

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
PASTORE COMPLEX
1511 PONTIAC AVENUE
CRANSTON, RHODE ISLAND

The Vault Lounge, LLC	:	
Appellant,	:	
	:	
v.	:	17LQ014
	:	
The City of Providence Board of Licenses,	:	
Appellee	:	

RECOMMENDATION TO GRANT REQUEST FOR STAY
SUBJECT TO CONDITIONS

I. INTRODUCTION

The Vault Lounge, LLC (“Appellant”) seeks a stay of the City of Providence, Board of Licenses’ (“Board”) decision dated December 19, 2017 in which the Board voted to deny the renewal of the Appellant’s Class B retail liquor license (hereinafter referred to as the underlying “Board Non-Renewal Decision”). Appellant’s Appeal and Emergency Request for a Stay, pg. 1 (hereinafter cited as “Appellant’s Stay Request”). The Appellant’s Stay Request accompanies its appeal of the Board’s decision to the Department of Business Regulation (“Department”) under R.I. Gen. Laws § 3-7-21. The Board objected to the Appellant’s Stay Request. On December 26, 2017, the parties were given the opportunity to present arguments before the undersigned in her capacity as Hearing Officer delegated by the Director of the Department to hear the Appellant’s Stay Request by Order of December 22, 2017.

II. JURISDICTION AND CONDUCT OF HEARINGS

The Department has jurisdiction over this liquor matter pursuant to the governing liquor licensing laws, R.I. Gen. Laws, Title 3 entitled “Alcoholic Beverages,” and specifically R.I. Gen. Laws § 3-2-1 *et seq.*, R.I. Gen. Laws § 3-5-1 *et seq.*, R.I. Gen. Laws § 3-7-1 *et seq.*, and R.I. Gen. Laws § 42-14-1 *et seq.* Departmental hearings are conducted pursuant to the Rhode Island Administrative Procedures Act (“APA”), R.I. Gen. Laws § 42-35-1 *et seq.*, and the Department’s Rules of Procedure for Administrative Hearings, 230-RICR-100-00-2 (“Department Rules of Procedure”).

III. STANDARD FOR GRANTING A STAY REQUEST

A municipal liquor appeal stay request is a request that the Department issue an order temporarily delaying the execution of a decision imposed by the municipal liquor licensing authority to cover the limited period of time in which the full appeal hearing will be conducted by the Department and a final decision rendered to determine whether or not the appealed decision will be upheld, overturned, or modified by the Department. The appeal of the Board Non-Renewal Decision itself does not result in an automatic stay; but rather a stay order may be granted by the Department based on review of the circumstances of the particular case. See, e.g., *Burton v. Lefebre*, 53 A.2d 456, 460 (R.I., 1947)(“Should he then appeal to the liquor control administrator, such appeal does not suspend the local board's order of revocation pending the appeal, unless the administrator shall so order”). Commercial Licensing Regulation 8, Liquor Control Administration (CLR 8), Rule 4(b) entitled “Appeals/Stays to Liquor Control Administrator – Retail” provides simply that “[a]ll appeals and requests for stays must be in writing with proper service to all parties of interest.”

The standard governing requests for stays in the Rhode Island court proceedings generally requires the requesting party to make a “strong showing” that “(1) it will prevail on the merits of its appeal; (2) it will suffer irreparable harm if the stay is not granted; (3) no substantial harm will come to other interested parties; and (4) a stay will not harm the public interest.” *Narragansett Electric Company v. William W. Harsch et al.*, 367 A.2d 195, 197 (1976). Under case law following *Narragansett Electric v. Harsch*, it has been further stated that it is discretionary for a trial justice to enter a stay in the context of an appeal of an administrative decision under R.I. Gen. Laws § 42-35-15(c) in order to maintain the *status quo* pending a full hearing on the merits. *Department of Corrections v. Rhode Island State Labor Relations Board*, 658 A.2d 509 (R.I. 1995).

The *full* hearing on a municipal liquor appeal to the Department pursuant to R.I. Gen. Laws § 3-7-21 is considered to be a *de novo* hearing. *Hallene v. Smith*, 201 A.2d 921 (R.I. 1964). Though the hearing is *de novo*, the Department, often less familiar than the local board with the individuals and/or neighborhoods associated with the [liquor license at issue], will generally hesitate to substitute its opinion on neighborhood and security concerns if there is evidence in the record justifying these concerns.” *Krikor S. Dulgarian Trust v. Providence Board of Licenses*, DBR No. 10-L-0143 (6/14/11) at 6.¹

IV. DISCUSSION OF STANDARD FOR RENEWAL OF A LICENSE

The crux of the matter for the full hearing is the applicable standard for a municipal liquor licensing authority to apply when making a decision on an application to renew a liquor license. While the parties are free to present additional legal arguments on this key issue at the full appeal hearing, a very brief discussion of the applicable statutes and case law is warranted.

¹ See also *Jake & Ella's, Inc. v. Dep't of Bus. Regulation*, 2002 R.I. Super. LEXIS 56 (R.I. Super., 2002)(recognizing the Department's authority to review liquor appeals partially *de novo* and partially appellate as it deems fit).

R.I. Gen. Laws § 3-7-6 provides for annual renewal application process for Class B liquor licenses which “may be rejected for cause.”² The Rhode Island Supreme Court has provided the “judicial gloss” that this “*cause*, to justify action, must be *legally sufficient*, that is to say, it must be bottomed upon substantial grounds and be established by legally competent evidence.” *Chernov Enters. v. Sarkas*, 109 R.I. 283, 287, 284 A.2d 61, 63 (1971)(emphasis in original).

In *Edge-January, Inc. v. Pastore*, the Rhode Island Supreme Court applied the statutory “for cause” renewal standard to uphold denial of a liquor renewal based on “legal, competent evidence from which it could be reasonably inferred that [the establishments] were the catalysts that brought about the disruptive incidents in the neighborhood and, further, that the series of disorderly activities in the neighborhood generated from the establishments in question.” 430 A.2d 1063, 1066 (R.I. 1981).³ The Rhode Island Supreme Court case of *A.J.C. Enterprises, Inc. v. Pastore* is very similar in terms of the non-renewal context of the case, the testimony of the neighbors and the nuisance-type issues they raised, the arguments made by the parties regarding the required causal connection, and the Court’s conclusion that it could be “reasonably inferred from the evidence that the incidents occurred outside a particular establishment and had their origins within.” 473 A.2d 269, 275 (R.I. 1984).⁴ To re-summarize, *Edge-January* and *A.J.C.*

Enterprises are based on extensive evidence from neighbors describing a chronic nuisance in the

² R.I. Gen. Laws § 3-7-6 provides that applications filed by October 1 are prima facie entitled to renewal. Because the record reflects that the Appellant submitted its application past that deadline on October 19, it is not prima facie entitled to renewal under this particular provision. However, this is not dispositive because it appears from the record and the arguments that the Board’s underlying Non-Renewal Decision was based on its application of the “for cause” case law rather than on any assertion that failure to submit a renewal application by October 1 constitutes any automatic or irrevocable bar to renewal.

³ For example, in *Edge-January*, “the neighbors testified that there was excessive noise in the area, that young people urinated on their property, that people drank beer in cars that were parked illegally in front of said property, and that people smashed bottles and generally littered the neighborhood.” *Id.* at 1064.

⁴ For example, in *A.J.C. Enterprises* “[s]everal witnesses testified that they watched people urinate on private property after leaving [the establishment] and that when the establishment closed at night there was a great deal of noise because people were yelling, screaming, slamming car doors, and revving engines.” *Id.*

neighborhood over a period of time in the context of a hearing scheduled on renewal applications of the neighboring liquor establishments, which testimony was found to have adequate indicia of causal connections to the establishments that were pending renewal.

The Appellant cited two Departmental decisions as relevant precedent for granting a stay in a denial of a renewal appeal case, which decisions are addressed in turn. In *Tropicana Restaurant and Bar, Inc. d/b/a Tropicana v. City of Providence Board of Licenses*, the Department issued a stay of renewal denial on the condition that the licensee was required to comply with the regulatory kitchen requirements. In that case, the Appellant “argued that denying a renewal application is an end-run around the show cause process;” however, the Department did not issue any findings or conclusions with regard to that assertion, but rather addressed the Board’s argument “that the Appellant was causing an on-going nuisance so that there was legally competent evidence to deny the renewal” (referencing complaints about “loud music, public smoking, drinking outside, loitering outside, and public urination”) by remanding the matter to the Board to clarify if the denial was based on any other considerations other than the kitchen issue. Recommendation and Interim Order Conditionally Granting Motion for Stay, DBR No. 15LQ023 (December 1, 2015).

In *Pasha Lounge Inc. d/b/a Pasha Hookah Bar v. City of Providence Board of Licenses*, the Department was faced with a request for a stay of a Board decision not to renew a liquor license on the basis of “general nuisances believed to be connected to the Appellant,” including “noise, loud music, trash, entertainment without a license, public urination, [] broken bottles,” “[police] calls for disturbances,” “complaints about parking on the side streets” and “a blocked driveway,” etc. In that case, due to questions regarding causal connections, the Department could not determine at the stay stage of the proceeding whether either party had a strong

likelihood of success on the merits, and accordingly, it granted a stay with certain conditions referenced later on in this recommended decision. Recommendation and Interim Order Conditionally Granting Motion for Stay, DBR No. 15LQ0022 (November 23, 2015).

What the undersigned gleans from the cited *Tropicana* and *Pasha* decisions as most relevant to this case at this stay request stage is that it appears to be Board's established practice to consider and receive testimony regarding concerns with quality of life in the surrounding neighborhood (including a range of particular concerns strikingly similar to each other and to the instant case) that may be attributable to a licensee whose license is up for annual renewal.⁵ This practice was not invalidated by the Department, but rather these decisions refer back to the causal connections requirements of *Edge-January* and *A.J.C. Enterprises* and related cases.

V. DISCUSSION OF RELEVANT EVIDENCE

A. Record of Underlying Board Non-Renewal Decision

Though the parties did not present any written copy of the underlying Board Non-Renewal Decision at the stay hearing before the undersigned, following the hearing, the undersigned reviewed and took administrative notice⁶ of the following pertinent "Board Audio Recordings" and associated agendas and minutes:

- i. Board hearing/meeting of November 28, 2017.⁷ It was represented to the undersigned that this was the date of the initial meeting/hearing on the license renewal application

⁵ For example, it was represented to the undersigned that when renewal applications are posted on the open meeting agendas, Providence neighbors are alerted and periodically appear to make comments on renewal applications that may concern them.

⁶ The APA and the Department Rules of Procedure provide for administrative notice. "[D]ecisions, acts, and records of [governmental bodies] are often judicially noticed." 29 Am. Jur. 2d Evidence § 165. See also *D'Agostino Auto Sales v. Pub. Util. Comm.*, No. PC 91-1564 (R.I. Super., Feb. 5, 1992)(upholding a licensing decision of the Rhode Island Public Utilities Commission in which the Hearing Officer took administrative notice of official records of prior disciplinary action of the licensee).

⁷<http://providenceri.iqm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=8292&MinutesID=6626&FileFormat=pdf&Format=Minutes&MediaFileFormat=MP3> at approximately 53:22 through 1:14:00.

at which the pertinent public testimony, video, and referenced e-mail records regarding the issues in the neighborhood was presented.

- ii. Board hearing/meeting of December 19, 2017.⁸ It was represented to the undersigned that this was the date to which the renewal application hearing/meeting was continued to allow the Appellant to review copies of the evidence presented at the November 28, 2017 meeting/hearing and present any rebuttal evidence and any other evidence in support of its renewal application.

B. Reference to Appellant's Evidence to Support its Renewal Application

Reference was made to letters submitted by the Appellant to the Board at the December 19, 2017 hearing/meeting both in the parties' arguments and in the Board Audio Recordings. However, the Appellant did not submit any copies of said letters to the undersigned for her consideration.⁹

The Appellant's Stay Request and associated oral argument further references a video that Appellant notes could have been presented as rebuttal evidence before the Board but was not presented due to a perception by the Appellant's counsel that the Board would not have fully considered it. Neither was this video presented before the undersigned. Accordingly, it is impossible for the undersigned to speculate as to what said video may have shown or as to how the Board's decision may have varied had it been presented with the opportunity to view this rebuttal video. While the Appellant may be entitled to present this evidence at the full *de novo* hearing, it should be noted that the undersigned does not make any presumptions in the

⁸ <http://providenceri.iqm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=8090&Format=Minutes> at approximately 36:30 through 1:20:50. Though the minutes of the November 28, 2017 hearing/meeting indicate that the application was granted, it was undisputed that the matter was continued as reflected by all other indicators on the record.

⁹ Questions as to foundation and identity of the authors of the letters and their respective locales was raised before the Board which may be addressed by the parties in more detail at the full *de novo* hearing if they so choose.

Appellant's favor based on this reference to this purported supporting evidence and is unpersuaded by the Appellant's explanation for the decision to not present what it characterizes as key evidence to the primary licensing authority in the first place.

C. Appellant's Disciplinary History

In rendering this recommended decision, review of the Appellant's prior disciplinary history is relevant. The Department previously reviewed the Appellant's disciplinary history in *The Vault, LLC v. City of Providence, Board of Licenses, Decision*, DBR No. 16LQ008 (September 14, 2016) as follows:

"The Appellant has been licensed since December 30, 2013. In August 2014, it had an administrative penalty of \$2,250 imposed for various violations... In July, 2015, the Appellant had its License suspending for four (4) days and an administrative penalty of \$1,000 imposed for entertainment without a license and using an unlicensed promoter. In May 2016, an administrative penalty of \$650 was imposed for violating hours of operation."

The Department's September 14, 2016 decision was to uphold a ten (10) day full suspension and \$2,000 fine with modifications of the sixty (60) day late night suspension to run concurrent rather than consecutive to the full suspension and placing a sixty (60) day review on the weekend police detail. The September 14, 2016 discipline was imposed based on findings of causal connection and responsibility for a shooting by an ejected patron and resulting conduct in interacting with police investigators.

The Board presented the official licensing record of the Appellant to the undersigned, which record documents disciplinary activity following issuance of the Department's Decision in DBR No. 16LQ008: a fine of \$950.00 imposed on November 30, 2016; and a fine of \$1,000 and police detail condition imposed on March 9, 2017.

D. License Status Quo Prior to the Board Non-Renewal Decision - December 12 Conditions

The Board also presented an official record of a written Board decision letter issued December 12, 2017 which followed a show-cause hearing on November 21, 2017 for a disorderly disturbance. It was represented that this was part of the disciplinary history that had not yet been entered into the database of the official licensing history ledger. The timeframe for the Appellant to appeal this December 12, 2017 decision letter to the Department has passed.

It was represented that the conditions imposed on the license on December 12, 2017 constitute the licensing *status quo* immediately prior to the underlying Board Non-Renewal Decision at issue here.¹⁰ Specifically, the below quoted conditions are hereinafter referred to as the “December 12 Conditions:”

- a. “Reduction of hours as follows: a 1:00 AM closing on Friday and Saturday evenings with a 12:00 AM closure for the remaining days of operation.”
- b. “Also, a police detail is required on Friday and Saturday evenings.”

The undersigned reviewed and took administrative notice of the audio recording of the November 21, 2017 hearing/meeting¹¹ upon which the December 12 Conditions were predicated as well as that of the December 6, 2017 hearing/meeting¹² during which the Board’s vote was entered to impose the December 12 Conditions pertaining to hours for a sixty (60) day period commencing on December 12, 2017 and to continue the applicable police detail conditions.

It appears from the record that (at least as of November 28, 2017), the parties were in agreement that regardless of the outcome of the Board’s decision on the then-pending decision on the show-cause matter it had heard on November 21, 2017, that the Board would have authority to issue a separate decision on the pending renewal application. The undersigned does

¹⁰ While the Board advocated for an outright denial of the stay request, it suggested that to the extent the Department was inclined to grant a stay, that the December 12 Conditions should be applied.

¹¹ <http://providenceri.iqm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=8085&Format=Minutes>

¹² <http://providenceri.iqm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=8286&Format=Minutes#> at approximately 12:21 through 12:42.

not disagree; however, an analysis of how the December 12 Conditions fit into the timeline and travel of the instant appeal of the underlying Board Non-Renewal Decision is essential to her below conclusion and recommendation.

The December 12 Conditions had only been fully in place for one week at the time the December 19, 2017 underlying Board Non-Renewal Decision was issued. It does not appear from the undersigned's review of the record that any evidence was presented either before the Board or the undersigned that the Appellant has violated the December 12 Conditions nor of specific evidence or testimony regarding conditions in the neighborhood allegedly caused by the Appellant since imposition of said conditions.

The Rhode Island Supreme Court expressed its "considered judgment that the Legislature intended in conferring the power to revoke or suspend to implicitly authorize municipalities to attach conditions to the issuance of liquor licenses." *Thompson v. Town of E. Greenwich*, 512 A.2d 837, 841 (R.I. 1986). The undersigned affords the Board the presumption that it issued the December 12 Conditions with full knowledge of its authority under *Thompson* and determined that those were the appropriate conditions, reasonable and designed to address the public safety concerns with the establishment as of that date with due consideration to all circumstances before it, including the Appellant's disciplinary history record. The record of the November 21 hearing/meeting supports this presumption, reflecting that a general reference to negative impact on the neighborhood, the mitigating steps that the establishment took, and the suggestion that conditions could alleviate some of the problems that were occurring during the later hours of operation were all before the Board for its consideration prior to issuing the December 12 Conditions.

VI. CONCLUSION

Applying the first *Narragansett Electric v. Harsch* factor to this case (likelihood of success on the merits), like many prior cases reviewed by the Department at the stay request stage, it cannot be ascertained which party will prevail without a full hearing. See, e.g., *The Vault, LLC v. City of Providence, Board of Licenses, Order on Motion for Stay*, DBR No. 16LQ008 (July 27, 2016). Accordingly, the undersigned does not at this Stay Request stage reach the ultimate conclusion as to whether the Board satisfied the “for cause” standard for a decision not to renew a liquor license and the associated causal connection standard referenced earlier on in this decision.¹³

The remaining *Narragansett Electric v. Harsch* factors really require the undersigned to undergo a very delicate and admittedly difficult exercise of balancing the interests of the liquor licensee and the irreparable harm it claims it will suffer against the interest of the local licensing authority and the public interests of public health, safety, and welfare in that locality which the local licensing authority is seeking to protect.

With respect to the interests articulated by the Appellant liquor licensee here, denying a stay may cause the Appellant harm in the form of serving a *de facto* suspension while awaiting a final decision that under could conceivably result in a complete reversal of Board Non-Renewal Decision. The parties have different perspectives as to just how “irreparable” such harm may be in reality. The undersigned does not attempt to quantify the harm to the licensee in the abstract, but rather must weigh and balance it against the municipality’s articulated counter-interest.

While it may generally be prudent to approach review of the interests articulated by the municipality with deference at a stay request stage, this was notably not a case where the Board

¹³ The Board offered to provide the undersigned access to the video recordings it presented on Board hearing/meeting of November 28, 2017 and to present a witness for the Providence Police Department. Such evidence may be presented at the full *de novo* hearing should the Board choose to do so.

presented concerns of an immediate public danger (such as the danger that may be associated with a recently occurring violent incident, for instance) that would completely outweigh the Appellant's interest in preserving the *status quo* during the pendency of the full *de novo* hearing. Certainly, the surrounding neighborhood should not have to tolerate public urination and defecation, noise disturbances, or other similarly disturbing negative impacts. And if the final decision following the full *de novo* hearing finds that such negative impacts are in fact attributable to the Appellant, certainly the Appellant should be penalized accordingly. However, as stated at the outset of this Conclusion, at this Stay Request stage it is premature to determine whether or not the Board sufficiently established such "cause" to deny the renewal of the Appellant's license.

Accordingly, the undersigned's recommendation is based on her assessment that the balance of the opposing interests tips the scale toward granting the stay with the December 12 Conditions for the limited period of time until the full *de novo* hearing is held and a final decision issued. During this limited period of time, the December 12 Conditions crafted by the Board itself just a week prior to the Board Non-Renewal Decision will be given a more observable test period to help determine more measurably if they may effectively address the concerns raised in the neighborhood prior to their imposition. For example, in the matter of *Pasha* (15LQ0022), the Department had issued a conditional stay in November of 2015 and the testimony at the full *de novo* hearing in February of 2016 was that "the Appellant is now doing better and is not having any vandalism and assault" and "is doing something different than it had been." Decision at 9 (March 23, 2016). It only seems logical that should a similar improvement of conditions in the neighborhood occur during this limited stay period without putting an establishment out of business, that that would ultimately be the best result for all parties

involved. Moreover, these recommendations are consistent with *Department of Corrections* and the principle of discretion espoused therein regarding maintaining the *status quo* pending a full determination on the merits.

Additionally, the undersigned reviewed a selection of past Departmental decisions on requests for stays, several of which impose additional conditions. Such conditions have included the requirements that the Appellant submit a security plan to the Board (*Tropicana*, 16LQ021)¹⁴ have a police detail on Friday and Saturday nights and holidays such as New Year's Eve, and July 4th (*Tropicana*, 16LQ021); prohibition of patrons exiting with bottles and cups (*Pasha*, 15LQ0022); and documentation of efforts to properly maintain trash containers (*Pasha*, 15LQ0022).

Consistent with these prior decisions, the undersigned recommends that the December 12 Condition of the police detail be expanded upon to also apply to holidays, including specifically New Year's Eve. The undersigned further recommends special conditions that may address the "quality of life" concerns cited during the interim period until a full decision on the merits is reached. Specifically, the undersigned recommends that in addition to the December 12 Conditions, that the Appellant be required to document the measures it will take with respect to maintaining restroom facilities in accordance with applicable laws, providing and maintaining adequate trash receptacles inside and in any immediate outside areas designated for its patrons' use (such as designated smoking areas), and preventing patrons from taking alcoholic beverages (glass bottles and other types) outside of the licensed area. This documentation of measures shall be provided upon request to the Board and to the Department.

¹⁴ See, e.g., *Tropicana Restaurant and Bar v. The City of Providence Board of Licensees*, Order on Motion for Stay, DBR No. 16LQ021 (December 27, 2016).

The undersigned reminds the Appellant in no uncertain terms that it is ultimately accountable for violations of law that occur on its premises and outside. *Vitali v. Smith*, 254 A.2d 766 (R.I. 1969). The Rhode Island Supreme Court has opined that though such a responsibility may be onerous, a licensee is subject to such a burden by the legislature and accepts such conditions by becoming licensed. *Therault v. O'Dowd*, 223 A.2d 841, 842-3 (R.I. 1966). Accordingly, the undersigned encourages the Appellant to use this limited stay as a test period to demonstrate determination to conduct its business in full compliance with all applicable laws and make a genuine effort to be a responsible neighbor. If the Appellant fails to do so and the Board gathers evidence of said failure, it is the Board's option to pursue any of its further enforcement options to mitigate any harm to the neighborhood, including, by way of example, petitioning the Department for reconsideration of its Interim Order on this Stay Request.

VII. RECOMMENDATION

Based on the forgoing, the undersigned recommends that the Appellant's Request for Stay be granted, subject to the following conditions:

1. The Board's December 12 Conditions as referenced herein shall remain in effect.
2. The Board's December 12 Condition of the police detail shall be expanded upon to also apply to holidays, including specifically New Year's Eve.¹⁵
3. The Appellant shall be required to document the measures it will take with respect to:
 - a. Maintaining restroom facilities in accordance with applicable laws;
 - b. Providing and maintaining adequate trash receptacles inside and in any immediate outside areas designated for its patrons' use (such as designated smoking areas); and

¹⁵ Consistent with past decisions, if the establishment cannot obtain a detail on a Friday or Saturday or holiday night, it cannot open that night. See, e.g. *Tropicana*, 16LQ021.

- c. Preventing patrons from taking alcoholic beverages (glass bottles and other types) outside of the licensed area.¹⁶

Dated: 12/27/17



Jenna Algee
Hearing Officer

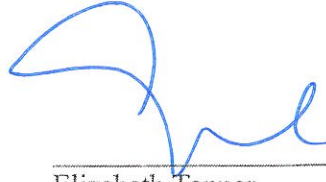
¹⁶ This documentation of measures shall be provided upon request to the Board and to the Department.

INTERIM ORDER

I have read the Hearing Officer's Recommendation in this matter, and I hereby take the following action with regard to the Recommendation:

ADOPT
 REJECT
 MODIFY

Dated: 2/29/17



Elizabeth Tanner
Director

NOTICE OF APPELLATE RIGHTS

THIS DECISION CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO R.I. GEN. LAWS § 42-35-12. PURSUANT TO R.I. GEN. LAWS § 42-35-15, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE MAILING DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A PETITION FOR REVIEW IN SUPERIOR COURT. THE FILING OF THE COMPLAINT DOES NOT ITSELF STAY ENFORCEMENT OF THIS ORDER. THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON THE APPROPRIATE TERMS.

SERVICE CERTIFICATION

I hereby certify that on this 29 day of December, 2017 a copy of this within Order was sent by email and first class mail, postage prepaid to:

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