

**TO:** Members of Troy City Council  
**FROM:** Lori Grigg Bluhm, City Attorney *LEB*  
Susan M. Lancaster, Assistant City Attorney *ML*  
**DATE:** February 26, 2014  
**SUBJECT:** Rite Aid Discount Pharmacy d/b/a Rite Aid of Michigan

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A public hearing has been scheduled for City Council to review the following liquor license violation:

Licensee Name: Rite Aid Discount Pharmacy d/b/a Rite Aid of Michigan  
Address: 2971 West Maple Road, Troy, Michigan 48084  
License No: 10077-2012-S / 4978-2012 - S  
Violation: SALE TO MINOR (Compliance Test) on March 20, 2013

Under Michigan law, three or more violations in a twelve month period COULD serve as a basis for City Council to request the Michigan Liquor Control Commission revoke an off-premises liquor license. An off-premises license allows alcohol to be purchased for consumption off site, which is distinguished from an on-premises liquor license, where alcohol is served at the licensed establishment/ restaurant.

By scheduling liquor hearings for those licensees that have violations during the preceding year, City Council has the ability to inquire about proactive measures that the licensee has taken or is willing to take to avoid future liquor license violations. If City Council finds that there was a violation during the past year, and Council is also concerned that the liquor licensee is likely to have continued liquor violations, then state law provides a process to revoke the liquor license. Prior to taking any adverse action, however, City Council must hold a public hearing and allow the licensee to come forward with any proactive measures that it has taken to guard against future liquor license violations. The public hearing also allows any neighbors of the licensee to voice their concerns to the City Council.

A copy of the reports documenting the alleged liquor law violations is attached to this memo, as well as the liquor licensee's history. Upon information and belief, the licensee is not contesting the liquor law violation, and an adversarial public hearing will not be required. However, City Council will need to officially open the public hearing and make a record of the violation. City Council will also need to offer the licensee an opportunity to comment, and also to entertain the comments of members of the public. At the conclusion of the comments, City Council may wish to require some proactive measures to guard against future violations. Based on the liquor licensee's past history, City Administration has prepared a resolution for City Council consideration that acknowledges the violation and requires the licensee's employees who sell alcohol to obtain training within 90 days.



Michigan Department of Licensing and Regulatory Affairs  
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)  
7150 Harris Drive - P.O. Box 30005  
Lansing, Michigan 48909-7505  
Phone (517) 322-1390 ~ FAX (517) 322-6347

**VIOLATION REPORT**  
(Authorized by P.A.58 of 1998)

This report is not to be faxed or electronically submitted - an original signature is required.

**\* OFFICERS please obtain License No., Bus. ID and File # directly from the liquor license \***

|   |  |                     |
|---|--|---------------------|
| License Number 10077-2012-S / 4978-2012-S   | Business ID 9143                       | File Number D-66860 |
| Name of Licensee RITE AID DISCOUNT PHARMACY   | Doing Business As RITE AID OF MICHIGAN |                     |
| Mailing Address (street, city, zip code) 2971 West Maple Road; Troy, Michigan 48084 |  |                     |
| Township  | County Oakland                         |                     |
| Type of License(s) & Permit(s) SDD & SDM; valid 05/01/12-04/30/13                   |  |                     |
| Date of violation:  | Day Wednesday                          | Date 03/20/13       |
|   |  | Time 4:45 p.m.      |

Violation Type:  Minor      Intoxicated Person      Gambling      Controlled Substances  
 Prohibited Conduct      Failure to Cooperate      Fighting (must be inside licensed premises)  
 After Hours Sales / Consumption      Other (explain):

If MINOR: Birth date 01/10/94 Was this a DECOY?  Yes      No If No, you MUST answer below!  
 If above minor violation was NOT a decoy, describe enforcement action taken:

**NOTE! COPY OF APPEARANCE TICKET MUST BE ATTACHED.**

Submit Report Below or Indicate Attached Report Number 13-8583

**\* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.\***

Officer Signature [Signature]  
 Officer Signature [Signature]  
 Officer Signature [Signature]  
 Department Name Troy Police Department

Name and Title [Redacted]  
 Name and Title Officer Kate Racine  
 Name and Title Officer Gregory Stojczynski  
 Telephone Number 248-524-3477

**WITNESSES**

- Name Stephen Fisher  
Will testify to: Purchased beer  
Address 500 West Big Beaver Road; Troy 48084
- Name Naila Hamie  
Will testify to: Sold beer to minor  
Address 2001 Baron; Rochester Hills 48307
- Name Lilyan Kattola  
Will testify to: Manager of business  
Address 13901 Thames Drive; Shelby Twp 48315
- Name  
Will testify to:  
Address
- Name  
Will testify to:  
Address

**EVIDENCE**

Location Held (Explain) Receipt and photograph  
LC-600 Rev. 03/05 4880-2362

CR No: 130008583-001



Report Type:  
Arrest Report

Officer:  
TRSTOPCZYNSKIG (150335)

001

**TROY PD**  
500 W. BIG BEAVER  
TROY MI 48084  
248-524-3477



**Case Report**

**Administrative Details:**

|   |  |
|---|--|
| CR No<br><b>130008583-001</b>                     | Subject<br><b>Arrest</b>   |
| Report Date/Time<br><b>03/19/2013 08:52</b>       | Occurrence Date/Time<br><b>03/19/2013 08:52</b>                  |
| Location<br><b>2971 W MAPLE RD</b>                | Call Source<br><b>TELEPHONE</b>                                  |
| Dispatched Offense<br><b>C3309 LIQUOR INSPECT</b> | Verified Offense<br><b>4171 Violation of Liquor Control Laws</b> |
| County<br><b>63 - Oakland</b>                     | City/Twp/Village<br><b>84 - Troy</b>                             |
| Division<br><b>Patrol DPU</b>                     |  |
| Report Type<br><b>Arrest Report</b>               |  |
| Created By<br><b>GREGORY STOPCZYNSKI</b>          | Created Date/Time<br><b>03/20/2013 08:17 PM</b>                  |

## Offenses:

4198 - Liquor - Furnishing Alcohol to a Minor [TRSTOPCZYNSKIG (150335)]

IBR Code / IBR Group

Offense File Class

90G - Liquor Law Violations / B

41002 - LIQUOR VIOLATIONS -OTHER

Crime Against

Location Type

Offense Completed

SO

07 - Convenience Store

Completed

Domestic Violence

Hate/Bias

No

00 - None (No Bias)

Using

A-Alcohol: No C-Computer Equipment: No D-Drugs/Narcotics: No

## People:

HARRIE, NAILA (A-ARRESTEE) [TRSTOPCZYNSKIG (150335)]

Last Name

First Name

Middle Name

Suffix

Mr/Mrs/Ms

Harrie

Naila

DOB (Age)

Sex

Race

Ethnicity

Birth City &amp; State

Birth Country

Country of Citizenship

01/01/1986 (27)

F

WHITE

Held For

Finger Prints

Photos

Miranda Read

Miranda Waived

Number of Warrants

FBI#

No

No

No

No

Street Address

Apt #

County

Country

Home Phone

Work Phone

City

State

Zip

Cell Phone

Email

MI

## Arrest Information

Offenses

Details

4198 - Liquor - Furnishing Alcohol to  
a Minor

Arrest Date/Time:

03/20/2013 18:45

Location:

2971 W. maple

Arrest#:

741829

Arrest Type:

Summoned/Cited

OWI Arrest/BAC:

Offense Type:

Misd.

Count:

Arresting Officer 1:

TRSTOPCZYNSKIG (STOPCZYNSKI, GREGORY 150335)

Arresting Officer 2:

TRJULIANE (Julian, Edwin 150334)

MultiClearance

MultiClearance Offense

Armed With

N - Not Applicable

01 - Unarmed

KATTOOLA, LILYAN (O-OTHER) (X-MISCELLANEOUS) [TRSTOPCZYNSKIG (150335)]

PE:

W.Type:

Last Name

First Name

Middle Name

Suffix

Mr/Mrs/Ms

Kattoola

Lilyan

DOB (Age)

Sex

Race

Ethnicity

Birth City &amp; State

Birth Country

Country of Citizenship

08/21/1967 (45)

F

WHITE

Street Address

Apt #

County

Country

Home Phone

Work Phone

City

State

Zip

Cell Phone

Email

MI

(O-OTHER) (X-MISCELLANEOUS) [TRSTOPCZYNSKIG (150335)]

PE:

W.Type:

Last Name

First Name

Middle Name

Suffix

Mr/Mrs/Ms

DOB (Age)

Sex

Race

Ethnicity

Birth City &amp; State

Birth Country

Country of Citizenship

01/10/1994 (19)

M

WHITE

Street Address

Apt #

County

Country

Home Phone

Work Phone

City

State

Zip

Cell Phone

Email

Troy

MI

48083

**RACZKA, KATE (O-OTHER) (L-POLICE OFFICER) [TRSTOPCZYNSKIG (150335)]**

|                      |         |           |              |             |            |            |
|----------------------|---------|-----------|--------------|-------------|------------|------------|
| PE:                  | W.Type: | Last Name | First Name   | Middle Name | Suffix     | Mr/Mrs/Ms  |
|                      |         | Raczka    | Kate         |             |            |            |
| Street Address       |         | Apt #     | County       | Country     | Home Phone | Work Phone |
| 500 W. Big Beaver    |         |           | OAKLAND      | USA         |            |            |
| City                 |         | State     | Zip          | Cell Phone  | Email      |            |
| Troy                 |         | MI        | 48084        |             |            |            |
| Phone/Email          |         |           |              |             |            |            |
| Type                 |         |           | Description  |             |            |            |
| BU-Business Phone #1 |         |           | 248-524-3477 |             |            |            |

**JULIAN, EDWIN (O-OTHER) (L-POLICE OFFICER) [TRSTOPCZYNSKIG (150335)]**

|                      |         |           |              |             |            |            |
|----------------------|---------|-----------|--------------|-------------|------------|------------|
| PE:                  | W.Type: | Last Name | First Name   | Middle Name | Suffix     | Mr/Mrs/Ms  |
|                      |         | Julian    | Edwin        |             |            |            |
| Street Address       |         | Apt #     | County       | Country     | Home Phone | Work Phone |
| 500 W. Big Beaver    |         |           | OAKLAND      | USA         |            |            |
| City                 |         | State     | Zip          | Cell Phone  | Email      |            |
| Troy                 |         | MI        | 48084        |             |            |            |
| Phone/Email          |         |           |              |             |            |            |
| Type                 |         |           | Description  |             |            |            |
| BU-Business Phone #1 |         |           | 248-524-3477 |             |            |            |

**STOPCZYNSKI, GREGORY (O-OTHER) (L-POLICE OFFICER) [TRSTOPCZYNSKIG (150335)]**

|                      |         |             |              |             |            |            |
|----------------------|---------|-------------|--------------|-------------|------------|------------|
| PE:                  | W.Type: | Last Name   | First Name   | Middle Name | Suffix     | Mr/Mrs/Ms  |
|                      |         | Stopczynski | Gregory      |             |            |            |
| Street Address       |         | Apt #       | County       | Country     | Home Phone | Work Phone |
| 500 W. Big Beaver    |         |             | OAKLAND      | USA         |            |            |
| City                 |         | State       | Zip          | Cell Phone  | Email      |            |
| Troy                 |         | MI          | 48084        |             |            |            |
| Phone/Email          |         |             |              |             |            |            |
| Type                 |         |             | Description  |             |            |            |
| BU-Business Phone #1 |         |             | 248-524-3477 |             |            |            |

**Property:****1812 - Receipt 5448 [TRSTOPCZYNSKIG (150335)]**

|  |                                     |                   |
|--|-------------------------------------|-------------------|
| Property Class   | IBR Type                            | UCR Type          |
| 48   | 48 - Documents/Personal or Business | K - Miscellaneous |
| Status   | Count                               | Value             |
| E - Evidence (Including Other Seized Property And Tools) | 2                                   | 1                 |
| Description  | Disposition                         | Evidence Tag      |
| Receipt and Photo  |                                     | 130008583.001     |
| Recovered Date/Time                                      | Location                            | Owner             |
|  |                                     | □,                |
| Notes  |                                     |                   |
| Receipt and photo of Budweiser beer                      |                                     |                   |

**Narrative:**

13-8583

On 3/20/2013, the Directed Patrol Unit (DPU) was conducting LCC checks with minor decoy [redacted] identification was confiscated and held for safe keeping by the Troy Police department.

At Approximately 1645 hrs, Decoy [redacted] entered the RITE-AID store located at 2971 W. Maple in Troy. Upon entering the store, [redacted] selected a six-pack of Budweiser beer from the cooler, and approached the cash register. The cashier, who was later identified as NAILA HARRIE, completed the transaction without asking for [redacted] identification.

[redacted] exited the store with the purchased beer and notified PO JULIAN outside.

PO JULIAN entered the store and made contact with the NAILA HARRIE, and the store manager, LILYAN KATTOOLA. Both were advised of sale to our minor decoy and the violation of the Michigan Liquor Control Commission.

HARRIE was advised of and issued the civil infraction of "furnishing/sale to a person under 21/fail to inquire of age" on ticket #741829.

MLCC form was completed and submitted.

Officers retained the purchase transaction sales receipt of \$8.01 and placed it on evidence. The Beer was disposed of.

Violation report to be submitted to MLCC.

# NARRATIVE REPORT WITNESS STATEMENT

|    |                  |            |             |            |                |         |   |                   |            |                    |
|----|------------------|------------|-------------|------------|----------------|---------|---|-------------------|------------|--------------------|
| 01 | DATE<br>03/20/13 | DAY<br>WED | SHIFT<br>02 | PLAT<br>99 | BADGE 1<br>014 | BADGE 2 | INCIDENT STATUS<br><input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF<br><input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT | PRIM CLASS<br>111 | YEAR<br>13 | INCIDENT #<br>8583 |
|----|------------------|------------|-------------|------------|----------------|---------|---|-------------------|------------|--------------------|

02 Name: \_\_\_\_\_ (PLEASE PRINT) \_\_\_\_\_ DOB: 01/10/1994 Home Phone: \_\_\_\_\_

03 Address: \_\_\_\_\_ Business Phone: \_\_\_\_\_

04 City: \_\_\_\_\_ State: MI Zip: \_\_\_\_\_

05 E-mail Address: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

06

07 Walker into the facility and obtained a 6-pack  
08 of Budweiser Bottles. Approached cash register where  
09 cashier, Naila greeted me. Seemed hesitant, but she  
10 completed transaction without asking for my I.D. I then  
11 exited the building with the beer  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

28 Taken By: [Signature] 014 (SIGNATURE)

29 Place: 2971 W. MAPLE Date: 3/20/13 Time: 1655

INVESTIGATING OFFICER(S) \_\_\_\_\_ REVIEWED BY \_\_\_\_\_ ASSIGNED TO / BADGE \_\_\_\_\_ ATTENTION TO \_\_\_\_\_

1000

**State of Michigan  
Uniform Law Citation**

Ticket No. **741829**  Victim Involved

US DOT # \_\_\_\_\_ Incident No. **13-8583** Dept. No. **784**

The People of:  the State of Michigan  Township  City  Village  County Local Use/Arrest No. \_\_\_\_\_ Detection Device \_\_\_\_\_

OF: **TROY** BAC \_\_\_\_\_ of \_\_\_\_\_

THE UNDERSIGNED SAYS THAT ON: Month **3** Day **20** Year **13** At approximately **1645**  A.M.  P.M. Date Month **1** Day **1** Year **86**

State **MI**  Oper./Chauff.  CDL Driver License Number **H-600-622-067-002** SSN (last 4 digits) \_\_\_\_\_

Race **W** Sex **F** Height \_\_\_\_\_ Weight \_\_\_\_\_ Hair \_\_\_\_\_ Eyes \_\_\_\_\_ Occupation/Employer **RITE AID**

Name (First, Middle, Last) **NAILA ANDREEB HARRIE**

Street \_\_\_\_\_

State **MI** Zip Code \_\_\_\_\_

Vehicle Plate No. \_\_\_\_\_ Year \_\_\_\_\_ State \_\_\_\_\_ Veh. a Description (Year, Make, Color) \_\_\_\_\_ Veh. Type \_\_\_\_\_

THE PERSON NAMED ABOVE, in violation of  Local Ordinance  State Law  Administrative Rule

UPON **2971 W. MAPLE**

AT OR NEAR **RITE AID**

WITHIN  CITY  VILLAGE  TOWNSHIP OF **TROY**

COUNTY OF **OAKLAND**

| Type  | MCL Cite/PACC Code/Ordinance                 | Description (include any bond amount collected on each charge) | Charge No. |
|---|--|--|------------|
| <input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fel <input type="checkbox"/> Fug <input type="checkbox"/> Waiv | <input type="checkbox"/> Authorization pend. | <b>FURNISH SALE TO PERSON UNDER 21 AND FAIL TO INQUIRE AGE</b> | <b>1</b>   |
| <input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fel <input type="checkbox"/> Fug <input type="checkbox"/> Waiv            | <input type="checkbox"/> Authorization pend. |  | <b>2</b>   |
| <input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fel <input type="checkbox"/> Fug <input type="checkbox"/> Waiv            | <input type="checkbox"/> Authorization pend. |  | <b>3</b>   |

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.

Offense Code(s) \_\_\_\_\_

Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks: **1- SIX PACK OF BUDWEISER**

**TA-248-288-4385**

CHECK IF APPROPRIATE  Damage to Property  Local Court Bond \$ \_\_\_\_\_

Vehicle Impounded  Injury  License Posted in Lieu of Bond \_\_\_\_\_

Traffic Crash  Death  Appearance Certificate \_\_\_\_\_

Person in Active Military Service  Yes  No  None

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS

Appearance Date on or before **4/3/2013 @ 0830 hr.**

Hearing Date (if applicable) on \_\_\_\_\_

Juvenile Traffic Misd. (Court will Notify)  Formal Hearing Required. (Court will Notify)  Contact Court

In the **52-4 DISTRICT** Court of **OAKLAND COUNTY**

Court Address & Phone Number **520 W. BIG BEAVER RD.  
TROY, MI 48084  
PHONE (248) 528-0400**

I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable). I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and Receipt (if applicable) \_\_\_\_\_

Month **3** Day **20** Year **13**

Officer's Name (printed) **E. JUCIAN** Officer's ID No. **014**

Agency ORI **MI-6378400** Agency Name **TROY POLICE DEPARTMENT**

Ticket **741829**  
Name \_\_\_\_\_  
Case No. \_\_\_\_\_



With us, it's personal.

Store #04305  
2971 W. MAPLE ROAD  
TROY, MI 48084  
(248) 288-4385

Register #5 Transaction #1181263  
Cashier #43058965 3/20/13 4:34PM

|                        |             |       |
|------------------------|-------------|-------|
| 1 BUDWEISER 12Z 6PK LN | 6.99        | T     |
| 1 Bottle Deposit       | 0.60        |       |
| 1 Items                | Subtotal    | 7.59  |
|                        | Tax         | .42   |
|                        | Total       | 8.01  |
| * CASH PAYMENT *       | 10.00       |       |
|                        | Tendered    | 10.00 |
|                        | Cash Change | 1.99  |



T - Taxable

\*\*\*\*\*

Tell us about our service  
for a chance to win a  
Grand Prize of \$1,000  
or  
one of 10 chances to win  
\$100 each month!

Comparta sus comentarios sobre nuestro  
servicio para tener la oportunidad de ganar  
un Premio Mayor de hasta \$1,000 o una de 10  
oportunidades de ganar \$100 cada mes!

Enter Code / Ingrese el codigo:

0320 1604 3050 5631

[www.riteaid.com/storesurvey](http://www.riteaid.com/storesurvey)

Entry code expires 14 days from the date of  
this receipt. Participation is limited to  
three store and three pharmacy surveys per  
household each month. Void where prohibited.

\*\*\*\*\*

Internet Refills at RiteAid.com  
For customer service call 1-800-RITEAID  
or TDD/TTY 1-800-821-1833



# LCC Liquor Licensee History

Business name: **Rite Aid #4305**  
 Address: **2971 W. Maple**  
 Licensee: **Rite Aid of Michigan, Inc.**  
 License type: **SDD, SDM**  
 Permits: **Sunday Sales**  
 Comments:

| Date     | Troy Incident # | Type   | Disposition   | Date                             |
|----------|-----------------|--|---|----------------------------------|
| 1966     |                 | Licensed   |   |                                  |
| 08/22/81 | 81-20315        | Sale to minor                                    | Fined \$150.  | 09/21/81                         |
| 08/22/81 | 81-20316        | Sale to minor                                    | Fined \$150.  | 09/24/81                         |
| 03/03/89 | 89-6169         | Sale to minor<br>Controlled Buy                  | Fined \$300.  | 01/05/90                         |
| 10/26/89 | 89-33819        | Sale to minor<br>(Compliance test)               | Fined \$600.  | 08/09/90                         |
| 08/02/91 | 91-22546        | Sale to minor                                    | Fined \$1000.<br>2 Day Suspension                               | 01/07/93<br>1/29-2/1/93          |
| 10/04/91 | 91-29567        | Sale to minor                                    | Fined \$1000.   | 06/08/92                         |
| 02/06/92 | 92-3393         | Sale to minor<br>Compliance Test                 | Fined \$1000.<br>3daysuspension<br>appealed<br>1 day suspension | 01/07/93<br>04/14/93<br>05/21/93 |
| 04/13/92 |                 | Council passed resolution to revoke license      |   |                                  |
| 06/25/92 | 92-18046        | Sale to minor                                    | Fined \$300.  | 01/28/93                         |
| 9/28/98  |                 | Council approves move from 2830 to 2971 W. Maple |   |                                  |
| 03/05/99 | 99-08531        | Compliance Test                                  | PASSED  |                                  |
| 06/23/99 | 99-23661        | Compliance Test                                  | PASSED  |                                  |
| 10/27/99 | 99-41272        | Sale to Minor (Compliance Test)                  | \$400   | 03/13/00                         |
| 12/01/99 | 99-45848        | Liquor Inspection (Road Patrol)                  | NO VIOLATIONS   |                                  |
| 07/25/00 | none            | Compliance Test                                  | PASSED  |                                  |

|          |                |   |                                 |
|----------|----------------|---|---------------------------------|
| 11/15/00 | 00-42342       | Compliance Test   | PASSED                          |
| 01/20/01 | 01-02362       | Liquor Inspection (Road Patrol)   | NO VIOLATIONS                   |
| 03/20/01 | 01-09612       | Liquor Inspection (Road Patrol)   | NO VIOLATIONS                   |
| 04/24/01 |                | Compliance Test   | PASSED                          |
| 06/16/01 | 01-21245       | Liquor Inspection (Road Patrol)   | NO VIOLATIONS                   |
| 08/14/01 | 01-29120       | Compliance Test   | PASSED                          |
| 09/11/01 | 01-32697       | Liquor Inspection (Road Patrol)   | NO VIOLATIONS                   |
| 09/25/01 | 01-34449       | <b>Sale to Minor (Compliance Test)</b>  | <b>VIOLATION<br/>\$400 Fine</b> |
| 10/20/01 | 01-37851       | Liquor Inspection (Road Patrol)   | NO VIOLATIONS                   |
| 01/04/02 | 02-00360       | Liquor Inspection (Road Patrol)   | NO VIOLATIONS                   |
| 02/23/02 | 02-05784       | Liquor Inspection (Road Patrol)   | NO VIOLATIONS                   |
| 02/27/02 | <b>Council</b> | <b>Public Hearings for 2001 Violation(s)- Resolution requiring TIPS/TAM training for all employees who sell alcohol; proof to PD within 60 days; increased police surveillance; and history file published in newspaper</b> |                                 |
| 02/28/02 | 02-06366       | Compliance Test   | PASSED                          |
| 04/20/02 | 02-12182       | Liquor Inspection (Road Patrol)   | NO VIOLATIONS                   |
| 04/22/02 |                | <b>TIPS/TAM training Proof Received</b>   |                                 |
| 06/25/02 |                | Compliance Test   | PASSED                          |
| 06/30/02 | 02-21014       | Liquor Inspection (Road Patrol)   | NO VIOLATIONS                   |
| 08/31/02 | 02-28785       | Liquor Inspection (Road Patrol-Garcher)   | NO VIOLATIONS                   |
| 10/16/02 | 02-34086       | Compliance Test   | PASSED                          |
| 11/24/02 | 02-38175       | Liquor Inspection (Road Patrol-Nastasi)   | NO VIOLATIONS                   |
| 01/03/03 | 03-296         | Liquor Inspection (Road Patrol-Nastasi)   | NO VIOLATIONS                   |
| 02/10/03 | 03-4215        | Liquor Inspection (Road Patrol-Nastasi)   | NO VIOLATIONS                   |
| 03/24/03 | 03-8726        | Compliance Test   | PASSED                          |
| 05/10/03 | 03-13932       | Liquor Inspection (Road Patrol-Fitzpatrick)   | NO VIOLATIONS                   |
| 06/15/03 | 03-17942       | Liquor Inspection (Road Patrol-Fitzpatrick)   | NO VIOLATIONS                   |
| 06/19/03 | 03-18559       | Compliance Test   | PASSED                          |
| 08/18/03 | 03-25766       | Liquor Inspection (Road Patrol-Fitzpatrick)   | NO VIOLATIONS                   |
| 10/27/03 | 03-33200       | Compliance Test   | PASSED                          |
| 03/22/04 | 04-08374       | Compliance Test   | PASSED                          |

|          |          |   |                                 |
|----------|----------|---|---------------------------------|
| 06/30/04 | 04-19806 | Compliance Test                             | PASSED                          |
| 07/08/04 | 04-20495 | Liquor Inspection (Road Patrol-Owczarzak)   | NO VIOLATIONS                   |
| 02/10/05 | 05-04581 | Liquor Inspection (Road Patrol-Fitzpatrick) | NO VIOLATIONS                   |
| 02/11/05 | 05-04812 | Compliance Test                             | PASSED                          |
| 03/24/05 | 05-09559 | Liquor Inspection (Road Patrol-Fitzpatrick) | NO VIOLATIONS                   |
| 05/18/05 | 05-16498 | Liquor Inspection (Road Patrol-Isham)       | NO VIOLATIONS                   |
| 08/05/05 | 05-27359 | Liquor Inspection (Road Patrol-Isham)       | NO VIOLATIONS                   |
| 09/21/05 | 05-33451 | Liquor Inspection (Road Patrol-Isham)       | NO VIOLATIONS                   |
| 10/13/05 |          | Compliance Test                             | PASSED                          |
| 12/28/05 | 05-45830 | Liquor Inspection (Road Patrol-Isham)       | NO VIOLATIONS                   |
| 02/01/06 | 06-4234  | Liquor Inspection (Road Patrol-Isham)       | NO VIOLATIONS                   |
| 03/21/06 | 06-10700 | Liquor Inspection (Road Patrol-Isham)       | NO VIOLATIONS                   |
| 04/19/06 | 06-14663 | Liquor Inspection (Road Patrol-Sewell)      | NO VIOLATIONS                   |
| 09/19/06 | 06-36384 | Liquor Inspection (Road Patrol-Sewell)      | NO VIOLATIONS                   |
| 05/03/07 | 07-16126 | Compliance Test                             | PASSED                          |
| 08/16/07 | 07-31200 | Liquor Inspection (Road Patrol-Quaiatto)    | NO VIOLATIONS                   |
| 09/21/07 | 07-36030 | Liquor Inspection (Road Patrol-Quaiatto)    | NO VIOLATIONS                   |
| 10/23/07 | 07-32210 | Compliance Test                             | PASSED                          |
| 11/10/07 | 07-42654 | Liquor Inspection (Road Patrol-Isham)       | NO VIOLATIONS                   |
| 12/06/07 | 07-45885 | Compliance Test                             | PASSED                          |
| 01/12/08 | 08-1556  | Liquor Inspection (Road Patrol-Isham)       | NO VIOLATIONS                   |
| 03/08/08 | 08-8514  | Liquor Inspection (Road Patrol-Isham)       | NO VIOLATIONS                   |
| 04/07/08 | 08-12223 | Liquor Inspection (Road Patrol-Isham)       | NO VIOLATIONS                   |
| 05/21/08 | 08-17688 | Compliance Test                             | PASSED                          |
| 07/03/08 | 08-23457 | Liquor Inspection (Road Patrol-Isham)       | NO VIOLATIONS                   |
| 10/02/08 | 08-34331 | <b>Compliance Test (DPU) Sale to Minor</b>  | <b>VIOLATION<br/>\$400 Fine</b> |
| 11/03/08 | 08-38062 | Liquor Inspection (Road Patrol-Isham)       | NO VIOLATIONS                   |
| 01/07/09 | 09-743   | Liquor Inspection (Road Patrol-Isham)       | NO VIOLATIONS                   |
| 12/30/08 | 08-44535 | Compliance Test                             | PASSED                          |

|          |          |   |                                  |
|----------|----------|---|----------------------------------|
| 01/15/09 |          | <b>TAM Proofs Received</b>  |                                  |
| 02/11/09 |          | <b>City Council Hearings-Ordered to have all employees attend Tips/Tams training and send proof to PD within 90 days. (See above)</b> |                                  |
| 03/10/09 | 09-7844  | Liquor Inspection (Road Patrol-Isham)   | NO VIOLATIONS                    |
| 04/16/09 | 09-11754 | Liquor Inspection (Road Patrol-Isham)   | NO VIOLATIONS                    |
| 05/07/09 | 09-14277 | Compliance Test   | PASSED                           |
| 08/18/09 | 09-26163 | Liquor Inspection (Road Patrol-Isham)   | NO VIOLATIONS                    |
| 09/15/09 | 09-29237 | Liquor Inspection (Road Patrol-Isham)   | NO VIOLATIONS                    |
| 10/15/09 | 09-32336 | Liquor Inspection (Road Patrol-Lenczewski)  | NO VIOLATIONS                    |
| 10/28/09 | 09-33763 | Compliance Test   | PASSED                           |
| 12/10/09 | 09-38380 | Liquor Inspection (Road Patrol-Lenczewski)  | NO VIOLATIONS                    |
| 12/17/09 | 09-39285 | Compliance Test   | PASSED                           |
| 01/25/10 | 10-2438  | Liquor Inspection (Road Patrol-Lenczewski)  | NO VIOLATIONS                    |
| 04/05/10 | 10-9618  | Liquor Inspection (Road Patrol-Lenczewski)  | NO VIOLATIONS                    |
| 05/19/10 | 10-14405 | Liquor Inspection (Road Patrol-Lenczewski)  | NO VIOLATIONS                    |
| 07/19/10 | 10-21196 | Compliance Test   | PASSED                           |
| 08/05/10 | 10-23493 | Liquor Inspection (Road Patrol-Lenczewski)  | NO VIOLATIONS                    |
| 09/01/10 | 10-26712 | Compliance Test   | PASSED                           |
| 10/27/10 | 10-32885 | <b>Compliance Test (DPU) Sale to Minor</b>  | <b>VIOLATION<br/>Fined \$600</b> |
| 10/28/10 | 10-33111 | Liquor Inspection (Road Patrol-Isham)   | NO VIOLATIONS                    |
| 12/15/10 | 10-38442 | Compliance Test   | PASSED                           |
| 12/16/10 | 10-38628 | Liquor Inspection (Road Patrol-Isham)   | NO VIOLATIONS                    |
| 02/28/11 | 11-6163  | Liquor Inspection (Road Patrol-Isham)   | NO VIOLATIONS                    |
| 05/05/11 | 11-13014 | Compliance Test   | PASSED                           |
| 06/13/11 |          | <b>TAM Proofs Received</b>  |                                  |
| 06/21/11 | 11-17907 | Liquor Inspection (Road Patrol-Isham)   | NO VIOLATIONS                    |
| 07/19/11 | 11-21035 | Liquor Inspection (Road Patrol-Isham)   | NO VIOLATIONS                    |
| 08/29/11 | 11-25591 | Liquor Inspection (Road Patrol-Isham)   | NO VIOLATIONS                    |
| 11/14/11 | 11-34136 | Liquor Inspection (Road Patrol-Denny)   | NO VIOLATIONS                    |
| 12/08/11 | 11-36818 | Compliance Test   | PASSED                           |

|          |          |  |                                  |
|----------|----------|--|----------------------------------|
| 01/11/12 | 12-1134  | Liquor Inspection (Road Patrol-Denny)      | NO VIOLATIONS                    |
| 02/28/12 | 12-6393  | Liquor Inspection (Road Patrol-Denny)      | NO VIOLATIONS                    |
| 05/10/12 | 12-14776 | Compliance Test                            | PASSED                           |
| 11/12/12 | 12-37511 | Liquor Inspection (Road Patrol-Clark)      | NO VIOLATIONS                    |
| 11/12/12 | 12-37613 | Compliance Test                            | PASSED                           |
| 01/13/13 | 13-1472  | Liquor Inspection (Road Patrol-Clark)      | NO VIOLATIONS                    |
| 03/10/13 | 13-7520  | Liquor Inspection (Road Patrol-Clark)      | NO VIOLATIONS                    |
| 03/20/13 | 13-8583  | <b>Compliance Test (DPU) Sale to Minor</b> | <b>VIOLATION<br/>Fined \$650</b> |
| 07/14/13 | 13-22087 | Liquor Inspection (Road Patrol-Villerot)   | NO VIOLATIONS                    |
| 09/24/13 | 13-30563 | Liquor Inspection (Road Patrol-Warzecha)   | NO VIOLATIONS                    |
| 10/06/13 | 13-31764 | Liquor Inspection (Road Patrol-Dyjewski)   | NO VIOLATIONS                    |
| 11/05/13 | 13-35002 | Compliance Test                            | PASSED                           |
| 11/21/13 | 13-36842 | Liquor Inspection (Road Patrol-Dyjewski)   | NO VIOLATIONS                    |



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LIQUOR CONTROL COMMISSION

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IN RE: RITE AID OF MICHIGAN, INC.  
D/B/A RITE-AID DISCOUNT  
PHARMACY #4305  
2971 W. MAPLE  
TROY, MI 48084

HEARING: AUGUST 12, 2013  
PLACE: STERLING HEIGHTS

COMPLAINT NO. 3-157725  
BUSINESS ID NO. 9143  
SDD SDM SS (AM & PM)

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**CHARGE** - MARCH 20, 2013

- (1) Sold or furnished alcoholic liquor to minor, \_\_\_\_\_, date of birth January 10, 1994, who was less than twenty-one (21) years old, contrary to Const 1963, art 4, § 40 and contrary to Section 801(2) and/or Section 701(1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

**NEGOTIATED SETTLEMENT**

The Commissioner accepted, without objection, the Motion of Attorney John Carlin that the appearance of a Licensee in this matter be waived, pursuant to the provisions of Rule 436.1913(2). This waiver is subject to the agreement by Mr. Carlin that he will inform the Licensee of the disposition of this matter. Mr. Carlin, with Susan Moody, Assistant Attorney General representing all law enforcement in this matter, proposed the following Negotiated Settlement for the Commissioner to consider in in this case pursuant to Section 903 of the Michigan Liquor Control Code and Rule 436.1909 of the Michigan Liquor Control Commission (MLCC):

**PROPOSED NEGOTIATED SETTLEMENT**

- (1) The Licensee will fully acknowledge the one charge, cited above;
- (2) The Commissioner will enter the Violation Report of this case and attachments thereto into the record as substantive evidence without objection. The Commissioner further will take notice of the prior record of this Licensee, since being licensed by the MLCC at the above-named location under the current ownership;

(3) The Licensee will agree to the sanction of a fine of \$650 for the single charge, cited above, as penalty in this matter; and

(4) Both parties hereto will agree that there shall be no appeals on this matter to the Appeal Board of the MLCC or any court of law.

**ORDER**

In determining whether to approve the Negotiated Settlement as proposed above, the Commissioner considered support of the aforementioned settlement by Officer Gregory Stopczynski on behalf of the Troy Police Department.

In determining whether to approve the Negotiated Settlement as proposed above, the Commissioner considered the Licensee's total record, which shows three (3) similar previous violations since securing MLCC licensure on November 9, 1998, at the above-named location under the current ownership.

In consideration of the aforementioned circumstances and statements, the Commissioner hereby accepts the terms and conditions of the proposed Negotiated Settlement and Orders as follow:

The Commissioner accepts the Licensee's plea of acknowledgment to the single charge, cited above.

The Commissioner hereby accepts the Violation Report of this case and attachments thereto as substantive evidence without objection; further, the Commissioner hereby accepts a true copy of this Licensee's record since securing MLCC licensure at the above-named location under the current ownership.

Based upon the aforementioned plea by the Licensee and a review of the Violation Report and attachments thereto, the Commissioner finds that the Licensee in this case violated

Section 801(2) of the Michigan Liquor Control Code, MCL 436.1801(2), as cited in the one charge of the Complaint in this matter.

As penalty, the Commissioner Orders a fine of \$650. In addition, the Commissioner Orders that a suspension of thirty-three (33) continuous days be imposed if the total fine of \$650 is not paid within forty-five (45) days of the date this Order was mailed. This suspension, if served, shall be served consecutively and not concurrently with any other suspensions Ordered by the MLCC for this Licensee.

The Licensee agrees this Negotiated Settlement was a full and final disposition of this matter before the MLCC. The Licensee recognizes that, as to this Complaint, there is no further right of administrative or judicial appeal, to either the MLCC or a court of law. The Licensee also agrees that the plea in this case was entered voluntarily and with the full understanding of all consequences. Furthermore, all parties agree that there are no promises, stipulations, understandings or agreements other than those stated above as part of the official record. This document represents the final agreed settlement.

MICHIGAN LIQUOR CONTROL COMMISSION

  
Edward J. Gaffney, Commissioner

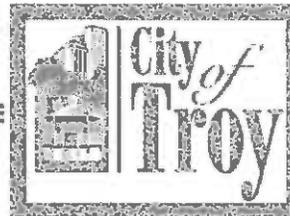
Date Signed: August 16, 2013

**AUG 29 2013**

Date Mailed: \_\_\_\_\_

Susan Moody  
Assistant Attorney General  
25680 W. 8 Mile Rd.  
Southfield, MI 48033

John Carlin  
Attorney at Law  
Carlin Edwards Brown PLLC  
6017 W. St. Joe Hwy., Suite 202  
Lansing, MI 48917



February 14, 2014

Rite Aid of Michigan, Inc.  
dba: Rite Aid Pharmacy  
2971 W. Maple Rd.  
Troy, MI 48084

**Re: NOTICE OF PUBLIC HEARING - Liquor License Violation**

To whom it may concern:

A Public Hearing will be held by and before the Council of the City of Troy at City Hall, 500 W Big Beaver, Troy, Michigan at **7:30 PM**, or as soon thereafter as the agenda will permit on the date as indicated below to determine whether the City Council should recommend to the Michigan Liquor Control Commission, the renewal or non-renewal of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

**Public Hearing:** Monday, March 3, 2014  
**License Type:** SDD (10077-2013) SDM (4978-2013)  
**Violation :** SALE TO MINOR (Compliance Test)  
**Violation Date(s):** 3/20/2013

You will be given an opportunity to be heard and present evidence at the public hearing and legal counsel may represent you. Please inform your attorney, if you have one, of this notice. If you have questions regarding the procedure or the facts and circumstances surrounding your violation(s), you may contact the City Attorney's office at 248-524-3320.

Sincerely,

M. Aileen Bittner, CMC  
City Clerk

c: John B. Carlin  
Carlin, Edwards, Brown PLLC  
2855 Coolidge, Suite 203  
Troy, MI 48084