SLA ISSUES EMERGENCY SUSPENSION FOR BROOKLYN BODEGA
Liquor Authority Pulls License at Dangerous Bodega Illegally Operating as a Nightclub

Albany, NY – The New York State Liquor Authority (SLA) issued an emergency suspension of the 4th Avenue Mini Market Corporation, located at 4113 4th Avenue in Brooklyn, NY. The suspension was ordered by Members of the SLA, Chairman Vincent Bradley and Commissioner Greeley Ford, at a meeting of the Full Board on Wednesday, April 12, 2017. Effective immediately, no alcohol may be sold on the premises.

On February 3, 2017, the SLA charged the 4th Avenue Mini Market with ten violations of the Alcoholic Beverage Control Laws, including for allowing customers to consume alcoholic beverages at the grocery store, for selling to a visibly intoxicated patron, and for becoming a focal point for police attention. Just prior to an administrative law hearing scheduled for April 5th, the NYPD provided the SLA with a host of additional exceedingly serious charges.

The new charges stem from NYPD referrals that include reports that a known narcotics dealer has opened what is described as the “disco bodega,” an illicit nightclub operating in the basement of the 4th Avenue grocery store, with officers reporting drug arrests on October 22nd and February 10th. On March 11, 2017, NYPD officers responded to a 911 call that a man inside the premises was not breathing. Responding officers found the man’s body in the basement of the bodega, dead of an apparent overdose. The NYPD also reports responding to an attempted suicide on January 25, 2017, again connected to illicit drug use inside the bodega. Additionally, officers have been summoned in response to numerous 311 calls, documenting dancing and alcohol consumption by highly intoxicated individuals in the basement of the bodega on December 3rd and 10th of 2016, and on January 1st and 26th of 2017.

On April 10, 2017, based on these new reports the SLA added ten additional charges to the case against the 4th Avenue Mini Market, including for improper conduct, failure to supervise, numerous additional sales to intoxicated patrons, and for operating an illegal nightclub.

“This illegal bar and drug den, masquerading as a corner market, has racked up a vast number of egregious violations of the law a mere six months after opening,” said Counsel to the Authority Christopher R. Riano. “The Members of the SLA sent a clear
message today that these illicit operations that threaten the health and safety of local residents will be closed down immediately.”

The State Administrative Procedure Act authorizes a State agency to summarily suspend a license when the agency finds that public health, safety, or welfare requires emergency action. When the SLA summarily suspends a license, it also serves a Notice of Pleading alleging one or more disciplinary violations. In invoking a summary suspension, the SLA has deemed the violation 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 administrative law hearing before an Administrative Law Judge. An order of summary suspension remains in effect until such time as it is modified by the SLA or a reviewing Court.

On the Web: www.sla.ny.gov