safety to the surrounding community and to the general public. Your establishment has become a problem establishment which requires immediate attention. Further incidents could result in a suspension of your liquor license. VPD and the LCLB will be conducted further inspections to ensure compliance.

If you have any questions or concerns please do not hesitate to contact me @ 604-775-0240.

Yours truly,

Ed Pudek,  
Compliance and Enforcement Officer

---

**Ministry of Public Safety  
and Solicitor General**

Liquor Control and  
Licensing Branch

Mailing Address:  
133 East 8<sup>th</sup> Avenue  
Vancouver BC V5T 1R8

Telephone: 604 775-0100  
Facsimile: 604 775-0044  
[www.pssg.gov.bc.ca/lclb](http://www.pssg.gov.bc.ca/lclb)

**Howard Johnson Plaza Hotel  
Ice Bar  
395 Kingsway Ave.  
Vancouver B.C. V5T 3J7**

June 28, 2006

**Reasons for No Enforcement Action Recommended (NEAR) for the above establishment, Liquor License #009663**

Contravention NoticeB005223 issued for Failure to request ID from a person appearing under 25 years.

The contravention was issued on May 19<sup>th</sup>, 2006 at 11:20PM, the incident occur at the front doors of the establishment, two patrons were witnessed handing a twenty dollar bill to the front door person. The inspection team did not witness the request for ID, which the doorperson claims to have done. The patrons were permitted entry, the patrons then stopped at the coat check to check their coats and backpack. The inspection team went back in to the establishment and proceeded to ask the patrons for ID. One patron produced her ID, and was of age, the second patron could not produce her ID. The second patron told the VPD and the C&E officer that she lost her ID at the doorway. The team try to locate her ID to no avail. VPD escorted patron outside to discuss ID and personnel information, the patron would not give her name or any identification. When the VPD officers finally received information from the patron, it was found she had an outstanding warrant. The patron was then taken to the police station.

The Manager Jeff Traversy, informed C&E officer the following week that the patron had produced ID at the door, and when the patron saw the VPD officers she quickly place her ID in the backpack that was checked at the door. The patron was attempting to remain anonymous in fear of being arrested if her ID was found.

Licensees attended a Compliance Meeting on June 27<sup>th</sup>, 2006, statements from staff, doorpersons was submitted, stating that the patron had produce ID and the ID was located in her backpack. Further issues were discussed at the meeting, the licensee provided copies of policy for Staff/Doorpersons and Bartenders. Regular staff meeting are held nightly and any incidents are logged in an incident report book.

The licensee has installed 8 (GDS) video surveillance cameras around the establishment and is in the process of installing video cameras at the front entrance, the video records will be saved for one week.

The proposed name for the club will be Kings Crossing (Sports Bar), the club will no longer serve jugs of beer and the door security will issue VIP cards instead of accepting money as a way to bypass the line up. These changes are an attempt to improve their cliental.

The above information is the reason to change the contravention to a NEAR instead of an EAR.

Date JUNE 26/06 C & E Officer ED PUDEK

Licensee HOWARD JOHNSON PLAZA HOTEL  
ICE BAR

1. Is training provided for:

Staff ✓

Door - Security ✓

Floor - Server ✓

Bar ✓

Others:

2. What training programs are in place?

SIR/RBS. STAFF TRAINING LCLB REG'S & ACT.

3. Who does the training?

T.J. GILL & MARK THOMPSON.  
JEFF TRAVERSY

4. Is there a curriculum?

YES COPIES AVAILABLE.

5. How do you conclude that a staff member has successfully completed training?

TEAM MEETINGS  
SPOT CHECKS

6. Are staff and/or employee records available?

EMPLOYEE RECORDS AVAILABLE

RECORD OF TEAM/STAFF MEETINGS NOT AVAILABLE.

7. Is there a company policy and do they sign when completed?

YES.

8. Could I get a copy of the training records?

YES

9. Serving It Right. What is your policy?

ALL STAFF MUST HAVE SIR/RBS.

10. What recurrent training programs are in place?

ONGOING TRAINING FOR SECURITY & BARTENDERS.  
SEE ATTACHED. (STAFF)

11. How do you document completion of recurrent training?

THROUGH STAFF MEETINGS

12. On the business day's of MAY 19/06

Who was on staff?

S. 22

Who was the directing mind? JEFF TRAVERSY (MANAGER)

13. Did all staff have SIR on the business day of MAY 19/06?

YES.

14. How long do you keep your security tapes?

24 HRS.

15. Does your establishment keep a Log book?

YES

16. Can I have a copy of the Log book entry?

YES.

17. What discipline or programs are in place if an employee disregards company policy?

3 MONTH PROBATION PERIOD.  
3 WARNINGS THEN ~~B~~ SUSPENSION OF  
EMPLOYMENT.

18. How do you or your manager monitor staff and ensure they are conducting themselves in a manner that is in accordance with your policies and those set out by LCLB?

MANAGEMENT CONDUCT SPOT CHECKS.

19. What policies or procedures are in place for staff when they have concerns over activities of other staff including, but not limited to, the failure to comply with LCLB policies? Describe and give past example.

THE STAFF ARE TO BRING FORWARD CONCERNS TO MANAGEMENT.

20. What procedures have been developed since this Contravention Notice?

CHANGE IN PROCEDURES, NO MONEY WILL ~~BE~~ EXCHANGE FOR ENTRY, VIP CARDS WILL BE ISSUED.

21. By what date can you provide copies of this information?

Additional Information:



June 26/

Employee signs form prior to  
working.

TRAIN AS HOSTS.

2

Kings Crossing - Das Nale  
- START FOOD SERVICE IN BAR.

Incident Reports ALL MAINTAINED.  
For every event.

JUGS of BEER ARE NOT AVAILABLE.

WASH ROOMS CHECKS / DRUGS.

MAY 19/06  
Two PATRONS  
forming provided  
ID to Doorman  
PATRONS gave  
BACK ID TO  
COAT CHECK  
AT START  
ENTRANCE  
ADJACENT  
ASKED FOR ID.

GDS - KINGO SURVEILLANCE  
more cameras (8)

FRONT DOOR CAGERS.  
COAT CAGERS.

VIP CARS

S. 22

Relist of notices.

SIR - OUT DATED  
TEACHER

## C & E Contravention Notice

Job 000712780-051

### Contravention Notice Details

On May 19th, 2006, The Multi Agency Inspection Team (MAIT) entered the Ice Bar located at 395 Kingsway. This licensed premise club is part of the Howard Johnson Hotel. The Liquor Primary Club is located at the back of the Hotel with the entrance facing east. The hours of this establishment are Noon till 2.00 AM Monday to Saturday and Sunday from 11:00 AM till Midnight.

Liquor primary establishments do not allow minors or anyone appearing under the age of 25 years to enter without proper identification( ID).

Upon entry the Team noted several doorpersons at the front entrance, the doorpersons/security were supplied with weapon detectors, which were in use at the time of inspection.

The team completed their walk through, and found no issues at the time. C&E Officer Ed Pudek spoke with the Manager Jeff to discuss recent incidents and complaints resulting in VPD responses. The Manager informed Ed Pudek, that changes to the club are in progress, these changes should improve the recent non-compliance issues. The manager has increased security and installed video surveillance. C&E Officer Ed Pudek informed the Manager that if any structural changes are to be completed, he must apply for permanent change application. (Structural changes).

The MAIT team departed at 11:10 PM, as the team were discussing issues and note taking, ( standing outside the club approximately 3-4 meters south of the main entrance) Vancouver Police Constables Sandy Avelar and Viven Vong, City's Property use Inspector Lucia Cumerlato and C&E Officer Ed Pudek, witness two female patrons about to enter the establishment, one of patrons (wearing a white t-shirt, black pants and runners with black hair) entered the establishment with her friend. The patron entered by passing a twenty dollar bill to one of the doorpersons, who then proceeded to take the money and let the patron enter without requesting ID.

The MAIT team went back into the establishment to ask the patron for ID. The patron tried to find her ID in her purse, she told the Officers she had lost her ID. She informed us that she lost it at the front entrance, the officers and other team members tried to locate ID, to no avail.

The doorperson permitted the patron to enter without proper Identification after accepting a twenty dollar bill, Ed Pudek spoke with the Manager again, regarding the issue of requesting two pieces of ID and permitting minors to enter a liquor primary establishment. The team did not see any ID exchange hands just the twenty dollar bill.

The Manager inform Ed Pudek that the money was paid to avoid standing in line to enter the club. Ed Pudek told the Manager that there was no line up and the only patrons that were waiting were the two that had just entered without ID. Further inspection found one of the patron did have the required Identification, the other patron s. 22 who had no ID available was removed from the establishment by police.

Ed Pudek issued a Contravention Notice (B005223)for Failure to request ID from anyone appearing under the age of 25 years. The manager argued the point about money changing hands and that the patrons were requested for ID, Ed Pudek informed the Manager that the exchange of money was witness by two Vancouver Police officers, Lucia Cumerlato(City use inspector) and Ed Pudek C&E Officer. Ed Pudek requested to speak with the doorperson who accepted the money and allowed the patron to enter. The doorperson could not be located, the C&E officer then requested the Manager to find the doorperson so we could discuss the situation further. The Manger could not locate the doorperson, he gave us the name of the doorperson s. 22 and he informed the team tha s. 22 had began his employment approximately two months ago.

The MAIT team departed at 11:43 PM.

### **Alleged Contr.**

Contravention: B005223 - Fail to request ID, Reg. s. 45(2)  
Enforcement Action Recommended: N

## C & E Contravention Notice

Job 000712780-051

### Relevant T&Cs

Relationship: C & E Relevant Terms & Conditions:

Licence Text	Designated smoking room is located within an approved area as noted on the official floor plan.
Relevant to EAR	N
Relevant to NEAR	N

Relationship: C & E Relevant Terms & Conditions:

Licence Text	Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premi
Relevant to EAR	N
Relevant to NEAR	N

### Witnesses

Relationship: Branch Witness:

Name	Viven
Position	VPD Officer
Summary of Evidence	Officer witness patron give a twenty dollar bill to a security staff member at the front door, security
Contact Information	604-717-3716

Relationship: Branch Witness:

Name	Lucia Cumerlato
Position	Property use Inspector
Summary of Evidence	Officer witness patron give a twenty dollar bill to a security staff member at the front door, security
Contact Information	604-873-7947

Relationship: Branch Witness:

Name	Ed Pudek
Position	C&E Officer
Summary of Evidence	Officer witness patron give a twenty dollar bill to a security staff member at the front door, security
Contact Information	604-775-0240

Relationship: Branch Witness:

Name	Sandy Avelar
Position	VPD CST. 1877
Summary of Evidence	Officer witness patron give a twenty dollar bill to a security staff member at the front door, security
Contact Information	604-717-3716 Pin s. 15

### Processes

Assigned To	Status	Outcome	Scheduled		Actual	
			Start	Completed	Start	Completed
Decide Enforcement Action						
A059522	Scheduled		May 25, 2006			
V5T 3J7 VANCOUVER 395 Kingsway						

### Hearing Docs

# C & E Contravention Notice

Job 000712780-051

## Lic Summary

Job	Type	Created	Issued	Completed	Status
-----	------	---------	--------	-----------	--------

NR

000712780-015	Liquor Primary Renewal	Nov 30, 2002	Mar 28, 2003		Licence Renewed
---------------	------------------------	--------------	--------------	--	-----------------

NR

# C & E Contravention Notice

## Job 000712780-051

Job	Type	Created	Issued	Completed	Status
NR					
A013014 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-023	C & E Contravention Notice	Jan 14, 2003		Jan 14, 2003	No Enforcement Action
A14320 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-025	C & E Contravention Notice	Jan 14, 2003	Apr 14, 2003	Apr 14, 2003	Penalty Imposed
A014321 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-026	C & E Complaint	Jan 16, 2003		Jan 16, 2003	Contravention Identified
LPC A074579 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-027	C & E Contravention Notice	Jan 16, 2003	Apr 14, 2003	Apr 14, 2003	Penalty Imposed
A014315 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-028	C & E Complaint	Jan 16, 2003		Jan 16, 2003	Contravention Identified
LPC A130701 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-029	C & E Contravention Notice	Jan 16, 2003	Apr 14, 2003	Apr 14, 2003	Penalty Imposed
A014316 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-030	C & E Complaint	Jan 17, 2003		Jan 17, 2003	Contravention Identified
LPC A 130702 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-031	C & E Contravention Notice	Jan 17, 2003	Apr 14, 2003	Apr 14, 2003	Penalty Imposed
A014317 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-032	C & E Complaint	Jan 17, 2003		Jan 17, 2003	Contravention Identified
LPC A 078802 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-033	C & E Contravention Notice	Jan 17, 2003	Apr 14, 2003	Apr 14, 2003	Penalty Imposed
A014322 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-034	C & E Complaint	Jan 20, 2003		Jan 20, 2003	Contravention Identified
LPC V5T 3J7 VANCOUVER 395 Kingsway					
000712780-035	C & E Contravention Notice	Jan 20, 2003		Nov 20, 2003	Hearing - No Enforcement Action
A014319 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-036	Liquor Primary Renewal	Mar 28, 2003	Mar 30, 2004		Licence Renewed
000712780-037	C & E Complaint	May 07, 2003		May 20, 2003	Inspection Complete
LPC V5T 3J7 VANCOUVER 395 Kingsway					
000712780-038	Liquor Primary	May 27, 2003	Sep 09, 2003	Sep 09, 2003	Licence Change Approved
Structural - No Cap Change (DSR) (C6) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-039	C & E Contravention Notice	Jun 16, 2003		Jun 16, 2003	No Enforcement Action
b004520 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-040	C & E Contravention Notice	Nov 13, 2003		Nov 13, 2003	No Enforcement Action
B001201 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-041	C & E Complaint	Dec 16, 2003		Jan 05, 2004	Inspection Complete
LPC V5T 3J7 VANCOUVER 395 Kingsway					
000712780-042	C & E Contravention Notice	Jan 27, 2004		Sep 22, 2004	Withdrawn
b001258 V5T 3J7 VANCOUVER 395 Kingsway					

## C & E Contravention Notice

Job 000712780-051

Job	Type	Created	Issued	Completed	Status
000712780-043	C & E Contravention Notice	Jan 27, 2004		Feb 12, 2004	No Enforcement Action
B001215 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-044	Liquor Primary Renewal	Mar 30, 2004	Mar 30, 2005		Licence Renewed
000712780-045	Liquor Primary Renewal	Mar 30, 2005	Mar 27, 2006		Licence Renewed
000712780-046	Liquor Primary	May 26, 2005	Jul 08, 2005	Jul 08, 2005	Licence Change Approved
Name Change - Licence (C2) Howard Johnson Plaza Hotel Private Corporation: 636608 B.C. Ltd.					
000712780-047	C & E Complaint	Jan 25, 2006		Jan 25, 2006	Contravention Identified
LPC 05-279103 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-048	C & E Contravention Notice	Jan 25, 2006		Jan 27, 2006	No Enforcement Action
B008375 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-049	C & E Contravention Notice	Feb 28, 2006		Feb 28, 2006	No Enforcement Action
B008377 V5T 3J7 VANCOUVER 395 Kingsway					
000712780-050	Liquor Primary Renewal	Mar 27, 2006			Initial
000712780-051	C & E Contravention Notice	May 25, 2006			New Contravention Notice
B005223 V5T 3J7 VANCOUVER 395 Kingsway					

Notes

Docs

Creating Insp.

Conduct Routine Inspection: 0082334 - Lic #009663 LP Establishment:Howard Johnson Plaza Hotel

## C & E Contravention Notice

Job 000712780-051

**B005223 V5T 3J7 VANCOUVER 395 Kingsway**

Status: New Contravention Notice

Created By: s. 15

Date Created: May 25, 2006

Date Issued:

Date Completed:

Parent Job: 000712780-020

Specific Location: LP Lic #009663 Establishment: Howard Johnson Plaza Hotel

### Details

Contravention Notice Issued May 19, 2006

Notice Of Enforcement Action

Enforcement Hearing

Written Decision

Judicial Review Date

Waiver Received Date

LPC #

Inspector... Ed Pudek

Regional Manager... Lee Murphy

CMA Shirley Martin

Contravention Notice Number B005223

Adjudicator

Licence Contact Info:

Advocate

Deputy General Manager, C & E Mark Tatchell

Project ID

Contravention Notice Details 2

Contravention Notice Details 3

Contravention Notice Details 4

**Pudek, Ed SG:EX**

**From:** Ryan, Peter [peter.ryan@vpd.ca]  
**Sent:** Monday, January 30, 2006 9:20 AM  
**To:** Pudek, Ed SG:EX  
**Subject:** RE: Biltmore..06-01-20..doc

This sounds good Ed.. It will keep them on their toes....

I don't think they gave you the right name of the Sgt. they talked to as we have no "Scully" on the department pay rolls.. I will try to see who they talked with..

The Jan 7th call shots fired..report was mailed to you on Jan 17th hopefully you have received it by now..

NR

Hope this helps..

Peter

---

**From:** Pudek, Ed SG:EX [mailto:Ed.Pudek@gov.bc.ca]  
**Sent:** Friday, January 27, 2006 15:32  
**To:** XT:Ryan, Peter SG:IN  
**Subject:** RE: Biltmore..06-01-20..doc

Hi Peter,

The compliance meeting went well. Lou Helmes informed the licensees that they have become a problem establishment and will be a High priority when it comes to inspections. A Contravention Notice was issued for the first incident on Nov 19/05 File # 05-279103, Still deciding on enforcement action based on the evidence provided.

Spoke with Owner Bob Nijjar and TJ Gill, ( don't have much info on this guy) who has become the new resident Manager as of Jan 20/06.

s. 22 previous Manager has been released of his duties, due to the recent non-compliance(Public Safety issues).

The licensees will install a weapon detectors and video surveillance cameras.

The licensee and New Manager have talked with Sgt. Scully of the VPD. I do not know what was discussed.

A new business plan will be forwarded this week, the plan calls for changes to the Bar, more of a sports bar atmosphere etc, trying bring in different cliental.

The licensees have had warnings from the Howard Johnson main office, due to complaints at the downstairs bar.



Any further info on the Biltmore incidents on Jan 6 and 20th. Also Barcode incident, obstruction of a Police officer by staff.( schedule an compliance meeting with Barcode on Feb1/06 at 11:00am.

I will be out on night inspection tonight with Marilyn Lowden. These establishments will be inspected.

Later Ed  
Ed Pudek  
Inspector, Compliance and Enforcement  
Liquor Control and Licensing  
100-133 east 8th Ave. Vancouver B.C.  
Ministry of Public Safety and Solicitor General  
(604) 775-0240  
Fax (604) 775-0044  
Ed.Pudek@gems1.gov.bc.ca

-----Original Message-----

**From:** Ryan, Peter [mailto:peter.ryan@vancouver.ca]  
**Sent:** Thursday, January 26, 2006 8:04 AM  
**To:** Pudek, Ed SG:EX  
**Subject:** RE: Biltmore..06-01-20..doc

Hi Ed,

Just wondering if anything of interest come out of this meeting??

Peter

---

**From:** Pudek, Ed SG:EX [mailto:Ed.Pudek@gov.bc.ca]  
**Sent:** Monday, January 23, 2006 09:11  
**To:** XT:Ryan, Peter SG:IN  
**Subject:** RE: Biltmore..06-01-20..doc

Hi Peter,

Got your message regarding the Biltmore AGAIN!, I will be conducting a Compliance Meeting with Licensee on Tuesday Jan 24/06 at 10:00 AM.

The licensee have informed The LCLB that s. 22 was released from his duties after the last incident and is no longer the third party Manager.

I was wondering if you would like to attend, if not, I'll up-date you with any enforcement action that results from the compliance meeting. So far an Contravention Notice will be issued for Failing to Clear Patrons 1/2 hour after liquor service ends, based on the incident that took place on Nov 19, 2005.

Later Peter.

Ed Pudek  
Inspector, Compliance and Enforcement  
Liquor Control and Licensing  
100-133 east 8th Ave. Vancouver B.C.  
Ministry of Public Safety and Solicitor General

(604) 775-0240  
Fax (604) 775-0044  
Ed.Pudek@gems1.gov.bc.ca

-----Original Message-----

**From:** Ryan, Peter [mailto:peter.ryan@vancouver.ca]  
**Sent:** Monday, January 23, 2006 8:01 AM  
**To:** Pudek, Ed SG:EX  
**Subject:** Biltmore..06-01-20..doc

Hi Ed,

More action at the Biltmore.. Will have a look at report and see if it is worth sending over to you..

Peter

*Peter Ryan Constable 1148  
Liquor Co-ordinator  
Patrol Support Section  
Vancouver Police Department  
Office: (604)717-2831  
Pager: (604)473-3597  
Fax: (604)257-3716*

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Dec 6/05

CALL BILTMORE ON TUE Dec 6/05  
LEFT MESSAGE WITH MANAGER ON  
DUTY. REQUIRE COMPLIANCE MEETING  
WITH BAR MANAGER & LICENSEES  
REGARDING RECENT ASSAULT OF VPD.  
PATRONS DISPERSING @ 3:15AM  
SURROUNDED VPD. HAD TO CALL FOR  
BACK-UP. PEPPER SPRAY WAS USED  
TO PROTECT THEMSELVES. (CINCINNATI NOV 17/05)

DEEPAK AROX & BOB NIJAR  
WILL RETURN DEC 10/05. WILL CALL  
TO ARRANGE MEETING.

604-240-8476.

FIND ATTACHED VPD REPORT

ED PUDER

JAN 18/06

RECEIVE ANOTHER VPD REPORT, SHOOTING

@ BILTMORE CASE # S. 16 06-01-07

ICE NIGHT CLUB - (NEW HOWARD JOHNSON)

1-3 SHOTS FIRED MALES RUNNING FROM  
PARKING LOT. WEAPONS FOUND.

CALL LICENSEES BOB KANAHA & BOB NIJAR  
COMPLIANCE MEETING JAN 24/06 10:00 USUE  
CN FOR AFTER HOURS PATRON ALLOW TO REMAIN.  
LICENSEE S. 22 THIRD PARTY MANAGER S. 22

XT: RYAN, PETER

LC2B

BAKUPEN A

### District Three

<b>Date:</b> 05-11-19	<b>Time:</b> 0303 HOURS	<b>Case</b> s. 16
<b>Incident Type:</b>	ASSAULT / ASSAULT PO	
<b>Address:</b>	BILTMORE PUB	
<b>Suspect and/or suspect Vehicle</b>	s. 22	
<b>Victim:</b>		
<b>Synopsis:</b>		
<b>MEMBER:</b>		
	A/SGT 2005	

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05-11-21

RECEIVED  
NOV 11 2019

Pages 45 through 54 redacted for the following reasons:

-----

s. 22 s. 16

s. 22, s. 16

s. 22, s.16

QJD

Dec 6/05

can Biltmore on TUE Dec 6/05  
left message with Manager on  
Duty. Require Compliance Meeting  
with Bar Manager & licensees  
Regarding recent assault of VPD.  
Patrons dispersing @ 3.15 AM.  
Surrounded VPD. Had to call for  
Back-up. Pepper spray was used.  
to protect themselves. (incident Nov 17/05)

Debrah Aros & Bob Nuyar  
will return Dec 10/05. will call.  
to arrange meeting.

SEE ATTACHED VPD Report.

s. 22

LCLB

DARK PEN A

### District Three

<b>Date:</b> 05-11-19	<b>Time:</b> 0303 HOURS	<b>Case</b> s. 16
<b>Incident Type:</b>	ASSAULT / ASSAULT PO	
<b>Address:</b>	BILTMORE PUB	
<b>Suspect and/or suspect Vehicle</b>		
<b>Victim:</b>		
<b>Synopsis:</b>	s. 22	
<b>MEMBER:</b>	A/SGT 2005	

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ENTERED  
05-11-21

## Pudek, Ed SG:EX

---

**From:** Ryan, Peter [peter.ryan@vancouver.ca]  
**Sent:** Monday, January 09, 2006 11:33 AM  
**To:** Murphy, Lee I SG:EX  
**Cc:** Pudek, Ed SG:EX; Helmes, Lou T SG:EX  
**Subject:** Ice Night Club - Biltmore..06-01-07..doc



Ice Night Club -  
Bilymore..06-...

<<Ice Night Club - Bilymore..06-01-07..doc>>

FYI.. Shooting at Biltmore..

> Peter Ryan Constable 1148  
> Liquor Co-ordinator  
> Vancouver Police Department  
> Office (604) 717-2831  
> Pager (604) 473-3597  
> Fax (604) 257-3716  
>

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## District Three

<b>Date:</b> 06-01-07	<b>Time:</b> 0312 HOURS	<b>Case</b> s. 16
<b>Incident Type:</b>	SHOTS FIRED	
<b>Address:</b>	BILTMORE HOTEL (ICE NIGHT CLUB)	
<b>Suspect and/or suspect Vehicle</b>	RED 2 DOOR HONDA CIVIC	
<b>Victim:</b>		
<b>Synopsis:</b>		
<b>MEMBER:</b>	2399 / 2252 ET AL	

## Pudek, Ed SG:EX

---

**From:** Ryan, Peter [peter.ryan@vancouver.ca]  
**Sent:** Tuesday, December 20, 2005 2:27 PM  
**To:** Pudek, Ed SG:EX  
**Subject:** FW: Biltmore Hotel....05-279103...05-11-19...Assault....

**Sensitivity:** Confidential

Ed,

Info from PC Alvarez concerning the Biltmore.....

.....

> Peter,  
>  
> Joe and I got to the scene at approx. 0310 hrs or so.....shortly after  
> Sgt Hamilton called for code 3 cover. When we arrived on scene I saw  
> people hanging around the door. The doors were opened and bodies were  
> moving in and out. There was a large crowd gathered just outside the  
> doors of the club, and it seemed as if patrons were still coming out.

> Thanks  
> Oscar F. Alvarez  
> PC2223 D3T8  
>  
>

> -----Original Message-----  
> From: Ryan, Peter  
> Sent: Tuesday, December 06, 2005 14:05  
> To: Alvarez De La Portilla, Oscar; Raffele, Joe; Hamilton, Hal;  
> Dosanjh, Kalwinder  
> Subject: Biltmore Hotel....05-279103...05-11-19...Assault....  
> Sensitivity: Confidential  
>

> Oscar, Joe, Hal and Kal,  
>

> I am following up on your assault call with the Liquor Branch and  
> they want to look into charging the hotel for being open passed  
> closing hours.  
>

> Could one or all of you confirm for me that patrons were still coming  
> out of the bar after 0300 hrs.. when you arrived on scene. Their  
> liquor licence states liquor sales end at 0200 hrs. and all patrons  
> must be out of the premise by 0230 hrs. The report seems to say that  
> patrons were still coming out when you arrived on scene...."The large  
> crowd spilling out from the nightclub gathered around both police  
> officers"....  
>

> So if you have any information about patrons leaving the bar let me  
> know..  
>

> Thanks,  
> Peter  
>

> Peter Ryan Constable 1148  
> Liquor Co-ordinator  
> Vancouver Police Department  
> Office (604) 717-2831  
> Pager (604) 473-3597  
> Fax (604) 257-3716  
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> dissemination of the information enclosed is strictly prohibited.  
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>

## **Pudek, Ed SG:EX**

---

**From:** Ryan, Peter [peter.ryan@vancouver.ca]  
**Sent:** Wednesday, December 14, 2005 9:26 AM  
**To:** Pudek, Ed SG:EX  
**Subject:** FW: Biltmore Hotel....05-279103...05-11-19...Assault....

**Sensitivity:** Confidential

Ed,

I spoke with PC Kal Dosanjh and though he was busy dealing with the assault on him he saw people still coming out of the Biltmore. His impression was that the premise was still closing down. See e-mail from Sgt. Hal Hamilton below.

Sorry it can not be more definite, hope this helps a little.

Peter

> -----  
> From: Hamilton, Hal  
> Sent: Monday, December 12, 2005 17:47  
> To: Alvarez De La Portilla, Oscar; Raffele, Joe; Dosanjh, Kalwinder;  
> Ryan, Peter  
> Subject: RE: Biltmore Hotel....05-279103...05-11-19...Assault...  
> Sensitivity: Confidential  
>  
> Hello Peter,  
>  
> When I got on scene I observed several people milling about the exit  
> doors that open onto Prince Edward St.  
>  
> I observed staff and the victim exit these doors. Perhaps Kal can shed  
> more light on the numbers seen coming from the bar.  
>  
> Hal  
>  
> Hal Hamilton, Sgt 1354  
> District 3 Team 8  
> 604-717-2774  
> email hal.hamilton@vancouver.ca  
>  
>  
>  
> -----  
> From: Ryan, Peter  
> Sent: Tuesday, December 06, 2005 14:04  
> To: Alvarez De La Portilla, Oscar; Raffele, Joe; Hamilton, Hal; Dosanjh,  
> Kalwinder  
> Subject: Biltmore Hotel....05-279103...05-11-19...Assault....  
> Sensitivity: Confidential  
>  
> Oscar, Joe, Hal and Kal,  
>  
> I am following up on your assault call with the Liquor Branch and they  
> want to look into charging the hotel for being open passed closing  
> hours.  
>  
> Could one or all of you confirm for me that patrons were still coming  
> out of the bar after 0300 hrs.. when you arrived on scene. Their  
> liquor licence states liquor sales end at 0200 hrs. and all patrons  
> must be out of the premise by 0230 hrs. The report seems to say that  
> patrons were still coming out when you arrived on scene...."The large  
> crowd spilling out from the nightclub gathered around both police  
> officers"....

>  
> Thanks,  
> Peter  
>  
> Peter Ryan Constable 1148  
> Liquor Co-ordinator  
> Vancouver Police Department  
> Office (604) 717-2831  
> Pager (604) 473-3597  
> Fax (604) 257-3716  
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## Pudek, Ed SG:EX

---

**From:** Ryan, Peter [peter.ryan@vancouver.ca]  
**Sent:** Monday, November 21, 2005 10:41 AM  
**To:** Windsor, Barb; Murphy, Lee I SG:EX  
**Cc:** Gusdal, Guy; Pudek, Ed SG:EX  
**Subject:** Biltmore Hotel Pub..05-11-19..doc



Biltmore Hotel  
Pub..05-11-19.....

<<Biltmore Hotel Pub..05-11-19..doc>>

FYI..Assault at Biltmore Hotel Pub.. Full report to follow..

Peter

> Peter Ryan Constable 1148  
> Liquor Co-ordinator  
> Vancouver Police Department  
> Office (604) 717-2831  
> Pager (604) 473-3597  
> Fax (604) 257-3716  
>

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## District Three

<b>Date:</b> 05-11-19	<b>Time:</b> 0303 HOURS	<b>Case :</b> s. 16
<b>Incident Type:</b>	ASSAULT / ASSAULT PO	
<b>Address:</b>	BILTMORE PUB	
<b>Suspect and/or suspect Vehicle</b>	s. 22	
<b>Victim:</b>		
<b>Synopsis:</b>		
<b>MEMBER:</b>	A/SGT 2005	

**Pudek, Ed SG:EX**

---

**From:** Ryan, Peter [peter.ryan@vancouver.ca]  
**Sent:** Monday, January 23, 2006 8:01 AM  
**To:** Pudek, Ed SG:EX  
**Subject:** Biltmore..06-01-20..doc

Hi Ed,

More action at the Biltmore.. Will have a look at report and see if it is worth sending over to you..

Peter

*Peter Ryan Constable 1148  
Liquor Co-ordinator  
Patrol Support Section  
Vancouver Police Department  
Office: (604)717-2831  
Pager: (604)473-3597  
Fax: (604)257-3716*

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## District Three

<b>Date:</b> 06-01-20	<b>Time: 0220 HOURS</b>	<b>Cas</b> <span style="float: right;">s. 16</span>
<b>Incident Type:</b>	STABBING	
<b>Address:</b>	395 KINGSWAY (BILTMORE)	
<b>Suspect and/or suspect Vehicle</b>		
<b>Victim:</b>		
<b>Synopsis:</b>		
<b>MEMBER:</b>	D3-8 <span style="float: right;">s. 22</span>	

## Pudek, Ed SG:EX

---

**From:** Ryan, Peter [peter.ryan@vancouver.ca]  
**Sent:** Monday, January 09, 2006 11:33 AM  
**To:** Murphy, Lee I SG:EX  
**Cc:** Pudek, Ed SG:EX; Helmes, Lou T SG:EX  
**Subject:** Ice Night Club - Biltmore..06-01-07..doc



Ice Night Club -  
Bilymore..06-...

<<Ice Night Club - Bilymore..06-01-07..doc>>

FYI.. Shooting at Biltmore..

> Peter Ryan Constable 1148  
> Liquor Co-ordinator  
> Vancouver Police Department  
> Office (604) 717-2831  
> Pager (604) 473-3597  
> Fax (604) 257-3716  
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## No Enforcement Action Recommended

**Re: Contravention Notice Number:** B004738

**Contravention Notice Date:** Oct 6, 2004

**Job No:** 000712790-020

**Inspector:** Mark Tremblay

**Date**

**Prepared:** Oct 07, 2004

**Office Location:** Vancouver

**Submitted To:** Lee Murphy

---

### Establishment Information:

**Establishment Name:** Biltmore Motor Hotel

**Establishment Address:** 395 Kingsway  
VANCOUVER, BC V5T 3J7

**Licence No:** 017632      **Licence Class:** Liquor Primary      **Expiry Date:** Mar 31, 2005

**Licensee Name:** Private Corporation: 636608 B.C. Ltd. c/o Khanna, Baldev

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### Terms and Conditions noted on licence face:

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### Contravention Information:

**Contravention Name (e.g. supplying to minors)**

**Date and Time identified**

1. Fail to request ID, Reg. s. 45(2)

1. Aug 09, 2004 1:25 PM

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**Review and Analysis:**

I have reviewed:

Facts and circumstances of the contravention

☒ Yes

☐ No

Establishment compliance history

☒ Yes

☐ No

- Number of contravention notices on file: 2
- Number of contravention notices in past 12 months: 1
- Name, date(s) of any proved contravention(s) and the enforcement action taken:
  - Liquor removed from establishment, Reg. s. 42(4), April 19, 2003, \$2000 fine

Licensee compliance history

☒ Yes

☐ No

- If no, please explain:

Other file information

☒ Yes

☐ No

Compliance and Enforcement Program, Policy and Procedures Manual

☒ Yes

☐ No

---

**Reasons no enforcement action recommended:**

The licensee or staff asked for one piece of I.D.

---

## Liquor Control and Licensing Branch

## AGENT OBSERVATION REPORT

Date of Inspection: June / July <u>Aug</u> , 2004	Agent's Name _____ s. 15
Type of Identification used: <u>Drivers Licence</u> / SIN Card / Other: <u>card</u>	Date of Birth: _____ s. 22 or _____ s. 22 Age <u>19</u> , 20, 21, 22, 23, 24
Liquor Inspector: Shannan Johnston	Time In: <u>1:20pm</u> Time Out: <u>1:27pm</u>
Accompanied By: _____	s. 15

Establishment Name: <u>Baltimore Motor Hotel</u>	Type of Inspection: circle one LRS <u>LP</u> FP / <u>GLS</u> RAS WIN
Address: <u>3915 Kingsway</u> City: <u>Vancouver</u>	License # <u>009663</u>

<b>LDB AGENT OBSERVATIONS: RAS/GLS/ Winery / Manufacturer</b>							
Description of Staff:	<u>Male</u> Female						
Hair	Length	Eyes	Glasses Y/N	Tattoo	Skin Tone	Height	Age
<u>Brown</u>	<u>Short</u>	<u>Blue</u>			<u>white</u>	<u>5'10"</u>	<u>20's</u>
<u>Black</u>	<u>Medium</u>	<u>Brown</u>			<u>asian</u>		<u>30's</u>
<u>Red</u>	<u>Long</u>	<u>Black</u>			<u>olive</u>		<u>40's</u>
<u>Grey</u>	<u>curly</u>				<u>native</u>		<u>50's</u>
Salt and Pepper	<u>straight</u>						
Staff Greetings/Comments: Yes / No	Number of persons in store including yourselves: <u>4</u>						
Hours of Operation posted: Yes / No	Signage for ID: Yes <u>No</u> Where: _____						
Signage out front of Premise: Consistent with RAS / GLS / LRS	Storage of Product: (RAS) Separated (Yes / No)						
Service to Intoxicated person:	Percentage of store selling liquor: (ie 25%)						
Parking Lot Observations: Drugs / Minors	Observations of persons in premise:						
Describe:	Minor - did the store clerk appear to be under 19 yrs? (RAS)						
	Describe:						

IDENTIFICATION (this section must be completed in its entirety):	Doorman (2 pc)	Server (2 pc)
Requests for 2 pieces of identification: <u>Requested only 1 piece:</u> Yes / No	Yes No	Yes <u>No</u>
Was the ID examined (photo):	Yes No	<u>Yes</u> No
Was a signature required:	Yes No	Yes <u>No</u>
Was other confirmation required:	Yes No	Yes <u>No</u>
Was the ID process the same for all customers who appear to be under the age of 25:		Yes <u>No</u>
Did you notice anyone in the establishment who you know is underage:		Yes <u>No</u>

<b>LCLB INSPECTION INFORMATION: LP/LRS/FP</b>		Number of Persons in line:	
Number of Patrons in Premise:	Name Tag:	Number of Doormen at entrance:	Mechanical Counters Used: Yes / No

**ADDITIONAL NOTE / OR COMMENT:** No receipt given

Expenses: Liquor Cost \$ <u>13.50</u>	Door Cover \$	Liquor Beverage Cost \$
Liquor Type/Brand: <u>Canadian</u>	Liquor Tracking Form #	Signature of Agent: _____



604 980 2553

N. VAN BAND.

- sawmist

Office.

membership.

No BCDL or BCDL.

- SQW. 1 CELL.

- (TCK)

B: H more

ERR: fail to request ID

~~ERR~~ ID Seized.

✓

- Biltmore -

EH - 04-020  
sent MAR/30/04

**Barron, Stephen SG:EX**

**From:** Barron, Stephen SG:EX  
**Sent:** Friday, March 19, 2004 11:35 AM  
**To:** 'Monica Jacobs'  
**Subject:** RE: Identification

Thank you for your prompt response, Monica.

Unfortunately some bars have been accepting these cards as a piece of primary id, resulting in some cases, of minors getting access to these environments. Slowly we are trying educate them that the card should not be relied on as a primary piece of id.

I appreciate your comments and will forward the original to your office when we have finished with it.

It will be used in a hearing to suspend the liquor license of the establishment that permitted the minor to enter using this identification.

Stephen

-----Original Message-----

**From:** Monica Jacobs  
**To:** Barron, Stephen SG:EX  
**Cc:** Lillian Hunt  
**Sent:** 18/03/04 4:52 PM  
**Subject:** RE: Identification

Hello Stephen:

Lil has forward your request to me for comment.

I have reveiwed the Certificate of Indian Status card with the information we have on file. My oberservation is as follows:

1. The picture on the status card is similiar to the picture we have on file
2. The signatures are identical ( both fo  
IRA) s. 22
3. As confirmed the Date of Birth is incorrect
4. It is difficult to ascertain if the card is authentic. (ie. photocopied or tampered with)

I hope this has helped. If you require further assistance please advise.

FYI: Certificate of Indian Status cards are not primary Identification. They are to be used solely for the purpose of rights and benefits of Registered Indians (ie Tax exemption, medical benefits and USA Border crossings)

Monica , Director of Registry - Squamish Nation

-----Original Message-----

**From:** Lillian Hunt  
**Sent:** Thursday, March 18, 2004 2:54 PM  
**To:** Monica Jacobs  
**Subject:** FW: Identification

-----Original Message-----

**From:** Barron, Stephen SG:EX [mailto:Stephen.Barron@gems6.gov.bc.ca]  
**Sent:** Thursday, March 18, 2004 2:37 PM  
**To:** Lillian Hunt  
**Subject:** Identification

Hi Lilly,

Here is the copy of the card that I seized from a person who looked like the photo.

By way of this email, could you please compare the photograph and signatures with the ones on your file and advise me of your observations.

thanks.

Stephen Barron  
Liquor Inspector District 4 Vancouver  
Liquor Control and Licensing Branch  
604-775-0093 Office  
604-775-0044 fax

s. 15

\* Web: <http://www.pssg.gov.bc.ca/lclb> <<http://www.pssg.gov.bc.ca/lclb>>



**Barron, Stephen SG:EX**

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**From:** Barron, Stephen SG:EX  
**Sent:** Thursday, March 18, 2004 2:37 PM  
**To:** 'lillian\_hunt@squamish.net'  
**Subject:** Identification

Hi Lilly,

Here is the copy of the card that I seized from a person who looked like the photo.

By way of this email, could you please compare the photograph and signatures with the ones on your file and advise me of your observations.

thanks.

**Stephen Barron**  
*Liquor Inspector District 4 Vancouver*  
*Liquor Control and Licensing Branch*  
604-775-0093 Office  
604-775-0044 fax

s. 15

Web: <http://www.pssg.gov.bc.ca/lclb>

J

s. 22



NOEA  
Review  
committed  
suggestions  
pg. 5, 6, 7

## NOTICE OF ENFORCEMENT ACTION

*Liquor Control and Licensing Act, R.S.B.C. 1996, c.267*

February 20, 2004

File No: EH04-020

Job No: 000712780-042

636608 B.C. Ltd.  
c/o Baldev Khanna  
395 Kingsway  
Vancouver, BC V5T 3J7

Telephone: (604) 872-5252  
Fax: (604) 874-5252

① N. VAN-SQUAMISH NATION  
04 MAR 17: Confirmed w/ membership  
that date has been altered.

s. 22

Dear Baldev Khanna :

**Re: Licence Number 009663**

Biltmore Motor Hotel  
395 Kingsway  
VANCOUVER, BC V5T 3J7

The purpose of this notice is to inform you that the general manager is scheduling an enforcement hearing in order to review whether to take enforcement action for the alleged contravention(s) of the Liquor Control and Licensing Act, the regulations, and/or the terms and conditions of the licence set out in this notice.

### ROLE OF THE LIQUOR CONTROL AND LICENSING BRANCH

The role of the Liquor Control and Licensing Branch as the regulator of licensed establishments is to help provide an orderly and problem-free environment for licensed establishments. When an infraction occurs, the general manager of the Liquor Control and Licensing Branch will take whatever enforcement action is necessary:

- to protect the public interest,
- to ensure future compliance with the Act, the regulations, and/or the terms and conditions of a licence, and
- to ensure that licensees, employees, patrons and the community recognize the seriousness of contraventions.

The general manager is responsible for supervising the conduct and operation of every licensed establishment in British Columbia. The enforcement powers of the general manager are expressed in section 20(2) of the Liquor Control and Licensing Act as follows:

**Ministry of  
Public Safety and  
Solicitor General**

Liquor Control and  
Licensing Branch

Mailing address:  
PO Box 9292 Stn Prov Govt  
Victoria, BC V8W 9J8

Toll Free: 1 866 209-2111  
Telephone: 250 387-1254  
Facsimile: 250 387-9184

Location:  
Second Floor  
1019 Wharf Street  
Victoria BC

<http://www.pssg.gov.bc.ca/lclb>

- 20 (2) If the general manager has the right under subsection (1) to take action against a licensee, the general manager may do any one or more of the following, with or without a hearing:
- (repealed)
  - impose terms and conditions on the licensee's licence or rescind or amend existing terms and conditions on the licence;
  - impose a monetary penalty on the licensee in accordance with the prescribed schedule of penalties;
  - suspend all or any part of the licensee's licence in accordance with the prescribed schedule of licence suspensions;
  - cancel all or any part of the licensee's licence;
  - order the licensee to transfer the licence, within the prescribed period, to a person who is at arm's length from the licensee.

#### THE ALLEGED CONTRAVENTION(S)

No.	Contravention name	Section of Act/regulation and term and condition of the licence	Date and time of alleged contravention	Recommended enforcement action
1	Fail to request ID, Reg. s. 45(2)	Reg. s. 45(2)	Jan 25, 2004 1:45 AM	6 day suspension

These alleged contraventions are described in full in the attached Appendix A.

#### Proposed enforcement action

The general manager may impose a penalty for a contravention of the Act, the regulations, and/or the terms and conditions of the licence(s). The general manager has the authority to cancel a licensee's licence, in whole or in part, if circumstances warrant a cancellation. Enforcement action may also include imposing terms and conditions for a contravention of the Act and the regulations.

When determining the appropriate penalty for a contravention, the general manager will consider:

- the type of contravention
- the facts of the contravention
- the establishment's history of compliance
- the compliance history of the licensee.

The general manager will also consider what action best serves the public interest.

The penalty schedule, set out in schedule 4 to the Liquor Control and Licensing Regulations, describes the penalty range for each contravention. A copy of the *Liquor Control and Licensing Act and Regulations* can be obtained on the Liquor Control and Licensing Branch website at <http://www.pssg.gov.bc.ca/lclb/>. While the general manager usually stays within this schedule, if the general manager concludes that it is in the public interest to do so, the general manager may impose a higher penalty than the penalty set out in the penalty schedule.

### **Suspension penalty falls within penalty schedule**

For the alleged contravention of Fail to request ID, Reg. s. 45(2) (Contravention Notice Number b001258) set out in this notice, the enforcement hearing advocate will recommend to the general manager at an enforcement hearing that a suspension penalty of 6 days is warranted. The suspension will be served starting on a Saturday and will continue on successive business days until completed.

This proposed suspension penalty falls within the penalty range set out in schedule 4 of the regulations for a first incident of the alleged contravention.

The reasons for this proposed penalty are set out in Appendix A and B.

The establishment's history of compliance and the compliance history of the licensee are described in the attached Appendix B

### **LICENSEE OPTIONS**

1. The licensee may accept the proposed enforcement action(s) for any or all of the contraventions set out above and waive the opportunity for an enforcement hearing on those contraventions. This process is described in more detail under heading Option to Waive Enforcement Hearing below.
2. The licensee may attend an enforcement hearing for the purpose of contesting the occurrence of the contravention(s) and/or the proposed enforcement action(s). Please note, at an enforcement hearing the general manager may decline to take any enforcement action, take the proposed enforcement action set out in this letter, or take enforcement action that is less than or greater than the proposed enforcement action set out in this letter.

#### **Option to waive enforcement hearing**

The licensee may waive the opportunity for an enforcement hearing and accept the enforcement action(s) proposed in this letter. If the licensee chooses this option, it is necessary to sign a waiver notice. By signing the waiver notice, the licensee expressly and irrevocably:

- agrees that the licensee has committed the contravention(s)
- accepts the enforcement action(s) proposed in this letter
- waives the opportunity to an enforcement hearing on these matters
- agrees that the finding(s) of contravention and the specified enforcement action(s) will form part of the compliance history of the licensee.

If the licensee plans to sign a waiver notice, branch staff will prepare the notice. In most situations, the waiver notice must be signed within 14 days of the date of this letter. If the licensee plans to sign a waiver notice, please contact the writer to arrange an appointment as soon as possible.

#### **Date, time, and place of the enforcement hearing**

The case management administrator will be contacting the licensee shortly to discuss the hearing process. If the licensee signs a waiver notice, the enforcement hearing will be cancelled.

The case management administrator contact information is:

Shirley Martin; (250) 356-0010; Shirley.Martin@gems3.gov.bc.ca

**CONTACT NUMBER**

If you have any questions regarding this letter, please contact the writer at (604) 775-0093 or Stephen.Barron@gems6.gov.bc.ca for clarification.

Yours truly,

Stephen Barron  
Inspector, Vancouver

Attachments:

Appendices A & B

Copy of Enforcement Hearing Rules

Copy of Liquor Licence

Copy of Contravention Notice 001258

Copy of Red line Floor Plan

## Appendix A

### Licence Information

Licence number: 009663  
Licence type: Liquor Primary  
Terms and conditions of the licence:

Licence expiry date: March 31, 2004

### BRANCH WITNESSES

At the enforcement hearing, the branch will be calling the following witnesses to present evidence of the alleged contravention. The following table lists the witnesses and a summary of the evidence that they will present.

	Name	Summary of Evidence
1	Stephen Barron (Inspector)	Will provide evidence that he seized false identification from female patron, that she was unable to produce any other ID, and that the manager agreed that the identification was a poor copy
2	Doug Dyck (Inspector)	Will provide evidence that he viewed false identification from female patron, that she was unable to produce any other ID, and that the manager agreed that the identification was a poor copy

### DETAILS OF THE CONTRAVENTION NOTICE (SUMMARY OF EVIDENCE)

Inspectors Barron and Dyck conducted a routine inspection of this establishment on morning of Sunday, January 25, 2004, business day of Saturday, January 24th.

The Inspectors entered the premises at 0145 hours. There were three doormen outside the premise, on of whom was conversing with a female on the opposite side of the street when the inspectors drove up.

The establishment was be busy, but not overcrowded. Both inspectors walked around the establishment to observe the conduct of the patrons, and to look for young patrons. In the area outside of the Designated Smoking Room, both inspectors viewed two Caucasian females that appeared to be under the age of 25 years, and both inspectors agreed that they had concerns about whether they were the legal drinking age.

Inspector Barron asked a male staff person (identified s. 22 ) to request the identification from the two female patrons.

The first patron produced a B.C. Driver's License with a 1984 DOB, as well as MSP card. Both inspectors were satisfied with this identification.

The second female produced a Native Status card, and it appeared to be fake (poor computer scan of original. with date altered on back of card). The card was numbered s. 22 with the name of

s. 22 She stated that she did not have any other identification. The card was retained as evidence by Inspector Barron. Barron has since confirmed that this card is an altered scan of the original card, and that the birthdate had been altered. Barron

Barron later confirmed the Belate was s. 22  
The patron was asked to leave and was escorted out of the premises by the staff. As the patron was leaving Barron gave her his business card and advised that she could call him at the office if she had ar

Investig  
need  
her  
Ph#  
+ her  
addr  
So she  
can be  
summoned  
hearing.  
if she's 19 + 1984  
they didn't ask for 2014-01078/Phase 2  
2 pc. then leave as she confirms she's minor

leaving, Barron gave her his business card, and advised that she could call him at the office if she had any concerns. She asked "Who should I have call you, my parents or the band office?" Barron advised that she could call him herself if she wished.

The manager on duty, Craig States was shown the card, and agreed that it was a very poor scanned copy. He appeared upset with his doormen. ~~The head doorman~~ s. 22 ~~was emphatic that the female patron had shown them two pieces of identification at the door.~~

CN B001258 was issued to manager Craig States.

## **SUMMARY OF ALLEGED CONTRAVENTIONS**

The following is a summary of each alleged contravention and the circumstances surrounding each contravention. At the enforcement hearing, the general manager will be considering this information when deciding whether each contravention occurred and the penalty, if any, for that contravention.

## CONTRAVENTION #1

Contravention notice number	Date contravention notice issued	Name of contravention and section of Act or regulations	Recommended enforcement action	Start date of suspension to be served
b001258	Jan 25, 2004	Fail to request ID, Reg. s. 45(2)	6 day suspension	Saturday

### Reasons for Recommended Enforcement Action:

Liquor Service to minors is a significant public interest issue. Allowing minors access to liquor often contributes to youth crimes, including serious driving offences, assault, sexual assault, and theft.

There are two proven contraventions of this type in the last year for this licensee.

This licensee was issued a Contravention Notice for fail to request identification via the Minor's Project in October 2003. No enforcement action was pursued; the manager of this establishment attended a compliance meeting in December 2003, at which time he committed to "having a staff meeting with all staff to insure this doesn't happen again. We'll educate them on what is proper ID"

In December 2003, the Branch received an anonymous complaint regarding minors and illegal activity inside this establishment. In response to this, the manager of the establishment provided the branch with a letter signed by staff agreeing to a zero tolerance of patrons without proper identification.

Enforcement action is being recommended based on the compliance history of this licensee, and the other types of contraventions that have taken place. This establishment has a lengthy compliance history, with a 21 day suspension being served in April 2003. *There is a pattern of practice of non-compl*

*with regards to minors and failing to request ID at this premise.*  
The blatant disregard for the identification regulations has resulted in minors being allowed into the establishment. Previous attempts by the Branch to have voluntary compliance have failed.

### Reasons for Proposed Penalty:

This is the minimum penalty for a third contravention of this type and falls within the guidelines in Schedule 4 of the Liquor Control and Licensing Regulation. This suspension will provide a clear message to the licensee that they must comply with the Act and Regulation.

## DOCUMENTATION

At the enforcement hearing, the branch will likely be presenting the information listed in the following table. A copy of the contravention notice is attached. A copy of each of the other documents and additional relevant information will be forwarded to the licensee once the enforcement hearing on this matter has been scheduled.

Complaints:		
	Date	Document Description
1	December 16, 2003	Minors in premises, s. 35, Inspection Complete
2	May 07, 2003	Minors Inspection Complete
3	December 12, 2002	LPC #A074579 - Supply to minors, s. 33, CN #A014315
4	December 12, 2002	LPC #A130701 - Supply to minors, s. 33, CN #A014316
5	December 12, 2002	LPC #A130701 - Permit a person to become intoxicated, s. 43(2)(a), CN #A014316



**Complaints:**

	Date	Document Description
6	December 12, 2002	LPC #A130701 - Permit intoxicated person to remain, s. 43(2)(b), CN #A014316
7	December 12, 2002	LPC #A 130702 - Minors in premises, s. 35, CN #A014317
8	December 12, 2002	LPC #A 078802 - , CN #A014322
9	December 12, 2002	Failure to take reasonable measures, operating contrary to public interest, s. 20(1)(c.1), CN #A014319
10	December 12, 2002	LPC #A 078802 - Selling liquor to intoxicated person, s. 43(1), CN #A014322
11	December 12, 2002	LPC #A 130702 - Supply to minors, s. 33, CN #A014317
12	September 19, 2002	LPC #A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B), CN #A014305
13	September 19, 2002	LPC #A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A), CN #A014305
14	May 15, 2002	LPC #A133976 - LIQUOR REMOVED FROM ESTABLISHMENT REG. S. 11(3), Complaint Received
15	April 05, 2002	LPC #A133101 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B), Complaint Received
16	April 05, 2002	LPC #A079851 - SELLING LIQUOR TO AN INTOXICATED PERSON S. 43(1), Complaint Received
17	April 05, 2002	LPC #A079851 - PERMITTING UNLAWFUL ACTIVITIES/CONDUCT S. 36(2)(B), Complaint Received
18	April 05, 2002	LPC #A079851 - SUPPLY TO MINORS, S. 33, Complaint Received

**Contraventions:**

	Date	Document Description
1	January 25, 2004	CN #b001258 - Minors in premises, s. 35
2	January 01, 2004	CN #B001215 - Permit intoxicated person to remain, s. 43(2)(b)
3	October 24, 2003	CN #B001201 - Fail to request ID, Reg. s. 45(2)
4	June 15, 2003	CN #b004520 - Contravening a term and condition, s. 12 - Containers and the mixing of drinks
5	January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43
6	January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12
7	January 09, 2003	CN #A014321 - Contravening a term and condition, s. 12
8	December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12

**Compliance Meetings:**

	Date	Topic
1	December 02, 2003	Fail to request ID, Reg. s. 45(2)

## Appendix B

### HISTORY OF COMPLIANCE

At the enforcement hearing, the general manager will consider this information when determining the penalty for each contravention.

#### Establishment's history of compliance

The establishment's history of compliance is relevant when determining which level of penalty should be imposed for a contravention. The establishment's history of compliance is comprised of any prior findings of contravention that relate to the establishment in question (whether by waiver or decision of the general manager) and any prior penalty.

Findings of contravention and enforcement action under the LCCLA and regulations			
	Date	Findings of Contravention	Enforcement Action
1	January 09, 2003	Fail to request ID, Reg. s. 45(2)	3 day suspension
2	January 04, 2003	Fail to request ID, Reg. s. 45(2)	3 day suspension
3	November 23, 2002	Minors in premises, s. 35	1 day suspension
4	November 23, 2002	Supply to minors, s. 33	4 day suspension
5	November 15, 2002	Supply to minors, s. 33	5 day suspension
6	November 09, 2002	Supply to minors, s. 33	5 day suspension

## No Enforcement Action Recommended

**Re: Contravention Notice Number:** b001258

**Contravention Notice Date:** Jan 25, 2004

**Job No:** 000712780-042

**Inspector:** Stephen Barron

**Date**

**Prepared:** Jan 28, 2004

**Office Location:** Vancouver

**Submitted To:** Wendy Jones

---

### Establishment Information:

**Establishment Name:** Biltmore Motor Hotel

**Establishment Address:** 395 Kingsway  
VANCOUVER, BC V5T 3J7

**Licence No:** 009663

**Licence Class:** Liquor Primary

**Expiry Date:** Mar 31, 2004

**Licensee Name:** Private Corporation: 636608 B.C. Ltd. c/o Khanna, Baldev

---

### Terms and Conditions noted on licence face:

---

---

### Contravention Information:

**Contravention Name (e.g. supplying to minors)**

**Date and Time identified**

1. Minors in premises, s. 35

1. Jan 25, 2004 1:45 AM

---

## Enforcement Action Recommended

**Re: Contravention Notice Number:** A014322

**Job No:** 000712780-033

**Inspector:** Tina Bains

**Date:** Jan 17, 2003

**Office Location:** Vancouver

**Submitted To:** Lee Murphy

---

### Establishment Information:

**Establishment Name:** BILTMORE MOTOR HOTEL

**Establishment Address:** 395 KINGSWAY  
VANCOUVER, BC V5T 3J7

**Licence No:** 009663

**Licence Class:** Liquor Primary

**Expiry Date:** Mar 31, 2003

**Licensee Name:** 636608 B.C. LTD.

---

### Terms and Conditions noted on licence face:

---

---

### Contravention Information:

**Date Identified:** Jan 15, 2003

**Time Identified:** 01:20 hrs

**Contravention Name**

1. Fail to request ID, Reg. s. 45(2)

**Act or regulation section**

1. Reg. s. 45(2)

---

### Witness Information:

**Witness Name and Position**

1. Badge #2036 (Constable)

2. H. Dvorkin (constable)

**Summary of Evidence**

Testify permitting patrons without identification

Testify Permitting patrons without identification

---

### Details of Contravention:

On Jan.4, 2003 PC's conducted a LPC. PC's began checking individuals for ID. PC's asked 5 patrons for their ID. Two patrons of the five asked could not produce any ID and were referred to the bar staff who asked them to leave.

PC's 2006/ 2036 asked a male s. 22 for his ID and he did not have any s. 22 had entered the premise with no ID s. 22 then dropped a crack pipe from his hand and was placed into custody

premises with no ID. Hassan then dropped a crack pipe from his hand and was placed into custody.

At that point two more patrons were removed from the pub by staff, s. 22 Both s. 22 and s. 22 were fighting inside the pub and attempted to fight the door staff after being removed. PC's placed both s. 22 into custody.

At approximately 0200 hrs the crowd began to spill onto the streets. Approx. 100 patrons just milled around the front doors to the pub with Genesis security staff doing nothing to clear the entrance. PC's observed several intoxicated patrons leaving including two females who could not walk. They were being assisted by their companions.

PC's had spoken earlier with acting manager of the pub TACHSINOGLU and informed him that the door staff appeared not to be checking ID's. TACHSINOGLU stated that it was a problem to be handled by Genesis security who is in charge of the door. TACHSINOGLU stated that the regular manager s. 22 had been let go of his duties and a new manager most likely the owner's son would be in place next week.

**Relevant Liquor Control and Licensing Branch policy names and reference numbers:**

Fail to request ID, Reg. s.45(2)

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**Establishment Compliance History:**

- No Establishment Compliance History Found.

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**Licensee Compliance History:**

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**Other File Information:**

**Complaints:**

Date	Document Description
1 <No Date Entered>	Minors A074579 - Supply to minors, s. 33 A014315
2 <No Date Entered>	Minors A130701 - Supply to minors, s. 33 A014316
3 <No Date Entered>	Minors A130701 - Permit a person to become intoxicated, s. 43(2)(a) A014316
4 <No Date Entered>	Minors A130701 - Permit intoxicated person to remain, s. 43(2)(b) A014316
5 <No Date Entered>	Minors A 130702 - Minors in premises, s. 35 A014317
6 <No Date Entered>	Minors A 130702 - Supply to minors, s. 33 A014317
7 September 19, 2002	A072508 - PERMIT INTOXICATED PERSON TO REMAIN 43(2)(B) A014305
8 September 19, 2002	A072508 - PERMIT A PERSON TO BECOME INTOXICATED S. 43(2)(A) A014305

**Contraventions:**

Date	Document Description
1 January 09, 2003	CN # A14320 - Fail to comply with RBS, Reg. s. 43, No Enforcement Action
2 January 09, 2003	CN # A14320 - Contravening a term and condition, s. 12, No Enforcement Action
3 December 11, 2002	CN #A013814 - Contravening a term and condition, s. 12, No Enforcement Action

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**Contravention #4 Fail to request ID, Reg. s. 45(2) Recommended Enforcement**

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**Contravention #1 - Fail to request ID, Reg. S. 45(2) - Recommended Enforcement Action:**

- ☒ Suspend all or any part of the licensee's licence [s. 20(2)(d)] ☐ Impose terms and conditions or rescind or amend existing terms and conditions on licence [s. 20(2)(b)]
- ☐ Impose a monetary penalty [s. 20(2)(c)] ☐ Cancel all or any part of the licensee's licence [s. 20(2)(e)]

**Reasons:**

Failure to request identification is a breach of section 45(2) of the regulations. Enforcement has been recommended on the contravention- Fail to ID people by Inspector Bains on Contravention A014321. This is the second contravention identified via the LPC # A07880. This establishment has LPC's on file identifying minors in premise and supplying to minors. Enforcement is being recommended as the Licensee is failing to understand the seriousness of the situation.

**Recommended Penalty:**

3 day suspension

**Reasons:**

Falls within the guidelines as set out in the Liquor Control and Licencing Act/Regulations Schedule 4.

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**Regional Manager's comments - Contravention #1:**

Proceed with recommended enforcement action for alleged contravention #1?

☐ Yes ☐ No

Proceed with recommended penalty for alleged contravention #1?

☐ Yes ☐ No ☐ N/A

**If recommended enforcement action or recommended penalty for alleged contravention #1 are changed by regional manager, please explain:**

**If recommendation for enforcement action for alleged contravention #1 is declined by regional manager, please explain:**

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**Regional Manager's name:** Lee Murphy

**Date:** Jan 17, 2003

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No. A 078802



BRITISH  
COLUMBIA

Liquor Control and Licensing Act  
and Regulation 608/76

**POLICE LICENSED PREMISES CHECK (LPC)**

Establishment Name: Biltmore Pub / Ice Bar & Grill  
Establishment Address: 395 Kingsway Av  
Licence #: 9663 Date: 03/04/04 Time: 0001  
Licensee Name: LOUGHEED VENTURES

On the date noted above, the following alleged contraventions of the *Liquor Control and Licensing Act* or regulations were identified:

**MINORS**

- ☐ Supplying to minors s. 33 ☐ Minors in premises s. 35

Number and age of minors: \_\_\_\_\_

I.D. type shown: \_\_\_\_\_

Details (e.g. no ID checked at door; inadequate lighting at door) \_\_\_\_\_

**OVERCROWDING**

- ☐ Overcrowding beyond Building Occupancy Load (BOL) Reg. s. 4(7) ☐ Overcrowding beyond Licence Capacity Reg.

BOL: \_\_\_\_\_ Actual: \_\_\_\_\_ Lic. Cap.: \_\_\_\_\_ Actual: \_\_\_\_\_

Details (e.g., how was count conducted; how many times was count done; did staff member verify count; number of door staff; door control; identify public safety issues): \_\_\_\_\_

**INTOXICATED PATRON**

- ☒ Selling to intoxicated person s. 43(1)  
☐ Permitting a person to become intoxicated s 43(2)(a)  
☐ Permitting intoxicated person to remain s. 43(2)(b)

Details (e.g. evidence of intoxication): See inc report

03-2712

☒ **OTHER ALLEGED CONTRAVENTIONS (see flap):**

Details: Permitting patrons without identification

Police Officer (please print): H. Duorkin.

Badge #: 3006 Dept./Detach.: VPO 03T6

Police Incident/File #: 03-2712

Management Acknowledgement (Name and Title) \_\_\_\_\_

A copy of this LPC will be forwarded to the Liquor Control and Licensing Branch. The branch may proceed with enforcement action on the basis of this alleged contravention.

COPY 3: LCLB HEAD QUARTERS COPY (forward to LCLB field office)

Pages 89 through 95 redacted for the following reasons:

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s. 22, s. 16