



**STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

STATE LIQUOR AUTHORITY

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**IN REPLYING REFER TO
Albany**

MEDIA ADVISORY

For Immediate Release

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**ALBANY BAR SLAPPED WITH EMERGENCY SUSPENSION
SLA Votes to Close The Garage**

Albany, NY – The New York State Liquor Authority (SLA) summarily suspended the license of The Garage at 214 LLC, doing business as “the Garage” at 214 Western Avenue in Albany today. The suspension was ordered by Members of the State Liquor Authority, Chairman Dennis Rosen and Commissioner Jeanique Greene, at a special meeting of the Full Board on Friday, January 29, 2010.

During an operation early on the morning of January 23, 2010, undercover SLA Investigators entered the Garage observing an estimated 500 patrons, most appearing to be underage, packed into the premises with a maximum capacity of only 250. Investigators witnessed numerous young looking patrons purchasing multiple drinks at the bar. At 1:35 am, uniformed officers from the Albany Police Department and Department of Motor Vehicles entered the bar. The SLA documented 14 underage violations, with 10 direct sales to minors and an additional 4 minors observed consuming alcohol. Numerous additional underage violations could not be documented, as investigators were compelled due to safety concerns to usher patrons out of the premises without verifying their IDs.

“The demand for alcohol by the youngsters packed in the Garage that night was so staggering, the owner had to resort to asking customers to act as ‘guest bartenders’ to assist his overwhelmed staff,” said SLA CEO Trina Mead. “This licensee’s appalling behavior demonstrates an utter contempt for the law and a total disregard for the safety of his patrons. Today’s summary suspension demonstrates the SLA’s renewed focus on cracking down quickly and decisively on licensees whose actions threaten their communities.”

The SLA cited The Garage for 13 separate violations, including ten direct sales to minors, improper supervision, inadequate books and records and building code violations. In 2003 the SLA imposed a \$3,500 penalty after investigators documents 18 minors consuming alcohol

during an investigation IN September of 2002. Also in 2003, the SLA imposed a \$3,000 penalty for improper books and records as well as purchasing alcohol from unauthorized sellers.

The State Administrative Procedure Act authorizes a State agency to summarily suspend a license when the agency finds that public health, safety, or welfare imperatively requires emergency action. When the SLA summarily suspends a liquor license, it also serves upon the licensee a Notice of Pleading alleging one or more disciplinary violations. In invoking a summary suspension, the SLA has deemed the violation(s), considering each licensee's disciplinary history, to be sufficiently serious upon initial review to warrant an immediate suspension.

The SLA's decision to summarily suspend a license is not a final determination on the merits of the case. The licensee is entitled to an expedited hearing before an administrative law judge to address the alleged violation(s) that led to the suspension. An order of summary suspension remains in effect until such time as it is modified by the State Liquor Authority or a reviewing Court.

The State Liquor Authority regulates and controls the manufacture, sale and distribution of alcoholic beverages within the State. The Authority works with local law enforcement agencies and localities across the State to ensure compliance with the Alcoholic Beverage Control Law. In addition, the Authority issues and renews licenses and permits to manufacturers, distributors, wholesalers and retailers of alcoholic beverages.

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