



**STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
STATE LIQUOR AUTHORITY  
[www.abc.state.ny.us](http://www.abc.state.ny.us)**

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**IN REPLYING REFER TO  
Albany**

**MEDIA ADVISORY  
For Immediate Release  
December 4, 2009  
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**EMERGENCY LICENSE SUSPENSION ORDERED FOR MONTGOMERY BAR  
Employment of an illegal alien, drug sales and Lack of Supervision Leads to Suspension**

*Albany, NY* – The New York State Liquor Authority (SLA) summarily suspended the license of Tiffany & Yan Inc., doing business as the Roadside Inn at 2050 Route 208 in Montgomery, NY. The suspension was ordered by the Members of the State Liquor Authority, Chairman Dennis Rosen, Commissioner Jeanique Greene, and Commissioner Noreen Healey at a Special Meeting of the Full Board on Friday, December 4, 2009.

The decision to suspend the license was based on an investigation by Orange County Sheriff's Department (OCSD). On eight different occasions, an undercover officer from the OCSD purchased cocaine from an employee working as a bartender at the Roadside Inn, with the licensee present during at least one sale. A further investigation determined the bartender was also an illegal alien. Moreover, the licensee failed to maintain proper records of the business transactions, as required by law. In addition, the licensee admitted that their liquor stock is purchased from unauthorized sources, in violation of the Alcoholic Beverage Control Law. During the course of the SLA's investigation, documentation was obtained regarding an incident at the establishment on October 25, 2009 where numerous police agencies responded to a large fight. According to reports, over 200 people were found at the location with the legal maximum occupancy of the license premises being 48.

“This licensee has demonstrated that it has no regard for the law or the safety of its patrons,” said SLA CEO Trina Mead. “The decisive action taken by the Members of the Liquor Authority sends a clear message that when bar owners act irresponsibly, they will lose the privilege of holding a license.”

The State Administrative Procedure Act authorizes a state agency to summarily suspend a license when the agency finds that public health, safety, or welfare imperatives require 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 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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