

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

TYLOR A. DOWS
19830 56TH AVE WEST
LYNNWOOD, WA 98036-6124

PERMIT HOLDER

PERMIT NO. 120 375 969
AVN NO. 3S0214B

LCB NO. 23,744
OAH NO. 2010-LCB-0078

FINAL ORDER OF THE BOARD

The above entitled matter coming on regularly before the Board, and it appearing that:

1. The Liquor Control Board issued a complaint dated October 5, 2010, alleging that on July 5, 2010 the above-named MAST Permit Holder was apparently intoxicated on the licensed premises contrary to WAC 314-11-015(3).
2. The MAST Permit Holder filed a timely request for a formal administrative hearing.
3. A prehearing conference was scheduled for January 12, 2011 at 8:30 a.m.
4. The Respondent failed to appear for the prehearing conference and failed to make a timely request for continuance. The Education and Enforcement Division of the Board was represented by Assistant Attorney General Brian Considine.
5. On February 1, 2011, Administrative Law Judge Leslie A. Wagner entered her Order of Dismissal on Respondent's Failure to Appear, ordering that the appellant was in default and dismissing the appeal.
6. No request to vacate the default was filed.
7. The entire record in this proceeding was presented to the Board for final decision, and the

Board having fully considered said record and being fully advised in the premises; NOW THEREFORE;

FINAL ORDER OF THE BOARD
LCB NO. 23,744
TYLOR A. DOWS
PERMIT NO. 120 375 969

IT IS HEREBY ORDERED that the default order for case 23,744 (OAH Docket 2010-LCB-0078) is adopted.

IT IS HEREBY FURTHER ORDERED that the Complaint filed in case 23,744 is sustained and that the MAST Permit privileges granted to Tylor A. Dows, MAST Permit Number 120375969 are hereby suspended for a term of five (5) days. In lieu of a permit suspension, the permit holder may pay a monetary penalty in the amount of one-hundred dollars (\$100.00) due within 30 days of this order. If timely payment is not received, suspension will take place from 10:00 a.m. on April 15, 2011 until 10:00 a.m. on April 20, 2011. Failure to comply with the terms of this order will result in further disciplinary action.

Payment in reference to this order should be sent to:

Washington State Liquor Control Board

PO Box 43085

Olympia, WA 98504-3085

DATED at Olympia, Washington this 1 day of March, 2011.

WASHINGTON STATE LIQUOR CONTROL BOARD

Sharon Foster

Ruthann Kurose

Reconsideration. Pursuant to RCW 34.05.470, you have ten (10) days from the mailing of this Order to file a petition for reconsideration stating the specific grounds on which relief is requested. A petition for reconsideration, together with any argument in support thereof, should be filed by mailing or delivering it directly to the Washington State Liquor Control Board, Attn: Kevin McCarroll, 3000

Pacific Avenue Southeast, PO Box 43076, Olympia, WA 98504-3076, with a copy to all other parties of record and their representatives. Filing means actual receipt of the document at the Board's office. RCW 34.05.010(6). A copy shall also be sent to Mary M. Tennyson, Senior Assistant Attorney General, 1125 Washington St. SE, P.O. Box 40110, Olympia, WA 98504-0110. A timely petition for reconsideration is deemed to be denied if, within twenty (20) days from the date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on the petition. An order denying reconsideration is not subject to judicial review. RCW 34.05.470(5). The filing of a petition for reconsideration is not a prerequisite for filing a petition for judicial review.

Stay of Effectiveness. The filing of a petition for reconsideration does not stay the effectiveness of this Order. The Board has determined not to consider a petition to stay the effectiveness of this Order. Any such request should be made in connection with a petition for judicial review under chapter 34.05 RCW and RCW 34.05.550.

Judicial Review. Proceedings for judicial review may be instituted by filing a petition in superior court according to the procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement. The petition for judicial review of this Order shall be filed with the appropriate court and served on the Board, the Office of the Attorney General, and all parties within thirty days after service of the final order, as provided in RCW 34.05.542.

Service. This Order was served on you the day it was deposited in the United States mail. RCW 34.05.010(19).



Washington State
Liquor Control Board

March 4, 2011

Tylor A. Dows, MAST Permit Holder
19830 56th Ave West
Lynnwood, WA 98036-6124

Brian Considine, AAG
GCE Division, Office of Attorney General
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100

RE: FINAL ORDER OF THE BOARD
MAST PERMIT HOLDER: Tylor A. Dows
PERMIT NOo. 120 375 969
AVN: 3S0214B
LCB HEARING NO. 23,744
OAH DOCKET NO. 2010-LCB-0078

Dear Parties:

Enclosed please find a Declaration of Service by Mail and a copy of the Final Order in the above referenced matter along with a copy of the Stipulated Settlement Agreement.

The applicable monetary penalty is due by April 4, 2011 or suspension will take place on the dates stated in the Final Order.

Please send payments to the mailing address stated in the Final Order and label the check with your License Number and Administrative Violation Notice Number listed above. If you have any questions, please contact me at (360) 664-1602.

Sincerely,

A handwritten signature in black ink that reads "Kevin McCarroll".

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (2)

cc: Mt Vernon Enforcement and Education Division, WSLCB
Amber Harris, WSLCB

PO Box 43076, 3000 Pacific Ave. SE, Olympia WA 98504-3076, (360) 664-1602 www.liq.wa.gov

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3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

5 TYLOR A. DOWS, MAST PERMIT
6 HOLDER
7 19830 56TH AVE WEST
8 LYNNWOOD, WA 98036-6124

LCB NO. 23,744
OAH NO. 2010-LCB-0078

DECLARATION OF SERVICE BY
MAIL

9 LICENSEE

10 PERMIT NO. 120 375 969
11 AVN NO. 3S0214B

12 I certify that I caused a copy of the *FINAL ORDER OF THE BOARD* in the above-
13 referenced matter to be served on all parties or their counsel of record by US Mail Postage
14 Prepaid via Consolidated Mail Service for Licensees and Permit Holders; by Campus Mail for
15 the Office of Attorney General, on the date below to:

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17 TYLOR A. DOWS, MAST PERMIT HOLDER
18 19830 56TH AVE WEST
19 LYNNWOOD, WA 98036-6124

BRIAN CONSIDINE, ASSISTANT ATTORNEY
GENERAL, GCE DIVISION
OFFICE OF THE ATTORNEY GENERAL
MAIL STOP 40100

20 DATED this 4th day of March, 2011, at Olympia, Washington.

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23 Kevin McCarroll, Adjudicative Proceedings Coordinator

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DECLARATION OF SERVICE BY
MAIL

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Washington State Liquor Control Board
3000 Pacific Avenue SE
PO Box 43076
Olympia, WA 98504-3076
(360) 664-1602