



COMPLIANCE MEETING

This document is the record of a meeting between a licensee and the Liquor Control and Licensing Branch [LCLB]. The purpose of the record is to document that concerns about the licensee's non-compliance with the Act, Regulations and or the Terms and Conditions on the license have been brought to the licensee's attention. This record will also show that licensee is aware of these concerns and has made specific commitments to address those concerns.

Establishment Details:

Establishment Name: Joseph Richard
Establishment Address: 1082 Granville Street
VANCOUVER, BC V6Z 1L5
Licensee: Joseph Richards Ltd
Licence #: 034485

ENTERED IN POSSE

Meeting Date and Location:

March 25, 2015

For the LCLB:

Shannan Johnston – LCLB Inspector

For the Licensee:

Reason for the Meeting:

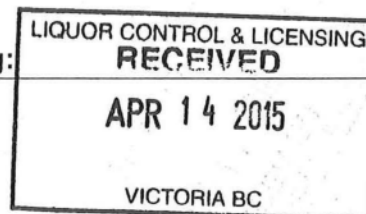
Inspector requested this meeting to discuss outstanding Structural change application.

Also a discuss with licensee about photos of patrons inside their establishment serving liquor from a 750ml bottle which exceeds maximum drink size.

Discussed City Noise complaint.

Section of the Act, Regulation, or T&C Guide Reviewed at the Meeting:

Contravene term & condition - Exceed maximum drink size, s. 12 Act



Minimum Monetary and/or the Minimum Suspension for a first contravention of the above cited section of the Act or Regulation is 1- 3 days suspension or \$1000 to \$3000 monetary penalty

Contravene term & condition, s. 12 Act
- Failure to report structural changes

Minimum Monetary and/or the Minimum Suspension for a first contravention of the above cited section of the Act or Regulation is 1- 3 days suspension or \$1000 to \$3000 monetary penalty

Commitment/s made by the Licensee:

- Continue to work with City to resolve noise issue.
- monitor line ups.
- speak with staff about bottle service.

- I acknowledge the above concerns have been brought to my attention,
- I agree to implement the measures cited above,
- I acknowledge my responsibility to provide on-going training to my staff,
- I acknowledge my responsibility to be fully compliant at all times with the Liquor Control and Licensing Act, the Regulations and the Terms and Conditions on my licence.

Licensee/Representative:

X Anne Boucar
(print name and position)

Licensee/Rep Signature:

X [Signature]
[Signature]

LCLB Representative:

Stewart
(print name and position)

LCLB Signature:

[Signature]



Copy to:

- field file,
- POSSE Docs Tab
- Establishment File
- Licensee





COMPLIANCE MEETING

This document is the record of a meeting between the licensee and the Liquor Control and Licensing Branch [LCLB]. The purpose of this meeting is to document the below mentioned concerns about the licensee's non-compliance with the Act, Regulations and or the Terms and Conditions on the license and these concerns have been brought to the licensee's attention. This record will also show that licensee is aware of these concerns and has made specific commitments to address those concerns

Establishment Details:

Establishment Name: Joseph Richard
Establishment Address: 1082 Granville Street
VANCOUVER, BC V6Z 1L5
Licensee: Joseph Richards Ltd
Licence #: 034485

Meeting Date and Location:

December 7, 2012

For the LCLB:

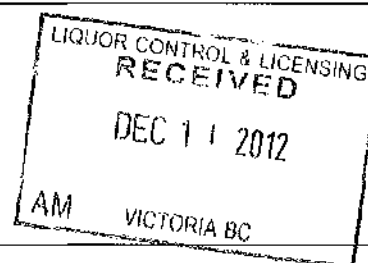
Mark Lavallee, Liquor Inspector

For the Licensee:

Andre Bourque, Licensee

Reason for the Meeting:

CN # B005657



Section of the Act, Regulation, or T&C Guide Reviewed at the Meeting:

Consume liquor while working - Employee, s. 42(3) Reg.

The licensee must manage and control the behaviour of patrons to ensure the safety of staff, patrons

and the community. When the licensee and staff drink liquor while working, their judgment and ability to manage and control the establishment are impaired. This creates a public safety risk for other staff, patrons and the community.

Minimum Monetary and/or the Minimum Suspension for a first contravention of the above cited section of the Act or Regulation is

Commitment/s made by the Licensee:

- 1) Licensee will ensure that no staff consume liquor while working, including management
- 2) Licensee will be prepared to produce documentation of staff work hours to determine the above i.e. punch cards, shift records etc.
- 3) Licensee will conduct staff training and ensure all staff are aware of (1) noted above

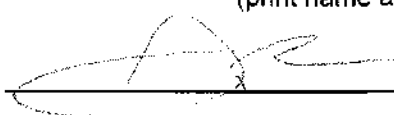
-
- *I acknowledge the above concerns have been brought to my attention,*
 - *I agree to implement the measures cited above,*
 - *I acknowledge my responsibility to provide on-going training to my staff,*
 - *I acknowledge my responsibility to be fully compliant at all times with the Liquor Control and Licensing Act, the Regulations and the Terms and Conditions on my licence.*

Licensee/Representative:

Andre Bourque

(print name and position)

Licensee/Rep Signature:

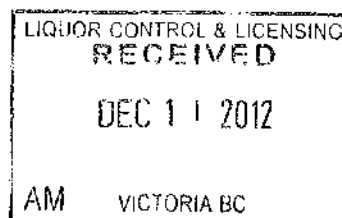
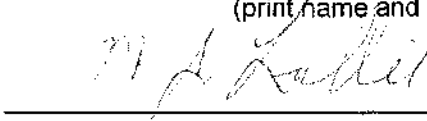


LCLB Representative:

Mark Lavallee

(print name and position)

LCLB Signature:



Attachment/s:

- **Licensee or employee consume liquor in premises**

LCLB Regs.

Consumption of liquor in licensed establishments

42 (1) A person must not consume liquor in a licensed establishment unless that liquor has been purchased from or served by the licensee of that licensed establishment.

(2) A licensee must not allow consumption in the licensed establishment of liquor that was not purchased from or served by the licensee.

(3) A licensee, and the employees of the licensee, must not consume liquor while working in the licensed establishment.

From Liquor Primary Terms and Conditions:

Employee Conduct

Liquor Consumption:

You and your employees may not consume liquor in your establishment during working hours. This includes breaks, meal periods and between shifts on the same day. After work, you and your employees may consume liquor, provided:

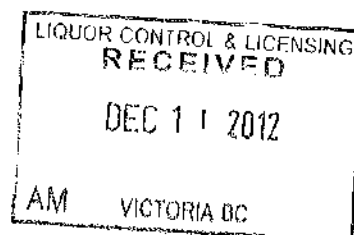
- You do not offer liquor to employees at a reduced price, or in lieu of wages or as a bonus.
- Your employees are of legal drinking age.
- You are serving and consuming the liquor during the hours of sale indicated on the face of your Licence.
- You – as the licensee – are not treated differently than a regular patron.

Entertainers may not consume liquor during a performance or while on stage in view of patrons.

- **Failure to take Reasonable Measures**

LCLB ACT:

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;

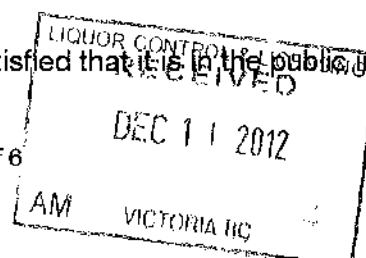
(c) impose a monetary penalty on the licensee in accordance with the prescribed schedule of penalties;

(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.

(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

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

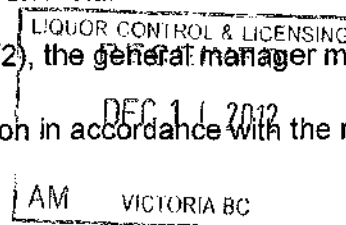
(2.6) A monetary penalty imposed under this section must be paid within 30 days after the date on which the notice referred to in subsection (4) (a) is provided to the licensee or within any longer period specified by the general manager.

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

(3) Despite subsection (2) (d), (e) and (f), the general manager must suspend, cancel or order the transfer of a licence held by a person who has been convicted of a prescribed number of prescribed offences under the laws of Canada or British Columbia.

(4) On taking action against a licensee under subsection (2), the general manager must

(a) provide the licensee with written notice of the action in accordance with the regulations,



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

(c) set out in the notice the details of the action including

(i) if a monetary penalty is imposed, the amount of the penalty and the date by which the penalty must be paid, and

(ii) if a suspension is imposed, the period of the suspension and the dates on which the suspension must be served, and

(d) [Repealed 2002-48-37.]

(4.1) For the purposes of any hearing referred to in subsection (2), the general manager, by summons, may require a person

(a) to attend as a witness, at a place and time mentioned in the summons, which time must be a reasonable time from the date of the summons, and

(b) to bring and produce before the general manager all documents, writings, books, deeds and papers in the person's possession, custody or power touching, or in any way relating to, the subject matter of the hearing.

(4.2) A person named in and served with a summons referred to in subsection (4.1) must 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.]

Copy to:

- field file,
- POSSE Docs Tab
- Establishment File
- Licensee





File: EH12-143
Job: 000703505-083

October 30, 2012

Joseph Richards Ltd
c/o Bourque, Andre Joseph
8343 - 209A Street
Langley, BC V2Y 0A5

Dear Licensee:

Re: Licence Number: 034485

JOSEPH RICHARD
1082 Granville Street
Vancouver, BC V6Z 1L5

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 October 24, 2012.

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

Liquor Control and
Licensing Branch

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

Toll Free: 1 866 209-2111
Telephone: 250 952-5787

Location:
Fourth Floor, 3350 Douglas Street
Victoria BC

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

Enforcement Action

Monetary Penalty:

Arising from the licensee's non-compliance with section s. 6(4) Reg. a monetary penalty of \$5000 (Five Thousand Dollars) must be paid by November 26, 2012.

The payment must be made to the Minister of Finance and sent 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.

Signs satisfactory to the general manager showing that a monetary penalty has been imposed will 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 for four (4) business days starting at the opening of business on Sunday, November 11, 2012, until the close of business on Wednesday, November 14, 2012. "Business day" means a day on which the establishment would normally be opened for business.

Posting of Signs:

A Liquor Control and Licensing Branch inspector or police officer will attend your establishment prior to opening time on Sunday, November 11, 2012, to post the signs referenced above. You must allow the Liquor Control and Licensing Branch inspector or police officer to post the monetary penalty signs. You must not remove, obscure, or alter the prominence and visibility of those signs during the time they are required to be posted.

Consequences of non-payment:

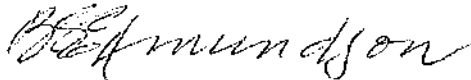
There are serious consequences for non-payment of the full amount of a monetary penalty by the due date.

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 may refer an unpaid penalty to the Ministry of Finance for collection.
3. 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 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 604 775-0240.

Yours truly,

A handwritten signature in cursive script, appearing to read "B. Edmundson".

Bruce Edmundson
Deputy General Manager
Compliance and Enforcement

cc: Vancouver Police Dept. – Cst. Alex Clarke
Clerk/Secretary City of Vancouver
Manager of Licensing Rebecca Villa-Arce
Manger of Finance Scott McElroy
Regional Manager Donna Lister
Inspector Mark Lavallee

Encl: Appendix A

Appendix A
Monetary Penalty Payment Tracking Form

To ensure your payment is promptly credited against your monetary penalty, please include this form with the monetary penalty payment.

Please forward a cheque or money order payable to the Minister of Finance to:

Liquor Control and Licensing Branch
PO Box 9292 STN PROV GOVT
Victoria, BC
V8W 9J8

Licensee Name: Joseph Richards Ltd
Address: 1082 Granville Street
Vancouver, BC V6Z 1L5
Licence Number: 034485
Establishment Name: Joseph Richard

The enclosed monetary penalty payment is for enforcement action pursuant to:

A waiver notice dated October 24, 2012, in which the licensee agreed to pay the penalty of \$5000 (Five Thousand Dollars) by November 26, 2012.

For office use only:

Date Payment Received: _____

Amount of payment Received: _____



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

File: EH12-143
Job: 000703505-083

June 21, 2012

Joseph Richards Ltd
c/o Bourque, Andre Joseph
1082 Granville Street
VANCOUVER, BC V6Z 1L5

Re: Licence Number: 034485
Licence Type: Liquor Primary
Licence Expiry Date: November 30, 2012
Establishment: Joseph Richard
CN #: B005369

The purpose of this notice is to inform you that pursuant to section 20 of the *Liquor Control and Licensing Act* (the Act), the general manager is pursuing enforcement action against the licensee.

This Notice of Enforcement Action (NOEA) will:

1. Set out the branch's allegation(s) of non-compliance with the Act, and or the *Liquor Control and Licensing Regulation* (the Regulation) and or the terms and conditions of the licence,
2. Provide a narrative of events,
3. Describe the evidentiary basis for the elements of each alleged contravention,
4. Provide reasons why the branch is pursuing enforcement,
5. Provide reasons why the branch believes the particular enforcement action (i.e. penalty) proposed is warranted, and
6. Outline the licensee's options and the branch procedures that will be followed depending on whether or not the licensee disputes what is being alleged.

Included with this NOEA is the licensee's enforcement history and an explanation of how that history will be applied in any hearing decision of the general manager.

Ministry of Public Safety
and Solicitor General

Liquor Control and
Licensing Branch

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

Toll Free: 1 866 209-2111
Telephone: 250 952-5787

Location:
Fourth Floor, 3350 Douglas Street
Victoria BC

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

1. THE ALLEGED CONTRAVENTION(S):

| No. | Name of Contravention(s) | Section of the Act/Regulation | Date and time of Contravention(s) | Proposed Enforcement Action |
|-----|--|-------------------------------|-----------------------------------|-----------------------------|
| 1. | Overcrowd beyond person capacity more than occupant load, s. 6(4) Reg. | s. 6(4) Reg. | 2012-JUN-10 12:25 AM | \$5000 monetary penalty |

2. NARRATIVE

This Liquor Primary License is located on the Granville Strip in the heart of the Entertainment District in Vancouver and has a Liquor License Person Capacity of 185.

In the early morning of June 10th, 2012 at 00:25 hours, Inspectors Doug Dyck and Edward Osei-Appiah conducted a routine inspection of this establishment. Upon arriving at the front entrance there was a line up outside to enter this premise with door staff controlling entry. Dyck approached one of the door staff named s.22 Dyck asked s.22 what the person count was inside the premise and s.22 replied that he had a count of 235 people and showed Dyck the number on his mechanical counter. Dyck then asked him what his license capacity was and he replied that he thought it was 200. When Dyck asked why they were at a 235 count s.22 replied that he was told that it was OK to be 30 or 40 over as they are members of Bar Watch.

Dyck and Osei-Appiah then proceeded inside to conduct their own counts each with a mechanical counter. Dyck started his first count from inside the front entrance on the main floor and proceeded through the main floor to the back and then continued his count up the staircase from the back through the second floor and down the other staircase closer to the front, which resulted in a count of 230 including visible staff. Dyck then conducted a second count starting from the back of the main floor to the front and then up the staircase closest to the front through the second floor and down the staircase closest to the back which resulted in a count of 244 including visible staff. Dyck then looked at the liquor license and noted that it showed a person capacity of 185.

Dyck then met up with the GMs.22 the Manager s.22 and door staff s.22 outside the establishment in order to be able to hear each other speak. Each of these gentlemen were very cooperative and respectful and all seemed to have an understanding that being 30 or 40 persons over their licensed capacity was not an issue being members of Bar Watch. Dyck let them know what his counts were.

Osei-Appiah then joined Dyck and the management group outside and conveyed his 2 counts of 224 and 214. Considering that the Licensee's count was 235 (50 over their license person capacity) and that the lowest count by Osei-Appiah of 214 (29 over their capacity), it was clear that they were blatantly over crowded considering their understanding with Bar Watch.

Dyck made it clear to the Management team that their understanding of Bar Watch does not allow them to overcrowd at any time as exceeding the Person Capacity of their establishment is a public safety concern. Dyck communicated that a contravention notice would be issued for overcrowding and enforcement action would be discussed between the area Inspector and the Regional Manager. Both Dyck and Osei-Appiah then departed at 00:52 hours.

3. THE ELEMENTS OF THE ALLEGED CONTRAVENTION(S)

3.1 Overcrowd beyond person capacity more than occupant load, s. 6(4) Reg.

- 1) What the licensed person capacity is.
 - a) The person Capacity is 185
- 2) What the occupant load is.
 - a) The occupant load is 185
- 3) What was the number of people in the establishment
 - a) The door security indicated to the Inspector that his mechanical counter showed 235. The two Inspectors conducted two counts each for a total of four. Dyck: 230 and 244; Osei-Appiah: 224 and 214.
- 4) Did the number of people in the establishment exceed the licensed capacity?
 - a) At the very minimum, the establishment was over capacity by 29 people.

Other Factors: .

4. REASONS FOR PURSUING ENFORCEMENT

4.1 Overcrowd beyond person capacity more than occupant load, s. 6(4) Reg.

Licensees that exceed their capacity by overcrowding are operating contrary to the public interest. Specifically, they are operating contrary to the principles of public safety and community standards.

The issue of public safety is most apparent when the overcrowding exceeds the occupant load. Getting out of a building safely during a fire or other threat is difficult in a place where liquor is served, loud music is playing and lighting is dim. The risk of death or serious injury is greater when the building is overcrowded.

The public interest in community standards is also relevant to the contravention of overcrowding. The maximum capacity established for a liquor-primary licence is the result of community input during the licensing process. The maximums are set so as to reduce the risk of negative impacts on neighborhoods and communities. These negative impacts include late night disturbances, parking problems and traffic flow problems. Allowing licensees to exceed their approved capacity effectively negates this community input.

In this case the persons inside Joseph Richard were considerably more than the occupant load. It was obvious that the establishment was over crowded and maneuvering within was extremely difficult. The reason an occupant load is set in establishments is to ensure safety of patrons should an immediate evacuation be necessary. The amount of persons inside Joseph Richard would have made a safe and expeditious exit considerably more difficult, thus causing serious risk to patrons. Therefore enforcement is necessary in order to impact on the licensee the importance of keeping the establishment well within its person capacity.

5. REASONS FOR THE PROPOSED ENFORCEMENT ACTION (i.e. penalty)

5.1 Overcrowd beyond person capacity more than occupant load, s. 6(4) Reg. : \$5000 monetary penalty proposed

For the alleged contravention of overcrowd beyond person capacity more than occupant load, s. 6(4) reg. (Contravention Notice Number B005369), a monetary penalty of \$5,000.00 (Five Thousand Dollars) is proposed. This recommended monetary penalty falls within the penalty range set out in schedule 4 of the Regulation for a first contravention.

In this case the proposed monetary penalty is sufficient for the first contravention of overcrowding. Inspector Lavallee feels that this penalty will hopefully have sufficient impact on the licensee to bring the licensee into voluntary compliance.

6. THE PROCEDURES

The licensee may agree with or dispute the above allegation(s) and proposed enforcement action.

If there is a dispute, the general manager will decide if the contravention(s) occurred and what enforcement action, if any, is warranted. A hearing may be scheduled for that purpose.

If the general manager decides that enforcement action is warranted, the general manager will determine what enforcement action will be imposed on the licensee. The general manager may

- Impose a suspension of the liquor licence for a period of time
- Impose a monetary penalty
- Cancel the liquor licence
- Rescind, amend or impose new terms and conditions on the licence
- Order a transfer of the licence

Imposing enforcement action is discretionary. Where the general manager finds that a suspension or monetary penalty is warranted the general manager must follow the minimums set out in Schedule 4 of the Regulations. The general manager is not bound by the maximums and may impose a higher suspension or monetary penalty when it is in the public interest to do so. The general manager is not bound to order the enforcement action proposed in this NOEA.

Schedule 4 of the Regulation sets out the range of enforcement actions when a contravention occurs in an establishment within a 12 month period of a contravention of the same type. It is the date that the contravention occurred that is used for the purpose of determining if a contravention is a first, second or subsequent contravention for penalty purposes.

If the licensee agrees that the contravention(s) took place and accepts the enforcement action proposed, there is no need for a hearing. In that case, the licensee must sign a document called a waiver. By signing a waiver, the licensee irrevocably

- Agrees that the contravention(s) occurred,
- Accepts the proposed enforcement action,
- Agrees that the contravention(s) and enforcement action will form part of the compliance history of the licensee, and
- Waives the opportunity for an enforcement hearing.

If you decide to sign a waiver, or if you have any questions regarding this matter, please contact me at 604 775-0240 as soon as possible. If you do not sign a waiver, the branch will schedule a pre-hearing conference for you to discuss the hearing process with the branch registrar and the branch advocate.

For further information about the hearing and waiver process please visit our website at http://www.pssg.gov.bc.ca/lclb/comp_enforce/index.htm

Yours truly,

Mark Lavallee
Liquor Inspector

Enclosures

*Copy of Liquor Control and Licensing Branch Enforcement Process –
Information for Liquor Licensees* (located at <http://www.pssg.gov.bc.ca/lclb/docs-forms/LCLB168.pdf>)

ENFORCEMENT ACTION

If the general manager determines that the licensee has committed the above alleged contravention(s), the general manager may consider the following when determining what enforcement action, if any, is warranted pursuant to section 20(2) of the Act:

Past Enforcement Action Taken

No compliance history found

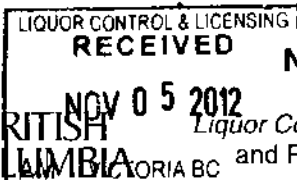
Compliance Meetings

No compliance meetings found

Other Factors



BRITISH
COLUMBIA



No. B 005657

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: JOSEPH RICHARD

Establishment address: 1082 Granville St
VANCOUVER BC V6Z 1L5

Licensee name: JOSEPH RICHARDS LTD

Licence #: 034485 Date CN issued: NM 06/20/12

Date and time of alleged contravention(s): 09/29/2012 2300

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>Employee consume liquor</u> | <input type="checkbox"/> Act <input checked="" type="checkbox"/> Reg 42/31 |
| 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: Covert inspection i/c
V.P.D. operators observed
staff consuming liquor

Inspector name: M. S. LAVALLEE Badge #: 89

Telephone: 604-775-0240 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.

JUN 14 2012

No. B 005369



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: JOSEPH RICHARD

Establishment address: 1082 GRANVILLE STREET,
VANCOUVER, BC V6Z 1L5

Licensee name: JOSEPH RICHARDS LTD

Licence #: 034485 Date CN issued: MAY 15 2012

Date and time of alleged contravention(s): 06/10/12 00:25

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

| | Contravention | Section |
|---|----------------------------|---|
| 1 | OVERCROWDING BEYOND PERSON | 6(4) <input type="checkbox"/> Act <input checked="" type="checkbox"/> Reg |
| 2 | CAPACITY GREATER THAN | <input type="checkbox"/> Act <input type="checkbox"/> Reg |
| 3 | OCCUPANT LOAD | <input type="checkbox"/> Act <input type="checkbox"/> Reg |
| 4 | | <input type="checkbox"/> Act <input type="checkbox"/> Reg |

Details: ESTABLISHMENT'S COUNT 235; INDICATED
COUNTS 230, 244, 224 + 214. PERSON
CAPACITY '185'

Inspector name: D. DYCK Badge #: 67

Telephone: 775-0097 LPC #: _____

Management acknowledgement (name and title): MAILED TO
OFFICE OF RECORD

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.

Liquor Primary Licence #182305

Expires on November 30, 2015

Establishment Name: **Town Hall**
Licence Name: **Town Hall**
Location Address: 3140 King George Hwy
SURREY, BC V4P 1A2
Issued to: Tapwood Holdings Ltd.
Third Party Operator: Townhall Holdings (South Surrey) Ltd.
Resident Manager: Woodward, Joshua Alan

TERMS AND CONDITIONS

HOURS OF SALE

| | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|-------|----------|----------|-----------|----------|----------|----------|----------|
| Open | 11:00 AM | 11:00 AM | 11:00 AM | 11:00 AM | 11:00 AM | 11:00 AM | 11:00 AM |
| Close | 1:00 AM | 1:00 AM | 1:00 AM | 1:00 AM | 2:00 AM | 2:00 AM | 1:00 AM |

CAPACITY

| | | | | | |
|--------|----|----------|-----|--|--|
| Patio1 | 20 | Person01 | 125 | | |
|--------|----|----------|-----|--|--|

- The terms and conditions to which this licence is subject include the terms and conditions contained in the publication 'A Guide for Liquor Licensees in British Columbia' as that publication is amended from time to time.
- Liquor may only be sold, served and consumed within the areas outlined in red on the official plan, unless otherwise endorsed or approved by the LCLB.
- Subject to terms and conditions specified in the restriction or approval letter(s). A copy of restriction or approval letter(s) to be kept with current liquor licence.
- Patio extension permitted as outlined in red on the official plan.
- Minors, other than professional entertainers, are not permitted within the licensed area(s) unless otherwise endorsed or approved by the LCLB.

February 03, 2015



Liquor Primary Licence #182305

Expires on November 30, 2016

Establishment Name: **Town Hall**
Licence Name: **Town Hall**
Location Address: 3140 King George Hwy
SURREY, BC V4P 1A2
Issued to: Tapwood Holdings Ltd.
Third Party Operator: Townhall Holdings (South Surrey) Ltd.
Resident Manager: Woodward, Joshua Alan

TERMS AND CONDITIONS

HOURS OF SALE

| | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|-------|----------|----------|-----------|----------|----------|----------|----------|
| Open | 11:00 AM | 11:00 AM | 11:00 AM | 11:00 AM | 11:00 AM | 11:00 AM | 11:00 AM |
| Close | 1:00 AM | 1:00 AM | 1:00 AM | 1:00 AM | 2:00 AM | 2:00 AM | 1:00 AM |

CAPACITY

| | | | | | |
|--------|----|----------|-----|--|--|
| Patio1 | 20 | Person01 | 125 | | |
|--------|----|----------|-----|--|--|

- The terms and conditions to which this licence is subject include the terms and conditions contained in the publication 'A Guide for Liquor Licensees in British Columbia' as that publication is amended from time to time.
- Liquor may only be sold, served and consumed within the areas outlined in red on the official plan, unless otherwise endorsed or approved by the LCLB.
- Subject to terms and conditions specified in the restriction or approval letter(s). A copy of restriction or approval letter(s) to be kept with current liquor licence.
- Patio extension permitted as outlined in red on the official plan.
- Family Foodservice term and condition permits minors accompanied by a parent or guardian in all licensed areas until 10 PM when meal service is available.

December 08, 2015



Liquor Primary Licence #182305

Expires on November 30, 2017

Establishment Name: **Town Hall**
Licence Name: **Town Hall**
Location Address: 3140 King George Hwy
SURREY, BC V4P 1A2
Issued to: Tapwood Holdings Ltd.
Third Party Operator: Townhall Holdings (South Surrey) Ltd.

TERMS AND CONDITIONS

HOURS OF SALE

| | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|-------|----------|----------|-----------|----------|----------|----------|----------|
| Open | 11:00 AM | 11:00 AM | 11:00 AM | 11:00 AM | 11:00 AM | 11:00 AM | 11:00 AM |
| Close | 1:00 AM | 1:00 AM | 1:00 AM | 1:00 AM | 2:00 AM | 2:00 AM | 1:00 AM |

CAPACITY

| | | | |
|--------|----|----------|-----|
| Patio1 | 20 | Person01 | 125 |
|--------|----|----------|-----|

- The terms and conditions to which this licence is subject include the terms and conditions contained in the licensee Terms and Conditions Handbook, which is available on the Liquor Control and Licensing Branch website. The Terms and Conditions Handbook is amended from time to time.
- Liquor may only be sold, served and consumed within the service areas outlined on the official plan, unless otherwise endorsed or approved by the LCLB.
- Subject to terms and conditions specified in the restriction or approval letter(s). A copy of restriction or approval letter (s) to be kept with current liquor licence.
- Patio extension permitted as outlined in red on the official plan.
- Family Foodservice term and condition permits minors accompanied by a parent or guardian in all service areas until 10 PM when meal service is available.
- This licence is not permitted to advertise, promote, buy, sell, serve or gift product(s) from California Cult Cellars (Licence #307155) owned by California Cult Cellars Ltd.;
This condition applies regardless of the operational name of the manufacturer or the associated licences;
This condition may be reviewed if the tied house association between the manufacturer and any of the associated licences change.

September 29, 2017



Liquor Primary Licence #182305

Expires on November 30, 2018

Establishment Name: **Town Hall**
Licence Name: **Town Hall**
Location Address: 3140 King George Hwy
SURREY, BC V4P 1A2
Issued to: Tapwood Holdings Ltd.
Third Party Operator: Townhall Holdings (South Surrey) Ltd.

TERMS AND CONDITIONS

HOURS OF SALE

| | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|-------|----------|----------|-----------|----------|----------|----------|----------|
| Open | 11:00 AM | 11:00 AM | 11:00 AM | 11:00 AM | 11:00 AM | 11:00 AM | 11:00 AM |
| Close | 1:00 AM | 1:00 AM | 1:00 AM | 1:00 AM | 2:00 AM | 2:00 AM | 1:00 AM |

CAPACITY

| | | | |
|--------|----|----------|-----|
| Patio1 | 20 | Person01 | 125 |
|--------|----|----------|-----|

- The terms and conditions to which this licence is subject include the terms and conditions contained in the licensee Terms and Conditions Handbook, which is available on the Liquor Control and Licensing Branch website. The Terms and Conditions Handbook is amended from time to time.
- Liquor may only be sold, served and consumed within the service areas outlined on the official plan, unless otherwise endorsed or approved by the LCLB.
- Subject to terms and conditions specified in the restriction or approval letter(s). A copy of restriction or approval letter (s) to be kept with current liquor licence.
- Patio extension permitted as outlined in red on the official plan.
- Family Foodservice term and condition permits minors accompanied by a parent or guardian in all service areas until 10 PM when meal service is available.
- This licence is not permitted to advertise, promote, buy, sell, serve or gift product(s) from from Cavallo Winery (Licence #307155) owned by Cavallo Winery Ltd.;
This condition applies regardless of the operational name of the manufacturer or the associated licences;
This condition may be reviewed if the tied house association between the manufacturer and any of the associated licences change.

October 31, 2017





COMPLIANCE MEETING

This document is the record of a meeting between a licensee and the Liquor Control and Licensing Branch [LCLB]. The purpose of the record is to document that concerns about the licensee's non-compliance with the Act, Regulations and or the Terms and Conditions on the license have been brought to the licensee's attention. This record will also show that licensee is aware of these concerns and has made specific commitments to address those concerns.

Establishment Details:

Establishment Name: Town Hall
Establishment Address: 3140 King George Hwy
SURREY, BC V4P 1A2
Licensee: Tapwood Holdings Ltd.
Licence #: 182305

Meeting Date and Location: LCLB SURREY OFFICE

September 17, 2014

For the LCLB: Doug Dyck and Rupi Gill

For the Licensee: Curtis Moyer

Reason for the Meeting: Discuss Safety issues within premise and surrounding area/parking lot outside.

CN # (N/A)
LPC (N/A)



Section of the Act, Regulation, or T&C Guide Reviewed at the Meeting:

Contravene term & condition, s. 12 Act

Minimum Monetary and/or the Minimum Suspension for a first contravention of the above cited section of the Act or Regulation is 1-3 day suspension or \$1000 - \$3000 monetary penalty for drawing attention to an inspector or police officer upon arrival.

Commitment/s made by the Licensee:

Safety Issues regarding installing surveillance cameras within the parking lot and installing ID scanner inside has recently been done by licensee. Also suggesting that brighter lighting within the parking lot will assist with moving people or patrons along as lighting and the combination of surveillance cameras will discourage any unwanted activity and assist with safety for inspectors/police and patrons.

The licensee will continue to ensure that management or staff not draw attention to inspectors or police upon arrival to conduct an inspection. This includes verbal notification to patrons as well as devices such as a siren or a quick change in song (ie: "Bad Boys") . Drawing attention to an inspector or police may put them in an unsafe situation and will result in serious enforcement action and be subject to cancellation of the liquor licence.

Attendees: Curtis Moyen, Shareholder

-
- *I acknowledge the above concerns have been brought to my attention,*
 - *I agree to implement the measures cited above,*
 - *I acknowledge my responsibility to provide on-going training to my staff,*
 - *I acknowledge my responsibility to be fully compliant at all times with the Liquor Control and Licensing Act, the Regulations and the Terms and Conditions on my licence.*

Licensee/Representative:

CURTIS MOYEN DIRECTOR
(print name and position)

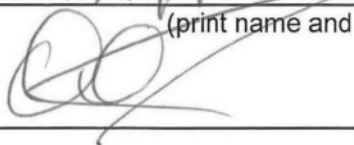
Licensee/Rep Signature:



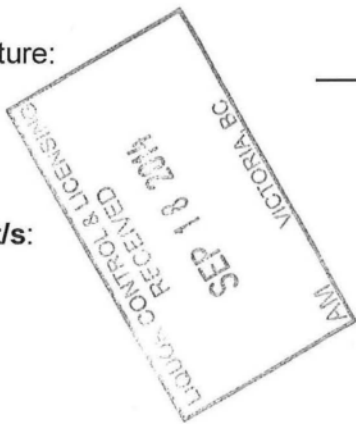
LCLB Representative:

DENNIS DYER
(print name and position)

LCLB Signature:



Attachment/s:



Copy to:

- field file,
- POSSE Docs Tab
- Establishment File
- Licensee



No. B011647



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: Town Hall
Establishment address: 3140 King George Hwy
Surley, BC V4R 1A2
Licensee name: Tapwood Holdings Ltd.
Licence #: 182305 Date CN issued: 07/02/13
Date and time of alleged contravention(s): 07/01/13 02:12am

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

| | Contravention | Section | |
|---|--------------------------|---------|---|
| 1 | Failing to comply with | S.12 | <input checked="" type="checkbox"/> Act |
| 2 | a term and condition | | <input type="checkbox"/> Reg |
| 2 | Failing to comply with a | | <input type="checkbox"/> Act |
| 4 | term and condition- | S.12 | <input type="checkbox"/> Reg |
| | | | <input checked="" type="checkbox"/> Act |
| | | | <input type="checkbox"/> Reg |

Details: Extension letter not posted;
staff continuing to sell/serve
liquor past 2am.

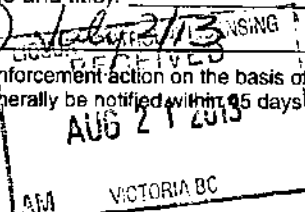
(2) Staff identifying liquor/inspector:

Inspector name: Milane Badge #: 95
Telephone: (604) 586-2645 LPC #:

Management acknowledgement (name and title):

Curtis (by phone) 07/21/13

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: Rupi Gill / Linda Hoy Date: March 4/2013

Office Location: SPO

ESTABLISHMENT INFORMATION:

Establishment Name: Town Hall
Establishment Address: 3140 KING GEORGE HIGHWAY
Licence No.: 152305 Licence Class: LP Expiry date: Nov 30/2015
Licensee Name: TAPWOOD HOLDINGS LTD - THIRD PARTY: TOWNHALL HOLDINGS (SOUTH SURREY LTD)

MEETING DETAILS:

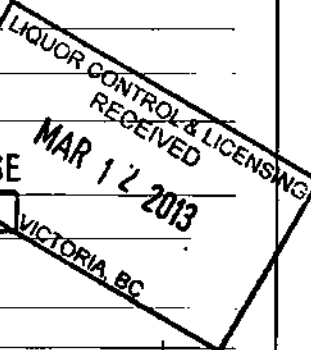
Attendees at compliance meeting:

| | | |
|----------------------------|--|-------------------------|
| Name: <u>ANDRE BOURQUE</u> | Association/Position: <u>THIRD PARTY DEPAR</u> | Contact No: <u>s.22</u> |
| Name: <u>JOHN FLOREW</u> | Association/Position: <u>THIRD PARTY OFFICER</u> | Contact No: <u>s.22</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): _____

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 FOLLOW UP TO INSPECTION OF FEBRUARY 22/2013
ENTERED IN ROSSE

Commitments made by licensee: STAFF TO BE TRAINED TO TAKE STAFF MEMBERS INTO ACCOUNT WITH DETERMINING CAPACITY.
ALSO DISCUSSED ISSUE OF INTOXICATION & REMOVAL OF INTOXICATED PERSONS. FURTHER INSTANCES OF
Other ISSUES RELATED TO OVERCROWDING & INTOXICATION MAY LEAD TO ENFORCEMENT ACTION. INTOXICATION BY DRUGS NEEDS TO BE ADDRESSED WITH STAFF.

Inspector Name: Rupi Gill Inspector Signature: [Signature]
Licensee Name: Andre Bourque Licensee Signature: [Signature]

Licensee Retail Store Licence #195403

Expires on December 31, 2015

Establishment Name: **Tudor Liquor Store**
Licence Name: **Tudor Liquor Store**
Location Address: 3140 King George Hwy
SURREY, BC V4P 1A2
Issued to: 32 Street Holdings Ltd.
Third Party Operator: Tufor Holdings Ltd.

TERMS AND CONDITIONS

HOURS OF SALE

| | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|-------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Open | 9:00 AM | 9:00 AM | 9:00 AM | 9:00 AM | 9:00 AM | 9:00 AM | 9:00 AM |
| Close | 11:00 PM | 11:00 PM | 11:00 PM | 11:00 PM | 11:00 PM | 11:00 PM | 11:00 PM |

- The terms and conditions to which this licence is subject include the terms and conditions contained in the publication 'A Guide for Liquor Licensees in British Columbia' as that publication is amended from time to time.
- Packaged liquor may only be sold within the area(s) outlined in blue, unless otherwise endorsed or approved by the L.C.L.B.
- Subject to terms and conditions specified in the restriction or approval letter(s). Copy of restriction or approval letter(s) must be kept with current liquor licence.

August 20, 2015



Licensee Retail Store Licence #195403

Expires on December 31, 2016

Establishment Name: **Tudor Liquor Store**
Licence Name: **Tudor Liquor Store**
Location Address: 3140 King George Blvd
SURREY, BC V4P 1A2
Issued to: 32 Street Holdings Ltd.

TERMS AND CONDITIONS

HOURS OF SALE

| | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|-------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Open | 9:00 AM | 9:00 AM | 9:00 AM | 9:00 AM | 9:00 AM | 9:00 AM | 9:00 AM |
| Close | 11:00 PM | 11:00 PM | 11:00 PM | 11:00 PM | 11:00 PM | 11:00 PM | 11:00 PM |

- The terms and conditions to which this licence is subject include the terms and conditions contained in the publication 'A Guide for Liquor Licensees in British Columbia' as that publication is amended from time to time.
- Packaged liquor may only be sold within the area(s) outlined in blue, unless otherwise endorsed or approved by the L.C.L.B.
- Subject to terms and conditions specified in the restriction or approval letter(s). Copy of restriction or approval letter(s) must be kept with current liquor licence.

December 24, 2015



Licensee Retail Store Licence #195403

Expires on December 31, 2017

Establishment Name: **Tudor Liquor Store**
Licence Name: **Tudor Liquor Store**
Location Address: 3140 King George Blvd
SURREY, BC V4P 1A2
Issued to: 32 Street Holdings Ltd.

TERMS AND CONDITIONS

HOURS OF SALE

| | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|-------|----------|----------|-----------|----------|----------|----------|----------|
| Open | 9:00 AM | 9:00 AM | 9:00 AM | 9:00 AM | 9:00 AM | 9:00 AM | 9:00 AM |
| Close | 11:00 PM | 11:00 PM | 11:00 PM | 11:00 PM | 11:00 PM | 11:00 PM | 11:00 PM |

- The terms and conditions to which this licence is subject include the terms and conditions contained in the publication 'A Guide for Liquor Licensees in British Columbia' as that publication is amended from time to time.
- Packaged liquor may only be sold within the area(s) outlined in blue, unless otherwise endorsed or approved by the L.C.L.B.
- Subject to terms and conditions specified in the restriction or approval letter(s). Copy of restriction or approval letter(s) must be kept with current liquor licence.

January 03, 2017



Licensee Retail Store Licence #195403

Expires on December 31, 2018

Establishment Name: **Tudor Liquor Store**
Licence Name: **Tudor Liquor Store**
Location Address: 3140 King George Blvd
SURREY, BC V4P 1A2
Issued to: 32 Street Holdings Ltd.

TERMS AND CONDITIONS

HOURS OF SALE

| | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|-------|----------|----------|-----------|----------|----------|----------|----------|
| Open | 9:00 AM | 9:00 AM | 9:00 AM | 9:00 AM | 9:00 AM | 9:00 AM | 9:00 AM |
| Close | 11:00 PM | 11:00 PM | 11:00 PM | 11:00 PM | 11:00 PM | 11:00 PM | 11:00 PM |

- The terms and conditions to which this licence is subject include the terms and conditions contained in the licensee Terms and Conditions Handbook, which is available on the Liquor Control and Licensing Branch website. The Terms and Conditions Handbook is amended from time to time.
- Packaged liquor may only be sold within the service area(s) outlined on the official plan, unless otherwise endorsed or approved by the LCLB.
- Subject to terms and conditions specified in the restriction or approval letter(s). Copy of restriction or approval letter(s) must be kept with current liquor licence.

December 22, 2017





File: EH12-039
Job: 002300912-013

May 10, 2012

Holo Holdings Ltd.
c/o Holowaychuk, Gary
111 176th Street
Surrey, BC V3S 9S4

Dear Licensee:

Re: Licence Number: 195403

TUDOR LIQUOR STORE
3140 King George Hwy
Surrey, BC V4P 1A2

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 May 03, 2012.

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

Liquor Control and
Licensing Branch

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

Toll Free: 1 866 209-2111
Telephone: 250 952-5787

Location:
Fourth Floor, 3350 Douglas Street
Victoria BC

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

Enforcement Action

Monetary Penalty:

Arising from the licensee's non-compliance with section S. 33(1)(a) Act a monetary penalty of \$7500 (Seven Thousand Five Hundred Dollars) must be paid by June 1, 2012.

The payment must be made to the Minister of Finance and sent 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.

Signs satisfactory to the general manager showing that a monetary penalty has been imposed will 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 for ten (10) business days starting at the opening of business on Monday, May 14, 2012, until the close of business on Wednesday, May 23, 2012. "Business day" means a day on which the establishment would normally be opened for business.

Posting of Signs:

A Liquor Control and Licensing Branch inspector or police officer will attend your establishment prior to opening time on Monday, May 14, 2012, to post the signs referenced above. You must allow the Liquor Control and Licensing Branch inspector or police officer to post the monetary penalty signs. You must not remove, obscure, or alter the prominence and visibility of those signs during the time they are required to be posted.

Consequences of non-payment:

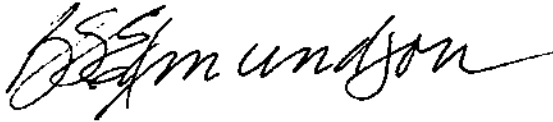
There are serious consequences for non-payment of the full amount of a monetary penalty by the due date.

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 may refer an unpaid penalty to the Ministry of Finance for collection.
3. 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 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 604 586-2645.

Yours truly,

A handwritten signature in black ink, appearing to read 'B Edmundson', written in a cursive style.

Bruce Edmundson
Deputy General Manager
Compliance and Enforcement

cc: Surrey R.C.M.P.
Clerk/Secretary City of Surrey
Manager of Finance Scott McElroy
Manager of Licensing Rebecca Villa-Arce
Regional Manager Michael Clark
Inspector Rick Farina

Encl: Appendix A



WAIVER NOTICE

Liquor Control and Licensing Act, RSBC, c.267

File: EH12-039
Job: 002300912-013
Licence: 195403
Contravention Notice: B012244

May 2, 2012

With respect to the Notice of Enforcement Action (NOEA) EH12-039, dated March 15, 2012, this Waiver Notice is an agreement on the part of the licensee as follows.

BETWEEN: Holo Holdings Ltd., c/o
111 176th St
Surrey, BC V3S 9S4

Alternate: Holo Holdings Ltd., c/o
111 176th Street
Surrey, BC V3S 9S4

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

**RE: LRS Licence #195403, Tudor Liquor Store, at 3140 King George Hwy
SURREY, BC V4P 1A2.**

Ministry of Public Safety
and Solicitor General

Liquor Control and
Licensing Branch

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

Location:
Fourth Floor, 3350 Douglas Street
Victoria BC

Toll Free: 1 866 209-2111
Telephone: 250 952-5787

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

LIQUOR CONTROL and Solicitor General
RECEIVED

MAY 09 2012

AM VICTORIA BC

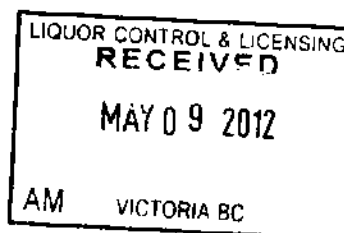
The licensee:

1. Agrees the licensee committed the contravention/s of:
 - a. Minor - Sell, give or otherwise supply liquor to minor, s. 33(1)(a) Actas set out in the attached NOEA, and
2. Accepts the enforcement action/s as set out in the attached NOEA for the contravention/s referenced in paragraph 1.
3. Accepts the monetary penalty of \$7500 (Seven Thousand Five Hundred Dollars)
4. Accepts that the monetary penalty referenced above must be paid in full within 30 days of the date this Waiver Notice is signed by the licensee.

Failure to pay a monetary penalty within 30 days is a breach of s. 20 (2.6) of the Liquor Control and Licensing Act which may result in suspension or cancellation of the licence.
5. Waives the opportunity for a hearing in respect of each of the contravention/s and enforcement action/s cited above.
6. Accepts that signs satisfactory to the General Manager referencing the enforcement action/s cited above will be placed by the police or Branch staff in prominent locations in the establishment.

You must not obscure, alter or in any manner diminish the prominence of the sign/s. Failure to allow posting of these signs is a serious contravention that could lead to an extended licence suspension, cancellation or transfer of your liquor licence.
7. Accepts that the finding of contravention/s and specified enforcement action/s will form part of the compliance history of the licensee.

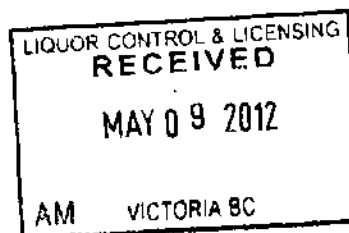
The licensee understands and agrees that this Waiver Notice is irrevocable.



| | | | | |
|-----------------------|---|-------------------------------------|------------------------------|-------------------------|
| DATE: | <u>Thursday</u> 3rd (day) | the <u>3rd</u> (date) | day of <u>May</u> (month) | , 20 <u>12</u> (yr.) |
| SIGNATURE OF LICENSEE | <u>[Signature]</u> (Licensee/Authorized Agent) | | | |
| NAME OF LICENSEE | <u>Gary Holowaychuk</u> (Please Print) | | | |
| | <u>Pres.</u> (Title/Position) | | | |
| SIGNATURE OF WITNESS | <u>[Signature]</u> | | | |
| NAME OF WITNESS | <u>Rupi Gill</u> (Please Print) | | | |

Your liquor inspector will require the original for the Branch's records. You may photocopy this document or request a copy from your liquor inspector for your own records.

Attachment: Notice of Enforcement Action





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

File: EH12-039
Job: 002300912-013

March 15, 2012

Holo Holdings Ltd.
c/o Holowaychuk, Gary
111 176th St
Surrey, BC V3S 9S4

Re: Licence Number: 195403
Licence Type: Licensee Retail Store
Licence Expiry Date: December 31, 2012
Establishment: Tudor Liquor Store
CN #: B012244

The purpose of this notice is to inform you that pursuant to section 20 of the *Liquor Control and Licensing Act* (the Act), the general manager is pursuing enforcement action against the licensee.

This Notice of Enforcement Action (NOEA) will:

1. Set out the branch's allegation(s) of non-compliance with the Act, and or the *Liquor Control and Licensing Regulation* (the Regulation) and or the terms and conditions of the licence,
2. Provide a narrative of events,
3. Describe the evidentiary basis for the elements of each alleged contravention,
4. Provide reasons why the branch is pursuing enforcement,
5. Provide reasons why the branch believes the particular enforcement action (i.e. penalty) proposed is warranted, and
6. Outline the licensee's options and the branch procedures that will be followed depending on whether or not the licensee disputes what is being alleged.

Included with this NOEA is the licensee's enforcement history and an explanation of how that history will be applied in any hearing decision of the general manager.

Ministry of Public Safety
and Solicitor General

Liquor Control and
Licensing Branch

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

Toll Free: 1 866 209-2111
Telephone: 250 952-5787

Location:
Fourth Floor, 3350 Douglas Street
Victoria BC

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

1. THE ALLEGED CONTRAVENTION(S):

| No. | Name of Contravention(s) | Section of the Act/Regulation | Date and time of Contravention(s) | Proposed Enforcement Action |
|-----|---|-------------------------------|-----------------------------------|-----------------------------|
| 1. | Minor - Sell, give or otherwise supply liquor to minor, s. 33(1)(a) Act | S. 33(1)(a) Act | 2012-MAR-12 12:10 PM | \$7500 monetary penalty |

2. NARRATIVE

In 2011, the Liquor Control and Licensing Branch (LCLB) undertook a "Minors as Agents Program" (MAP). MAP inspections are used to monitor compliance with the Liquor Control and Licensing Act's prohibition against selling liquor to persons under the age of 19 (minors). The Liquor Control and Licensing Act has been amended to allow the Branch to employ minors as agents to test compliance with the Liquor Control and Licensing Act's prohibition against selling liquor to minors. The terms and conditions of the licensee retail store license requires licensees to check 2 pieces of identification when verifying age. Industry associations and licensees were notified of the program by way of a letter from the General Manager in February 2011.

LCLB hired 17 and 18 year old minors, who appear young, as agents to carry out these compliance inspections. The minors were given training on the Liquor Control and Licensing Act, making and documenting observations and safety considerations.

On March 12, 2011 MAP inspections were conducted to test compliance at several retail stores selling packaged alcohol for offsite consumption. Inspectors Farina and Castle were the lead LCLB personnel accompanying the agent on this date (the inspection team). At the start of the shift, the agent s.22) was photographed and identification was viewed confirming the agent to be 17 years of age. The identification was also photocopied.

The Tudor Liquor Store is a licensee retail store (LRS). This type of establishment is licensed to sell all types of packaged liquor. Additional terms and conditions applicable to this class of license state that minors are allowed in a licensee retail store only when accompanied by a parent or guardian and it is against the law to sell, serve, or supply liquor to a minor.

The inspection team arrived at the establishment at approximately 12:06 pm. The agent entered the store and was followed in by Inspector Farina. Inside the store, Inspector Farina made the following observations.

The agent went into the cooler where the beer was stored. He returned from the cooler area with a 6 pack of Pabst Blue Ribbon beer in cans. He took the product to the counter where there was a clerk on duty and another male later identified as co-owner. The clerk is described as s.22
s.22

The clerk said "how's your day going?" Agent responded "not too bad". Prior to departure the clerk said "thanks". The male later identified as co-owner is described as

s.22

s.22 The male said the following to the agent "sorry for taking so long". The agent gave the cashier \$20.00 cash and completed the sale manually as the power had gone out and the cash till was offline. The agent received his change and exited the store at approximately 12:11 pm. No receipt was provided for the beer and no identification was requested of the agent. Inspector Farina exited shortly thereafter.

After exiting, the agent took the beer back to the vehicle where he gave it to Inspector Farina who tagged it and secured it in the trunk of the vehicle. The agent was provided with an observation sheet to immediately record his observations and make detailed notes of the inspection.

At approximately 12:30 pm, Inspectors Farina and Castle re-entered the store to talk to the clerk. The clerk was now identified as s.22 and the co-owner was identified as Curtis Moyer. We advised them of what had just occurred with respect to the sale of alcohol to a minor. We explained that this was a contravention of the Liquor Control and Licensing Act. Contravention notice # B012244 was issued for supplying liquor to a minor contrary to section 33 (1) (a) of the Liquor Control and Licensing Act. Inspector Farina provided my contact information should they require further clarification or assistance.

3. THE ELEMENTS OF THE ALLEGED CONTRAVENTION(S)

3.1 Minor - Sell, give or otherwise supply liquor to minor, s. 33(1)(a) Act

The person in question is a minor.

A minor is an individual under the age of 19

The agents hired by the LCLB are 17 or 18 years of age as confirmed by viewing and photocopying their government issued photo identification as primary identification. A second piece of identification was also viewed and photocopied to support the primary piece of identification.

The minor was in possession of liquor.

The agent was able to enter the store and purchase 6 Pabst Blue Ribbon Beer in cans 355ml size 4.9% alcohol. The product was then taken out of the store by the agent and delivered to LCLB Inspectors.

The licensee directly or by way of its staff sold or supplied the liquor to the minor.

The alcohol was sold to the agents by the sales clerk s.22 who is an employee of the licensee.

4. REASONS FOR PURSUING ENFORCEMENT

4.1 Minor - Sell, give or otherwise supply liquor to minor, s. 33(1)(a) Act

Selling, giving or supplying liquor to minors is a significant public safety issue because of:

- the effects of alcohol on growing bodies and developing minds
- the effects on individuals and society of irresponsible drinking behaviour learned at an early age
- 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 crimes committed by youth, including serious driving offences, assault, sexual assault and theft.

In this case, the agent who made the purchase is only 17 years of age which is well below the legal drinking age of 19. Added to this is the fact that the agent also appears to be his age and made no attempt to deceive or mislead in order to make the purchase.

Society in general understands that the legal drinking age is 19. Therefore it is reasonable to expect that even with minimal training, an individual working in the liquor service industry would be well versed in their responsibility to prevent the sale of alcohol to minors. However, the staff person made no attempt to ask for any piece of identification.

As well, Licensee Retail Stores were notified of the Minors as Agents Program in following manner:

- July 2010: a government press released announced changes to the *Liquor Control and Licensing Act* allowing the use of minors as agents for the purposes of checking compliance with the Act.
- February 7th, 2011: the general manager of the LCLB wrote to all Licensee Retail Store licensees and advised them that "Beginning later in February, and on an on-going basis, minors will visit public and private stores, under the close supervision of a liquor inspector, and will attempt to buy alcohol."
- February 25th, 2011: the *Publican*, a periodical for all members of the Alliance of Beverage Licensees of British Columbia, published an article by the general manager describing the Minors as Agents Program and further advising of the program's implementation.
- March 14th, 2011: the LCLB issued its first edition of the LCLB Newsletter. This newsletter was mailed to all licensees in the province and contained an article titled "Hiring Minors to Monitor Retail Compliance."

5. REASONS FOR THE PROPOSED ENFORCEMENT ACTION (i.e. penalty)

5.1 Minor - Sell, give or otherwise supply liquor to minor, s. 33(1)(a) Act : \$7500 monetary penalty proposed

For the alleged contravention of minor - sell, give or otherwise supply liquor to minor, s. 33(1)(a) act (Contravention Notice Number B012244), a monetary penalty of \$7,500.00 (Seven Thousand Five Hundred Dollars) is proposed. This recommended monetary

penalty falls within the penalty range set out in schedule 4 of the Regulation for a first contravention.

In this case the monetary penalty of \$7500 is considered appropriate to reinforcing the seriousness of selling alcohol to minors. There is no prior history of proven contraventions on this issue. It is expected that the licensee will use this situation as an opportunity to further enhance his existing policies and procedures to ensure future voluntary compliance with respect to this contravention

6. THE PROCEDURES

The licensee may agree with or dispute the above allegation(s) and proposed enforcement action.

If there is a dispute, the general manager will decide if the contravention(s) occurred and what enforcement action, if any, is warranted. A hearing may be scheduled for that purpose.

If the general manager decides that enforcement action is warranted, the general manager will determine what enforcement action will be imposed on the licensee. The general manager may

- Impose a suspension of the liquor licence for a period of time
- Impose a monetary penalty
- Cancel the liquor licence
- Rescind, amend or impose new terms and conditions on the licence
- Order a transfer of the licence

Imposing enforcement action is discretionary. Where the general manager finds that a suspension or monetary penalty is warranted the general manager must follow the minimums set out in Schedule 4 of the Regulations. The general manager is not bound by the maximums and may impose a higher suspension or monetary penalty when it is in the public interest to do so. The general manager is not bound to order the enforcement action proposed in this NOEA.

Schedule 4 of the Regulation sets out the range of enforcement actions when a contravention occurs in an establishment within a 12 month period of a contravention of the same type. It is the date that the contravention occurred that is used for the purpose of determining if a contravention is a first, second or subsequent contravention for penalty purposes.

If the licensee agrees that the contravention(s) took place and accepts the enforcement action proposed, there is no need for a hearing. In that case, the licensee must sign a document called a waiver. By signing a waiver, the licensee irrevocably

- Agrees that the contravention(s) occurred,
- Accepts the proposed enforcement action,

- Agrees that the contravention(s) and enforcement action will form part of the compliance history of the licensee, and
- Waives the opportunity for an enforcement hearing.

If you decide to sign a waiver, or if you have any questions regarding this matter, please contact me at 604 586-2645 as soon as possible. If you do not sign a waiver, the branch will schedule a pre-hearing conference for you to discuss the hearing process with the branch registrar and the branch advocate.

For further information about the hearing and waiver process please visit our website at http://www.pssg.gov.bc.ca/lclb/comp_enforce/index.htm

Yours truly,

Rick Farina
Liquor Inspector

Enclosures

*Copy of Liquor Control and Licensing Branch Enforcement Process –
Information for Liquor Licensees (located at <http://www.pssg.gov.bc.ca/lclb/docs-forms/LCLB168.pdf>)*

ENFORCEMENT ACTION

If the general manager determines that the licensee has committed the above alleged contravention(s), the general manager may consider the following when determining what enforcement action, if any, is warranted pursuant to section 20(2) of the Act:

Past Enforcement Action Taken

No compliance history found

Compliance Meetings

No compliance meetings found

Other Factors

ENTERED IN POSSE

No. B012244



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: Tudor Liquor Store
Establishment address: 3140 King George Blvd
Surrey BC V4P 1A5
Licensee name: TUDOR LIQUOR STORE
Licence #: 195403 Date CN issued: 07/10/12
Date and time of alleged contravention(s): 07/10/12 12:00pm

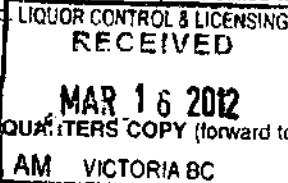
On the date noted above, the following alleged contravention(s) of the
Liquor Control and Licensing Act or regulation were identified:

| | Contravention | Section |
|---|------------------------|--|
| 1 | Supply liquor to minor | 33(1)a <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: MINOR AGENT ENTERED LRS
MADE PURCHASE 6 PACK PABST
BEER. NO REQUEST FOR ID.
OR AGE CONFIRMATION.

Inspector name: RIK FARRAR Badge #: 99
Telephone: 604-586-2615 LPC #: N/A
Management acknowledgement (name and title): OWNER

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)