



Liquor Control and Licensing Branch  
4th Floor, 3350 Douglas St. Victoria, BC V8W 9J8  
Mail: PO Box 9292 Stn Provincial Govt. Victoria, BC V8W 9J8  
Phone: 250-952-5787 Fax: 250-952-7066

## FOOD PRIMARY LICENCE APPLICATION FORM

Liquor Control and Licensing Form LCLB001B

### Instructions:

Using the attached guide, complete this application form, attach the required documents, and submit the package with payment to the Liquor Control and Licensing Branch.

### Part 1: Applicant

Applicant Name:

Black lounge Inc.

Office use only

38 856830  
Job No.

Mailing Address:

\$22

if different than  
location address.

Street

City

Province

Postal Code

Email:

hello@blacklounge.ca

Phone:

\$22

Applicant Type:

☒ Private Corporation

☐ Sole Proprietor

☐ Partnership

☐ Public Corporation

☐ Society

Other:

Do you or any individual associated with this application have a tied house association (see page 4 of the guide) with a manufacturer or agent? ☒ No ☐ Yes

\*If yes, identify each licence number(s). Attach a separate list if needed.

Please check (✓) Yes or No to each of the following:

☐ No ☒ Yes The applicant is the owner of the business in respect of which the licence is to be issued or will become the owner before the licence is issued.

☐ No ☒ Yes At the time of application, the applicant is:  
• The owner of or has an agreement to purchase the place or premises that will form the proposed establishment, or  
• The lessee or has a binding offer to lease the place or premises that will form the proposed establishment.

☐ No ☒ Yes At the time the licence is issued, the applicant will be:  
• The owner of the place or premises that forms the establishment, or  
• The lessee of the place or premises that forms the establishment (term no less than 12 months).

### Part 2: Contact Person

Name:

MARK DANIEL PROKOSH

Telephone:

\$22

Email:

hello@blacklounge.ca

### Part 3: Establishment (Restaurant) Proposal

Proposed Name:

White

Physical Address:

1257 Hamilton St.

Vancouver

V6B 6K3 ✓

Street

City

Postal Code

Phone:

604-559-7614

Business Email:

hello@white lounge.ca

If the FP licence is issued, would you like mail sent to the establishment?

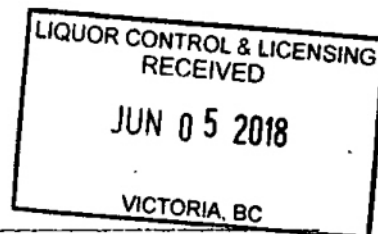
☐ No ☒ Yes

Parcel Identifier (PID):

025-498-932

If you answer 'Yes' to any of the following questions, see the guide for further instructions:

- Will this establishment overlap a liquor primary licence (aka dual licence)? ☒ No ☐ Yes  
Is your establishment a standalone patio with no interior seating? ☒ No ☐ Yes  
Is your establishment located at a winery, brewery, or distillery? ☒ No ☐ Yes  
Is your establishment located on Treaty First Nation land? ☒ No ☐ Yes



Opening Date

☐ Proposed Opening Date: May 1st, 2018

Hours of Liquor Service

☒ Set liquor service hours to 9:00 a.m. - 12:00 midnight (standard hours), Monday - Sunday

☐ Enter proposed hours of liquor service below, if not standard hours

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Close	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Note: Hours of liquor service that extend past midnight requires local government/First Nations approval. See the guide.  
Entertainment Endorsement

☐ Patron Participation Entertainment - dancing, karaoke or other types of entertainment that involve patron participation in the service area

Note: This endorsement requires local government/First Nations approval. See the guide.

Establishment (Restaurant) Layout

☐ Submit the restaurant floor plan according to the requirements outlined in the guide

Are you applying for a patio? ☐ No ☒ Yes If Yes, it must be included on the floor plan.

Other Options

If you are applying for any of the following, please refer to the guide for further instructions:

☐ Catering Endorsement

☐ Third Party Operator

#### Part 4: Declaration of Signing Authority

Section 57(1)(c) of the *Liquor Control and Licensing Act* states: "A person commits an offence if the person (c) provides false or misleading information in the following circumstances: (i) when making an application referred to in section 12; (ii) when making a report or when required and as specified by the general manager under section 59".

As the applicant or authorized signatory of the applicant, I understand and affirm that all of the information provided is true and complete.

Signature: 

Authorized signatory of the applicant

Name:

PROKOSH, MARK DANIEL  
(last / first / middle)

Position:

director  
(if not an individual)

Date:

10/04/2018  
(Day/Month/Year)

Note: An agent, lawyer, licensee representative or third operator may not sign the declaration on behalf of the applicant

This form should be signed by an individual with the authority to bind the applicant. The Branch relies on the applicant to ensure that the individual who signs this form is authorized to do so. Typically, an appropriate individual will be as follows:

- If the applicant is an individual or sole proprietor, the individual himself/herself
- If the applicant is a corporation, a duly authorized signatory who will usually be an officer or, in some cases, a director
- If the applicant is a general partnership, one of the partners
- If the applicant is a limited partnership, the general partner of the partnership
- If the applicant is a society, then a director or a senior manager (as defined in the Societies Act)

### Part 5: Application Fee \$950 (non-refundable)

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check (E) one):

- ☐ Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a \$30 fee will be charged)
- ☐ Money order, payable to Minister of Finance
- ☐ Credit card: ☒ VISA ☐ MasterCard ☐ AMEX

☒ I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.

☐ I am submitting my application by fax or mail and have given my credit information in the space provided at the bottom of the page.

The information requested on this form is collected by the Liquor Control and Licensing Branch under Section 23 (a) and (c) of the Freedom of Information and Protection of Privacy Act and will be used for the purpose of liquor licensing and compliance and enforcement matters in accordance with the Liquor Control and Licensing Act. Should you have any questions about the collection, use, or disclosure of personal information, please contact the Freedom of Information Officer at PO Box 9282 STN PROV GVT, Victoria, BC, V8W 9J8 or by phone toll free at 1-866-209-2111.

LCLB001B

3 of 3

Food Primary Licence Application Form

#### Credit Card Information (To be submitted by fax or mail only)

Name of cardholder (as it appears on card):

Credit card number:

Expiry date:

(Month)

(Year)

Signature: \_\_\_\_\_

# Food Primary Licence #307947

Expires on June 30, 2019

Establishment Name: **White**  
Licence Name: **White**  
Location Address: 1257 Hamilton St  
VANCOUVER, BC V6B 6K3  
Issued to: BLACK LOUNGE INC.

## 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	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight

### CAPACITY

Patio1	48	Person01	60	Person02	50
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- For the sale and consumption of all types of liquor in establishments with a primary focus on the service of food.
- 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.

July 18, 2018







Job #:38856830-1

July 18, 2018

Black Lounge Inc.  
Via email: hello@blacklounge.ca

Attention: Mark Prokosh

**Re: Step 5 - Licence Approved**  
**Food Primary Liquor Licence #307947**  
**Establishment / Licence Name: White**  
**Establishment Location: 1257 Hamilton Street, Vancouver, BC**

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Your application for a Food Primary Liquor Licence has been approved. Attached to this letter is a copy of the validated floor plan.

The licence will be sent to the establishment mailing address under separate cover. As the licence may take up to seven business days to be processed, please consider this letter sufficient evidence to support that your liquor licence has been approved and you are presently entitled to serve liquor within the terms and conditions as outlined in the Inspector's Review email sent on July 16, 2018. Upon receipt, the licence must be posted in a prominent location at your establishment.

As indicated in the *Food-Primary Terms and Conditions Handbook*, your licence and floor plan(s) must be posted in a prominent location in your establishment and readily available for inspection by police officers and Liquor Inspectors. You are responsible for making sure your employees take Serving It Right and you must keep photocopies of their Serving It Right certificates, ready for inspection by a liquor inspector or police office at all times.

The details of your liquor licence — who you are, the location, size and layout of your establishment, etc. — are critical factors in the decision to grant your licence. Before you make any changes to the establishment you must have approval from the Liquor and Cannabis Regulation Branch. Please refer to the [Liquor and Cannabis Regulation Branch website](#) for details or call 1-866-209-2111.

The licence will expire on June 30, 2019. Two (2) months before your licence expires, a renewal notice will be sent to the contact address you identified on your application. Please ensure you notify the Branch immediately if your establishment mailing address changes. Failure to pay your annual licence fee before the expiry date will result in a \$200.00 late fee penalty. If your fees are not paid within thirty (30) days of the expiry date, you will not be able to renew your liquor licence.

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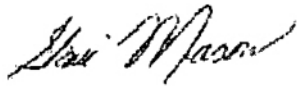
**Liquor and Cannabis  
Regulation Branch**

Mailing Address:  
PO Box 9292 Stn Prov Govt  
Victoria BC V8W 9J8  
Telephone: 250 952-5787  
Facsimile: 250 952-7066

Location:  
400-645 Tyee Road  
Victoria, BC  
<http://www.pssg.gov.bc.ca/lclb>

Please note that you will not be able to purchase or sell liquor after the expiry date of your licence.

Sincerely,

A handwritten signature in black ink, appearing to read "Shari Mason". The signature is fluid and cursive, with the first name "Shari" and last name "Mason" clearly distinguishable.

Shari Mason  
Case Manager

Attachments: Approved floor plans

cc: Vancouver Police Dept. #5 (Fax: 604-257-3716)  
CFSEU Attn: Open Source (Fax: 778-290-6101)  
Vancouver Business Licence (Fax: 604-871-6394)

## Mason, Shari LCLB:EX

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**From:** LCLB Licensing Help Desk LCLB:EX  
**Sent:** Monday, July 16, 2018 10:46 AM  
**To:** 'hello@blacklounge.ca'  
**Cc:** Bonneville, Gage LCLB:EX  
**Subject:** New Food Primary - White (Job #38856830-1)  
**Attachments:** Draft Floor Plan (Main Level).pdf; Draft Floor Plan (Mezzanine).pdf

### Application Contact:

Mark Daniel Prokosh,  
White  
1257 Hamilton Street  
Vancouver, BC V6B 6K3  
778-227-0601  
[hello@blacklounge.ca](mailto:hello@blacklounge.ca)

Good morning,

Your Food Primary Liquor Licence application is now at Step 3 – Inspector's Review. This step in the application process requires you to contact Gage Bonneville, Regional Liquor Inspector at 604-775-0240 or via email to [Gage.Bonneville@gov.bc.ca](mailto:Gage.Bonneville@gov.bc.ca) to arrange for an establishment inspection. The establishment inspection must be completed by the deadline below, or the application will be terminated. If you cannot meet this deadline, please **reply** to this email to request an extension.

**The deadline for completing Step 3 – Inspector's Review is August 15, 2018.**

We *recommend* that an authorized signatory (**Mark Prokosh and/or Bamby-Lynn Pepin**) attend the final onsite inspection; however, you may ask someone to attend on your behalf. Please ensure that the person attending the final onsite inspection can make a decision or answer questions with respect to any compliance concerns on behalf of the licensees.

As a reminder, the layout of your establishment must reflect the floor plan submitted to the branch and all other licensing requirements must be met prior to your final inspection.

### Application Summary

#### **Establishment Name/Signage Approval:**

Your proposed establishment name, White, and the sample of your signage has been approved. **You must ensure that all advertisements and signage reflect the type of class or category of the licence (Food Primary) the establishment holds and must have the features that distinguish it as an establishment primarily in the business of food.**

**Hours:** The proposed Hours of Liquor Service are **9:00am-Midnight, Monday to Sunday**

**Floor Plan:** The area(s) considered under this food primary liquor licence application are as follows:

Proposed area(s) for licensing	Occupant Load	Description	Floor Level
--------------------------------	---------------	-------------	-------------

Person 01	60	Interior Dining	Main
Person 02	50	Mezzanine	Upper
Patio 01	48	Exterior Dining	Main

**Note:** All areas proposed for licensing must maintain proper line of sight in order to ensure effective management of patron conduct. The use of signage can assist in management and control of the service area (e.g. 'no liquor beyond this point', 'minors must be accompanied by a parent or guardian', etc). Licensees are encouraged to post signage as appropriate at points of entry/exit.

**Patio(s):** The licensee shall comply with the outdoor patio requirements and those requirements must be met **prior** to final approval. **The patio perimeter must be bounded (minimum of 3 feet or 0.91 meters) in order to maintain patron access and exit. The Liquor inspector's photos will be reviewed by the Case Manager. Boundaries and signage must exist to the Case Manager's satisfaction and meet current regulations.** The licensee is responsible for complying with any local bylaws related to the licensed establishment patios.

**Inspection Checklist – you must have the following items available for your liquor inspector:**

- ☐ **Floor plan** – the area(s) outlined in yellow on the attached floor plan, denotes the area(s) proposed for liquor service. Please print your floor plan in colour to have available for the liquor inspector.
- ☐ **Menu(s)** – all proposed food menus (day, late night etc.), including prices. These must include a reasonable variety of appetizer and main courses.
- ☐ **Kitchen equipment** – a list of all kitchen equipment, including flatware, china, and glassware sufficient to adequately service the number of persons indicated on the establishment's occupant load stamp.
- ☐ **Serving It Right (SIR)** certificates for all licensees, managers and servers for a Food Primary establishment. You must keep photocopies of their SIR certificates available at all times. **Important Note:** Serving It Right is a self-study course that educates licensees, managers and servers about their legal responsibilities when serving liquor and provides techniques to prevent problems related to over-service. In order to operate your establishment, Serving It Right must be completed by all sales staff, servers, managers and licensees, and their certificates must be made available at all times. For licensees, refer to the table located in the Food-Primary Licence Terms and Conditions Handbook and determine who is required to complete Serving It Right. The course packages, exams and certificate numbers can be found online at [www.servingitright.com](http://www.servingitright.com) or by phoning 604-633-9788.

After the Inspector's Review is completed, your application will move forward to Step 4 - Final Assessment. The application, final inspection report and photographs taken by the liquor inspector will be reviewed by the Case Manager. All of the information obtained by the Liquor and Cannabis Regulation Branch will be taken into consideration. In Step 5 - Applicant Advised of Decision, you will be notified of the decision to either approve or deny the application. If the application is approved, a licence will be issued. If you have any questions, please call toll-free at 1-866-209-2111 and ask to be directed to the Licensing Help Desk.

Regards,

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**Shari Mason | Licensing Case Manager**  
**Liquor and Cannabis Regulation Branch**

Please note: due to security concerns, the Branch will not accept electronically transmitted applications containing credit card information.

Attachment: Yellow-lined Floor Plan



cc: Gage Bonneville, Inspector (via email)

## Mason, Shari LCLB:EX

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**From:** black. lounge <hello@blacklounge.ca>  
**Sent:** Tuesday, June 5, 2018 2:55 PM  
**To:** LCLB Licensing Help Desk LCLB:EX  
**Subject:** Re: Incomplete NFP Job # 38856830-1 White 1257 Hamilton St Vancouver BC V6B 6K3  
**Attachments:** floor plan for white .pdf  
  
**Importance:** High

I just realized that you may have meant that you wanted it all on one page? I thought I would send one just in case. Sorry for being a pain! This has been an extremely stressful time for my husband and I. Trying to make it perfect!!

Lynn Pepin

s.22

black.  
[hello@blacklounge.ca](mailto:hello@blacklounge.ca)

On Jun 5, 2018, at 2:18 PM, LCLB Licensing Help Desk LCLB:EX <[LCLBHelpDesk@gov.bc.ca](mailto:LCLBHelpDesk@gov.bc.ca)> wrote:

Hello:

The floor plan is not acceptable as it will not print on one page. We will only accept a PDF attachment to your email. Please re-submit all 3 items as PDF scanned attachments.

Thank you.

Licensing Help Desk  
/gh  
Liquor Control and Licensing Branch  
1-866-209-2111 or 250-952-7049

Due to security concerns, Liquor Control and Licensing Branch will not accept electronically transmitted applications containing credit card information.

The [Liquor Control and Licensing Branch website](#)

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**From:** black. lounge [mailto:hello@blacklounge.ca]

**Sent:** Tuesday, June 5, 2018 11:50 AM

**To:** LCLB Licensing Help Desk LCLB:EX

**Subject:** Re: Incomplete NFP Job # 38856830-1 White 1257 Hamilton St Vancouver BC V6B 6K3

Here are the documents you have requested. Yes, Bamby and Mark have s.22 ; is still the same.

Thank you for your time

Bamby-Lynn Pepin & Mark Daniel Prokosh  
s.22 & 778-227-0601

black.  
[hello@blacklounge.ca](mailto:hello@blacklounge.ca)

<image001.jpg>

<image002.jpg>

On Jun 1, 2018, at 4:46 PM, LCLB Licensing Help Desk LCLB:EX <[LCLBHelpDesk@gov.bc.ca](mailto:LCLBHelpDesk@gov.bc.ca)> wrote:

Good morning/afternoon:

Your new Food Primary application has been reviewed and is incomplete. Please **reply** to this email and attach the following required information/documentation by: **June 15, 2018**.

Failure to provide the required documentation by the deadline may result in your application being terminated without further notice or refund. Alternatively, contact the Branch by email to request an extension by the deadline.

**\*\*\*Please submit all required documentation as one package. Multiple emails will delay the processing of your application. \*\*\***

**Black Lounge Inc.:**

- ☐ Central Securities Register showing non-voting shares (did receive the one showing voting shares) \*our records show that Baby and Mark both have s.22 as well and we need to confirm this is the same\*
- ☒ List of Directors (sample attached)

**Floor Plans:**

The submitted floor plans are unacceptable. The occupant load of the establishment must be clearly marked/stamped **ON** the plans by provincial (or designate) fire or building authorities. The floor plan stamp must be dated no more than 1 year prior to submitting your application.

**Review your floor plan to ensure the following information/details appears on the plan: (sample attached)**

- ☒ Occupant load clearly marked/stamped on the plan for the proposed licensed area(s),
- ☒ **Detail of furniture and kitchen equipment layout of the entire establishment,**
- ☒ Main entrances/exits, access points labelled,
- ☒ All rooms labelled for intended use including washrooms, kitchen, storage, bars, and patio(s),

- ✓ Indicate the service bar area,
  - ✓ Legible 8.5"x11" in size.
- \*attached are the floor plans received for adding kitchen equipment layout

**Application:**

- ✓ Please note page 2 of the 3 page application – Hours of Liquor Service – Food Primary establishments can set their liquor service hours to 9am – 12midnight (standard hours), Monday – Sunday. If you wish to have these hours instead of the ones written (10am-12mid Sat & Sun and 11am-12mid Mon-Fri) please amend this part of the application and return – if no change – then do not amend.

If you have any questions, please call toll-free at 1-866-209-2111 and ask to be directed to the Licensing Help Desk.

Regards,  
Licensing Help Desk / th  
Liquor Control & Licensing Branch  
4th Floor, 3350 Douglas St | Victoria BC  
HD Ph: 250-952-7049 | TF: 1-866-209-2111  
Website: <http://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing>

<image001.gif>

**Note:** due to security concerns the Branch will not accept electronically transmitted applications containing credit card information.

<Sample - Register of Directors.pdf><Sample - Floor Plan.pdf><Scan\_20180601.pdf><the 3 page application.pdf>



## Howell, Trish A LCLB:EX

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**From:** LCLB Licensing Help Desk LCLB:EX  
**Sent:** Friday, June 1, 2018 4:46 PM  
**To:** 'hello@blacklounge.ca'; 'hello@whitelounge.ca'  
**Subject:** Re: Incomplete NFP Job # 38856830-1 White 1257 Hamilton St Vancouver BC V6B 6K3  
**Attachments:** Sample - Register of Directors.pdf; Sample - Floor Plan.pdf; Scan\_20180601.pdf; the 3 page application.pdf

Good morning/afternoon:

Your new Food Primary application has been reviewed and is incomplete. Please reply to this email and attach the following required information/documentation by: **June 15, 2018**.

Failure to provide the required documentation by the deadline may result in your application being terminated without further notice or refund. Alternatively, contact the Branch by email to request an extension by the deadline.

**\*\*\*Please submit all required documentation as one package. Multiple emails will delay the processing of your application. \*\*\***

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  - ☐ Main entrances/exits, access points labelled,
  - ☐ All rooms labelled for intended use including washrooms, kitchen, storage, bars, and patio(s),
  - ☐ Indicate the service bar area,
  - ☐ Legible 8.5"x11" in size.
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### Application:

- ☐ Please note page 2 of the 3 page application – Hours of Liquor Service – Food Primary establishments can set their liquor service hours to 9am – 12midnight (standard hours), Monday – Sunday. If you wish to have these hours instead of the ones written (10am-12mid Sat & Sun and 11am-12mid Mon-Fri) please amend this part of the application and return – if no change – then do not amend.

If you have any questions, please call toll-free at 1-866-209-2111 and ask to be directed to the Licensing Help Desk.

Regards,  
Licensing Help Desk / th  
Liquor Control & Licensing Branch  
4th Floor, 3350 Douglas St | Victoria BC  
HD Ph: 250-952-7049 | TF: 1-866-209-2111  
Website: <http://www2.gov.bc.ca/gov/content/employment-business/business/liquor-regulation-licensing>

 Studies show trees live longer when they're not cut down.  
Please do not print this email unless you really need to.

**Note:** due to security concerns the Branch will not accept electronically transmitted applications containing credit card information.

# Application Tracking Sheet

Job #(s) 38856830-1

Type: Agw FP

Date Assigned	Case Manager
May 29 2018	Trish

Date Reviewed	Status	Case Manager
Jun. 11/18	BF Jun 15 - Incomplete	Trish
5	TBR	MD
Jul 16	IRL	Shari
Jul 18	Approved	Shari

☒ Courtesy Call (Posse notes tab updated)  
on Jun 15/18

Time at Incomplete: 2 wks / 4 wks / 6 wks / More

Supervisor approval if longer than 6 weeks: \_\_\_\_\_

Extension - Date(s): 1: \_\_\_\_\_ ☐ Incomplete ☐ Inspector Review

(Update Posse process & tracking sheet status. Print Email for file & upload to Posse) 2: \_\_\_\_\_ ☐ Incomplete ☐ Inspector Review

3: \_\_\_\_\_ ☐ Incomplete ☐ Inspector Review

Date Notice of Cancellation/ Suspension sent: \_\_\_\_\_ Date Notice Rescinded: \_\_\_\_\_



No. **B** 020952

Liquor Control and Licensing Act  
and Regulation

### CONTRAVENTION NOTICE

Liquor Control and Licensing Branch

Establishment/Permittee name: WHITE

Establishment/Permittee address: 1257 HAMILTON ST  
VANCOUVER, B.C. V6B 6K3

Licensee/Permittee name: BLACK LOUNGE INC

License/Permit #: 307947 Date CN issued: 11/21/05/100

Date and time of alleged contravention(s): 11/30/13 12:35HRS

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

	Contravention	Section
1	PERSON CAPACITY & OCCUPANT LOAD FOR SERVICE AREA EXCEEDED	<input type="checkbox"/> Act <input checked="" type="checkbox"/> Reg <input type="checkbox"/> T&C 78(1)
2	PATRON PARTICIPATION WITHOUT ENDORSEMENT	<input type="checkbox"/> Act <input type="checkbox"/> Reg <input checked="" type="checkbox"/> T&C
3	FAIL TO TAKE REASONABLE MEASURES - DISTURBANCE OF PERSONS	<input type="checkbox"/> Act <input type="checkbox"/> Reg <input checked="" type="checkbox"/> T&C

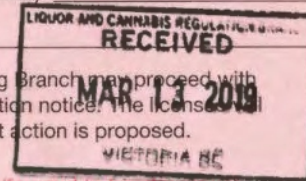
Details: COMPLAINT / PUBLIC SAFETY INSPECTION  
IDENTIFIED 3 CONTRAVENTIONS ON  
THE EVENING OF NOVEMBER 29/2013

Inspector name: G. BINNENLIE Badge #: 620

Telephone: 604-775-0240 LPC #: —

Management acknowledgement (name and title):  
MAILED

The general manager Liquor Control and Licensing Branch 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

This document is the record of a meeting between a licensee and the Liquor and Cannabis Regulation Branch [LCRB]. 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 licence 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: White  
Establishment Address: 1257 Hamilton St  
VANCOUVER, BC V6B 6K3  
Licensee: BLACK LOUNGE INC.  
Licence #: 307947

### Meeting Date and Location:

Friday, March 1, 2019 – 1:30 PM – Suite 300 – 1770 Burrard Street, Vancouver BC

### For the LCRB:

Gage Bonneville – Regional Inspector – 604-775-0240 – [gage.bonneville@gov.bc.ca](mailto:gage.bonneville@gov.bc.ca)

### For the Licensee:

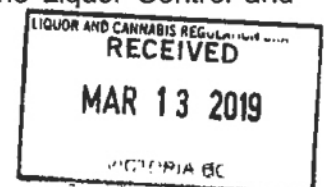
Dan Prokosh – Owner/Licensee – 604-559-7614 – [hello@whitelounge.ca](mailto:hello@whitelounge.ca) – s.22  
Bamby-Lynn Pepin – Owner/Licensee – s.22 – [hello@whitelounge.ca](mailto:hello@whitelounge.ca)

### Reason for the Meeting:

CN # B020952  
LPC N/A

Three contraventions were noted during an intelligence public safety inspection on the evening of November 29, 2018, by Regional Inspector Bonneville. The licensee was not operating in accordance with the Liquor Control and Licensing Legislation and the respective terms and conditions of their licence. The licensee had an interior occupant load (131, 136, 136, 140, 148 and 153) was greater than the occupant load of the establishment (110 Persons). At the time of inspection, Mosstafavi informed Bonneville that the patio was closed, but being used for interviews and pictures. However, the patio was observed to still be open to liquor service, as witnessed by Bonneville with the amount of liquor on the patio.

As the licensee it is your responsibility to operate your licence according to the Liquor Control and Licensing Legislation and the respective terms and conditions of your licence.



This compliance meeting is taking place to give the licensee an opportunity to comply with the Liquor Control and Licensing Legislation and the Food Primary Terms and Conditions of their Licence. If voluntary compliance is not met, further non-compliance will result in enforcement action.

### **Section of the Act, Regulation, or T&C Handbook Reviewed at the Meeting:**

Licensee - Person capacity and occupant load for service area exceeded, s. 78(1) 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 apparent when overcrowding occurs. 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.

### **Capacity requirements**

78 (1) If the general manager has established a person capacity for the service area under a licence or endorsement, it is a requirement of the licence that the number of people in the service area at one time must not exceed the following:

- (a) the person capacity;
- (b) if there is an occupant load for the service area, the occupant load.

Information: [http://www.bclaws.ca/civix/document/id/complete/statreg/241\\_2016#section78](http://www.bclaws.ca/civix/document/id/complete/statreg/241_2016#section78)

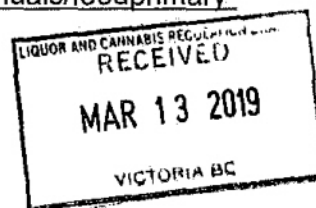
### **Overcrowding**

Your liquor licence tells you the maximum number of patrons or the maximum number of people, including staff, allowed in your establishment at one time. (See the definitions of "patron capacity" and "person capacity" in the glossary).

It is important for you to know the capacity of your establishment and to make sure you stay within this limit. You must have controls at each entry point to your establishment and you must be able to count the number of people entering and leaving.

Local building/fire authorities also establish a maximum capacity or occupant load that may differ from your liquor licence maximum capacity. If fire and building officials have each calculated an occupant load for your establishment (or if an engineer or architect has) and the numbers are not the same, you must use the lowest number.

Information: <https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/guides-and-manuals/foodprimary-handbook.pdf>



Enforcement Penalties	1 <sup>st</sup> Found Contravention	2 <sup>nd</sup> Found Contravention	3 <sup>rd</sup> Found Contravention
	Monetary: \$5,000.00 - \$7,000.00 Suspension: 4 – 7 Days	Suspension: 10 – 14 Days	Suspension: 18 – 20 Days

**Commitment/s made by the Licensee:**

- 
- 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:

Dan Prokosh owner  
(print name and position)

Licensee/Rep Signature:

[Signature]

LCRB Representative:

GAGE BONNEVILLE, REGIONAL INSPECTOR  
(print name and position)

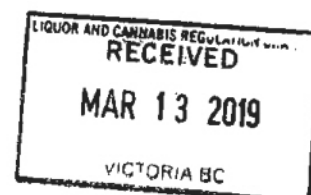
LCRB Signature:

[Signature]

**Attachment/s:**

Copy to:

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







## COMPLIANCE MEETING

This document is the record of a meeting between a licensee and the Liquor and Cannabis Regulation Branch [LCRB]. 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 licence 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: White  
Establishment Address: 1257 Hamilton St  
VANCOUVER, BC V6B 6K3  
Licensee: BLACK LOUNGE INC.  
Licence #: 307947

### Meeting Date and Location:

January 15, 2019 – 1:30 PM – Suite 300 – 1770 Burrard Street, Vancouver BC

### For the LCRB:

Gage Bonneville – Regional Inspector – 604-755-0240 – [gage.bonneville@gov.bc.ca](mailto:gage.bonneville@gov.bc.ca)

### For the Licensee:

Dan Prokosh – Owner/Licensee – 604-559-7614 – [hello@whitelounge.ca](mailto:hello@whitelounge.ca)  
~~[hello@whitelounge.ca](mailto:hello@whitelounge.ca)~~

BAMBY LYNN PERRIN – OWNER/LICENSEE – s.22

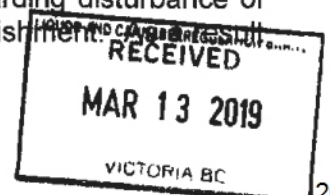
– [hello@whitelounge.ca](mailto:hello@whitelounge.ca)

### Reason for the Meeting:

CN # B020952  
LPC N/A

Three contraventions were noted during an intelligence public safety inspection on the evening of November 29, 2018, by Regional Inspector Bonneville. The licensee was not operating in accordance with the Liquor Control and Licensing Legislation and the respective terms and conditions of their license. The licensee had an interior occupant load greater than the occupant load of the establishment, as identified by Bonneville and Shawn Mosstafavi (White Door Staff). Bonneville also identified patrons dancing within the establishment without the proper endorsement (Patron Participation Entertainment).

The Liquor and Cannabis Regulation Branch received numerous complaints regarding disturbance of people within the vicinity from the notice of intent to extend the hours of the establishment.





the contravention was identified during the inspection. The licensee was willing to work with the Branch and take all the measures necessary to comply with the relevant legislation pertaining to their licence.

As the licensee it is your responsibility to operate your licence according to the Liquor Control and Licensing Legislation and the respective terms and conditions of your licence.

This compliance meeting is taking place to give the licensee an opportunity to comply with the Liquor Control and Licensing Legislation and the Food Primary Terms and Conditions of their licence. If voluntary compliance is not met, further non-compliance will result in enforcement action.

### **Section of the Act, Regulation, or T&C Handbook Reviewed at the Meeting:**

Licensee - Contravene Term or Condition – Fail to take reasonable measures to ensure that the operation of the establishment does not disturb persons in the vicinity

Licensee must take reasonable measures to ensure the operation of the establishment does not disturb persons in the vicinity.

#### **Preventing disturbances**

You must take reasonable measures to ensure your business is not operating contrary to the public interest and does not disturb people near your establishment, or an event site (for example, noise). This means performing actions that are appropriate in the circumstances and within your capacity to do.

Examples of reasonable measures include:

- Installing adequate lighting outside your establishment and in the parking lot
- Supervising your parking areas
- Posting signs asking patrons not to disturb your neighbours
- Adding sound proofing
- Making approved structural changes to allow indoor line-up areas

<b>Enforcement Penalties</b>	<b>First Contravention</b>	<b>Second Contravention</b>	<b>Third Contravention</b>
	Suspension: 10 - 15 days Monetary: \$7,500.00 - \$10,000.00	Suspension: 20 - 30 Days	Suspension: 30 - 60 Days

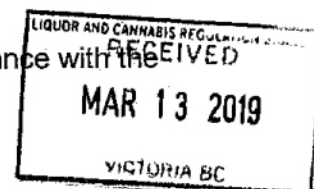
Licensee - Contravene Term or Condition - Patron participation entertainment without endorsement

#### **What You May Offer at Your Restaurant**

Any entertainment you offer must comply with local bylaws and be suitable for minors. It must also conform to any restrictions imposed regarding hours or type of entertainment allowed (these restrictions, if any, will be specified on your licence).

Permitted entertainment includes the following, as long as they do not alter the primary focus on the service of food and can be played while customers are seated:

- Television and appropriately rated movies, as long as movies are shown in accordance with the Motion Picture Act and its regulations



- Recorded music
- Live radio/television broadcasts
- Computers with internet access
- Video games
- Card games and board games

You may offer contests and draws, as long as:

- You do not charge an entry fee (except if the draw is a licensed ticket raffle)
- Anyone in your restaurant is entitled to enter the contest, without having to order something to eat or drink (minors may not purchase licensed raffle tickets)
- You do not offer or give liquor as a prize
- Winners are not required to be present to collect their prize
- Your event does not involve the consumption of liquor
- Your event does not alter the primary focus of your business in the service area from the service of food if liquor is being served

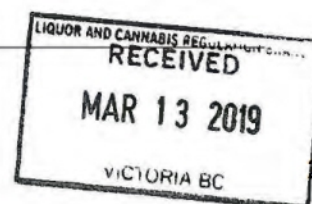
You may offer patron non-participation entertainment (such as musicians or comedians) until 1 a.m., but you must apply to the general manager and your local government/First Nation before you can offer patron-participation entertainment (such as dine and dance or karaoke), which is usually permitted until midnight.

If you are approved for patron-participation entertainment, the entertainment may continue until 1 a.m. on January 1, as long as it is not prohibited by local bylaws.

Enforcement Penalties	First Contravention	Second Contravention	Third Contravention
	Suspension: 1 - 3 days Monetary: \$1,000.00 - \$3,000.00	Suspension: 3 - 6 Days	Suspension: 6 - 9 Days

#### Commitment/s made by the Licensee:

- \* DECREASED THE NUMBER OF SPEAKERS WITHIN THE ESTABLISHMENT (2 LARGE PA SPEAKERS REMOVED).
- \* RELOCATED SOME OF THE SPEAKERS WITHIN THE ESTABLISHMENT
- \* DECEIBLE READERS HAVE BEEN INSTALLED ON STAFF MEMBERS CELL PHONES
- \* NEW CONTRACTS AND POLICIES IN PLACE W/ OUTSIDE ENTERTAINERS.



- 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:

Dan Brokosh owner

(print name and position)

Licensee/Rep Signature:

[Signature]

LCRB Representative:

GAGE BONNEVILLE, REGIONAL INSPECTOR

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