

A G E N D A  
LIQUOR CONTROL ADJUDICATION BOARD  
DEPARTMENT OF LIQUOR CONTROL  
COUNTY OF MAUI

DATE & TIME: MAY 3, 2018, AT 9:00 A.M.

PLACE: DEPARTMENT OF LIQUOR CONTROL CONFERENCE ROOM  
DAVID K. TRASK, JR. OFFICE BUILDING  
2145 KAOHU STREET, ROOM 108  
WAILUKU, MAUI, HAWAII 96793

**I. HEARINGS BEFORE THE BOARD:**

**A. COMPLAINT AND ACCUSATION NO. 2018-09, PLEA: NO CONTEST**

**In the matter of the accusation against TANTE'S RESTAURANT, INC. dba TANTE'S ISLAND CUISINE, Dispenser General License No. 035, 100 W. Kaahumanu Avenue, Kahului, Maui, Hawaii.**

Count 1. On January 26, 2018, TANTE'S RESTAURANT, INC. dba TANTE'S ISLAND CUISINE, a dispenser general licensee, did, through its employee(s), sell, serve, or furnish liquor to a minor, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 281-78(b)(1)(A) of the Hawaii Revised Statutes and Section 08-101-60(b)(1)(A) of the Rules of the Liquor Commission, County of Maui.

Count 2. On January 26, 2018, TANTE'S RESTAURANT, INC. dba TANTE'S ISLAND CUISINE, a dispenser general licensee, did, through its employee(s), fail to properly check the identification of a minor, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 08-101-61(c) of the Rules of the Liquor Commission, County of Maui.

**B. COMPLAINT AND ACCUSATION 2018-13, PLEA: NO CONTEST**

**In the matter of the accusation against 90210 MANAGEMENT COMPANY, LLC dba GRAND WAILEA RESORT HOTEL & SPA, Hotel License No. 238, 3850 Wailea Alanui Drive, Wailea, Maui, Hawaii.**

Count 1. On April 15, 2017, 90210 MANAGEMENT COMPANY, LLC dba GRAND WAILEA RESORT HOTEL & SPA, a hotel

licensee, did, through its employee(s), sell, serve, or furnish liquor to, or allow the consumption of liquor by a patron, who was at the time under the influence of liquor, drugs or any combination thereof, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 08-101-60(b)(1)(B) of the Rules of the Liquor Commission, County of Maui.

- Count 2. On April 15, 2017, 90210 MANAGEMENT COMPANY, LLC dba GRAND WAILEA RESORT HOTEL & SPA, a hotel licensee, did, through its employee(s), knowingly permit a patron, who was at the time under the influence of liquor, drugs or any combination thereof, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, to be or remain in or on the licensed premises, contrary to Section 08-101-60(b)(5) of the Rules of the Liquor Commission, County of Maui.
- Count 3. On April 15, 2017, 90210 MANAGEMENT COMPANY, LLC dba GRAND WAILEA RESORT HOTEL & SPA, a hotel licensee, did, through its employee(s), fail to exercise due care, as defined in Section 08-101-5 of the Rules of the Liquor Commission, in determining whether a patron was under the influence of liquor, drugs or any combination thereof, as defined in Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 08-101-60(b)(11) of the Rules of the Liquor Commission, County of Maui.
- Count 4. On and between the dates of May 29, 2017 and September 25, 2017, 90210 MANAGEMENT COMPANY, LLC dba GRAND WAILEA RESORT HOTEL & SPA, a hotel licensee, did, through its employee(s), failed to provide any information, documents, books or records requested by the commission, board, or the department contrary to Section 08-101-60(b)(14) of the Rules of the Liquor Commission, County of Maui.

- Count 5. On and between the dates of May 29, 2017 and September 25, 2017, 90210 MANAGEMENT COMPANY, LLC dba GRAND WAILEA RESORT HOTEL & SPA, a hotel licensee, did, through its employee(s), refused to deliver or accede to the taking of any evidence, or tamper with any evidence, requested or taken by the commission or investigator thereof, who has reason to believe or suspect on complaint or otherwise, or in any of its investigation that the conditions of any license are being violated, contrary to Section 08-101-65 of the Rules of the Liquor Commission, County of Maui.
- Count 6. On June 27, 2017, 90210 MANAGEMENT COMPANY, LLC dba GRAND WAILEA RESORT HOTEL & SPA, a hotel licensee, did, through its employee(s), fail to have all managers, assistant managers, supervisory personnel, or any other person, who performs any type of managerial or supervisory functions in conjunction with the operations, maintenance, supervision or management of the licensed premises, directly or indirectly, meet the minimum requirements set forth by the commission to be an "employee approved by the director", contrary to Section 08-101-70(g) of the Rules of the Liquor Commission, County of Maui.

**C. COMPLAINT AND ACCUSATION NO. 2018-15, PLEA: NO CONTEST**

**In the matter of the accusation against MULLIGAN'S ON THE BLUE, LLC dba MULLIGAN'S ON THE BLUE, Restaurant General License No. 084, 100 Kauhahi Street, Wailea, Maui, Hawaii.**

- Count 1. On September 30, 2017, MULLIGAN'S ON THE BLUE, LLC dba MULLIGAN'S ON THE BLUE, a restaurant general licensee, did fail to ensure that aisles or walkways were cleared of any congestion or blockage which would prevent any person from moving freely within any aisle or walkway, contrary to Section 08-101-90(b) of the Rules of the Liquor Commission, County of Maui.

- Count 2. On September 30, 2017, MULLIGAN'S ON THE BLUE, LLC dba MULLIGAN'S ON THE BLUE, a restaurant general licensee, did permit liquor to be consumed by patrons within its restrooms, contrary to Section 08-101-99(a)(6) of the Rules of the Liquor Commission, County of Maui.
- Count 3. On September 30, 2017, MULLIGAN'S ON THE BLUE, LLC dba MULLIGAN'S ON THE BLUE, a restaurant general licensee, did, fail to comply with the condition that it is subject to any other laws or rules applicable to the business of the licensee, to wit, by permitting smoking on the licensee's premises in violation of H.R.S. Section 328J-3(4), which is contrary to Section 08-101-40(a) of the Rules of the Liquor Commission, County of Maui.
- Count 4. On September 30, 2017, MULLIGAN'S ON THE BLUE, LLC dba MULLIGAN'S ON THE BLUE, a restaurant general licensee, failed to remove all empty glasses and containers by persons serving the customers at the time of and before serving another drink, contrary to Section 08-101-84(e) of the Rules of the Liquor Commission, County of Maui.

## II. ADJOURNMENT

NEXT LIQUOR CONTROL ADJUDICATION BOARD MEETING WILL BE HELD ON JUNE 7, 2018, AT 9:00 A.M. AT THE DEPARTMENT OF LIQUOR CONTROL CONFERENCE ROOM, DAVID K. TRASK, JR. OFFICE BUILDING, 2145 KAOHU STREET, ROOM 108, WAILUKU, MAUI, HAWAII.

If you require an auxiliary aid or accommodation due to a disability, please contact the Director three working days prior to the scheduled hearing. The request may be made by writing to the Director at: Department of Liquor Control, 2145 Kaohu Street, Room 105, Wailuku, Maui, Hawaii 96793, or by calling 243-7753.