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8 **BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

9 IN THE MATTER OF:

10 GOLDEN HONG INC. d/b/a  
11 GOLDEN HONG MARKET

12 516 7<sup>TH</sup> AVE. SOUTH STE. B  
13 SEATTLE, WA 98104

14 Applicant

15 LICENSE APPLICATION NO. 408326  
16 UBI NO. 127-641-001-0001

LCB NO. 23,946

FINAL ORDER OF THE BOARD  
APPROVING SETTLEMENT  
AGREEMENT  
[PROPOSED]

17 THIS MATTER having come before the Washington State Liquor Control Board  
18 (Board) and the Washington State Liquor Control Board Licensing Division (Licensing) by  
19 and through its attorneys, ROBERT M. MCKENNA, Attorney General, and MARISA E.  
20 BROGGEL, Assistant Attorney General, and the applicant, GOLDEN HONG INC. d/b/a  
21 GOLDEN HONG MARKET (Applicant) represented by and through its attorney RYAN S-F  
22 YEE, and the parties having voluntarily entered into a stipulated settlement agreement for  
23 Liquor Control Board Licensing Case No. 23,946, and the Board having considered the  
24 stipulated settlement agreement and Licensing's memorandum recommending acceptance of  
25 the stipulated settlement agreement, and the Board having had the opportunity to review the  
26 file materials maintained in this case, now, therefore:

1 IT IS HEREBY ORDERED that the Settlement Agreement for Case Number 23,946 is  
2 approved.

3 IT IS FURTHER ORDERED that Licensing shall withdraw its Statement of Intent to  
4 Deny Liquor License issued on March 2, 2012, and that Licensing shall issue a liquor license  
5 to the Applicant with the following conditions and restrictions imposed upon the Applicant's  
6 liquor license:

7 (a) Upon obtaining the license, the Licensee shall restrict sales of beer and/or  
8 wine as follows: no sales of beer and/or wine earlier than 9:00 a.m., and no  
9 sales of beer and/or wine later than 9:00 p.m. daily.

10 (b) All staff managing or operating the Applicant's premise shall complete a  
11 Mandatory Alcohol Server Training (MAST) course through a Board-certified  
12 provider and obtain a MAST permit from Licensing within thirty (30) days of  
13 the issuance of a Final Order of the Board. The Applicant agrees to ensure that  
14 future employees at the Applicant's premise shall complete a Mandatory  
15 Alcohol Server Training (MAST) course through a Board-certified provider and  
16 obtain a MAST permit from Licensing no later than sixty (60) days after his or  
17 her date of employment.

18 (c) The Applicant's premise is located within the geographical boundaries of an  
19 Alcohol Impact Area as defined by WAC 314-12-215(1). The Applicant agrees  
20 to operate under the conditions and restrictions of the Alcohol Impact Area in  
21 which it is located in accordance with all applicable laws and rules.

22 (d) The Applicant currently has security cameras monitoring the inside of the  
23 premise. The Applicant shall install additional security camera(s) and/or move  
24

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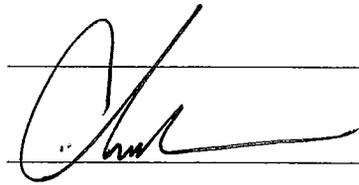
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1 one or more existing video camera(s) to monitor the exterior sidewalk area  
2 outside the premise, within thirty (30) days of a final order of the Board.

3 DATED this 27<sup>th</sup> day of August, 2012.

4 WASHINGTON STATE LIQUOR CONTROL BOARD

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**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

GOLDEN HONG INC. d/b/a  
GOLDEN HONG MARKET  
516 7<sup>TH</sup> AVE. SOUTH STE. B  
SEATTLE, WA 98104

Applicant

LICENSE APPLICATION NO. 408326  
UBI NO. 127-641-001-0001

OAH No. 2012-LCB-0027  
LCB No. 23,946

SETTLEMENT AGREEMENT

The Washington State Liquor Control Board Licensing Division (Licensing) represented by and through its attorneys ROBERT M. MCKENNA, Attorney General and MARISA E. BROGGEL, Assistant Attorney General, and the applicant, GOLDEN HONG INC. d/b/a GOLDEN HONG MARKET (Applicant) represented by its attorney RYAN YEE, hereby enter into this stipulated settlement agreement for Liquor Control Board Case No. 23,946.

**I. INTRODUCTION**

The Applicant, whose premise is a retail grocery store located at 516 7th Avenue S. in Seattle, Washington, has not previously held a liquor license. On or around August 16, 2011, the Applicant filed with the Liquor Control Board Licensing Division (Licensing) an

**ORIGINAL**

1 application for a new liquor license.<sup>1</sup> Licensing received five (5) letters from community  
2 members objecting to the issuance of a liquor license to the Applicant. Licensing also received  
3 a petition signed by eighty-nine (89) citizens objecting to the issuance of a liquor license to the  
4 Applicant.

5 On March 2, 2012, Licensing issued its Statement of Intent to Deny Liquor License  
6 (Statement of Intent to Deny) for the Applicant's license application No. 408326. The  
7 following factors formed the basis for Licensing's Statement of Intent to Deny pursuant to  
8 RCW 66.08.010 and RCW 66.24.010(9)(a):

- 9 • Five letters from community members, including two individuals and three civic  
10 organizations from a community center located in the immediate vicinity of the  
11 premise, objecting to the Applicant's license application; the objections demonstrated a  
12 pattern of historical problems associated with the high incidence of chronic public  
13 inebriation in the immediate vicinity of the Applicant's premise.
- 14 • The community center next door to the Applicant's premise is frequented by children  
15 and the elderly.
- 16 • The location of the Applicant's premise relative to schools and other public institutions,  
17 as well as two existing liquor-licensed businesses already authorized to sell beer and  
18 wine in the immediate vicinity.

19 The Applicant timely submitted a Request for Hearing as to the Statement of Intent to  
20 Deny on March 15, 2012. The Applicant and Licensing now wish to enter into this settlement  
21 agreement (Agreement) concerning the above-referenced case.

## 22 II. AGREEMENT OF THE PARTIES

23 Licensing and the Applicant parties agree to the following:

24 1. The parties enter into this Agreement to avoid the time and expense of further  
25 litigation.

26 \_\_\_\_\_  
<sup>1</sup> The license type applied for was a Beer/Wine Grocery Store license.

1           2.     The Applicant explicitly waives the right to further administrative review of all  
2 matters related to the above-referenced denial of the Applicant's liquor license application.

3 Further, the Applicant hereby voluntarily withdraws its requests for a hearing in this matter.

4           3.     Licensing agrees to withdraw its Statement of Intent to Deny Liquor License  
5 issued on March 2, 2012, and agrees to issue a liquor license to the Applicant with the  
6 following conditions/restrictions imposed upon the Applicant's liquor license:

7           (a)     Upon obtaining the license, the Licensee shall restrict sales of beer and/or wine  
8 as follows: no sales of beer and/or wine earlier than 9:00 a.m., and no sales of beer  
9 and/or wine later than 9:00 p.m. daily.

10          (b)     All staff managing or operating the Applicant's premise shall complete a  
11 Mandatory Alcohol Server Training (MAST) course through a Board-certified provider  
12 and obtain a MAST permit from Licensing within thirty (30) days of the issuance of a  
13 Final Order of the Board. The Applicant agrees to ensure that future employees at the  
14 Applicant's premise shall complete a Mandatory Alcohol Server Training (MAST)  
15 course through a Board-certified provider and obtain a MAST permit from Licensing  
16 no later than sixty (60) days after his or her date of employment.

17          (c)     The Applicant's premise is located within the geographical boundaries of an  
18 Alcohol Impact Area as defined by WAC 314-12-215(1). The Applicant agrees to  
19 operate under the conditions and restrictions of the Alcohol Impact Area in which it is  
20 located in accordance with all applicable laws and rules.

21          (d)     The Applicant currently has security cameras monitoring the inside of the  
22 premise. The Applicant shall install additional security camera(s) and/or move one or  
23 more existing video camera(s) to monitor the exterior sidewalk area outside the  
24 premise, within thirty (30) days of a final order of the Board.

25           4.     The Applicant agrees to the issuance of a liquor license with Licensing's  
26 conditions/restrictions identified in Section II, Subsection 3(a)-(d).

          5.     The parties agree that any violation of this Agreement will be good and  
sufficient grounds for Licensing to revoke the Applicant's liquor license.

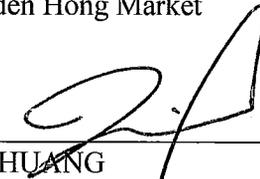
1           6.     The undersigned parties declare that the terms of this Agreement are completely  
2 read, wholly understood, and voluntarily accepted for the purpose of making a full and final  
3 compromise and settlement of any and all issues arising in the above-referenced matter.

4           7.     The parties recognize that this Agreement is subject to approval by the  
5 Washington State Liquor Control Board.

6 ROBERT M. MCKENNA  
7 Attorney General

8   
9 \_\_\_\_\_ DATE 8/24/2012  
10 MARISA E. BROGGEL, WSBA #41767  
11 Assistant Attorney General  
12 Attorneys for Washington State  
13 Liquor Control Board Licensing

14   
15 \_\_\_\_\_ DATE 8/20/12  
16 RYAN S-F YEE, WSBA #21214  
17 Newport Law Group P.C.  
18 Attorney for Applicant  
19 Golden Hong, Inc. d/b/a  
20 Golden Hong Market

18   
19 \_\_\_\_\_ DATE 8/20/2012  
20 JIN HUANG  
21 Representative of Golden Hong, Inc. d/b/a  
22 Golden Hong Market, Applicant

26



Washington State  
Liquor Control Board

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August 30, 2012

Ryan S-F Yee,  
Attorney for Applicant  
Newport Law Group PC  
12826 SE 40<sup>th</sup> Lane Ste 105  
Bellevue, WA 98006-5266

Marisa E. Broggel, AAG  
GCE Division, Office of Attorney General  
1125 Washington Street SE  
PO Box 40100  
Olympia, WA 98504-0100

**RE: FINAL ORDER OF THE BOARD APPROVING SETTLEMENT AGREEMENT**

**APPLICANT: Golden Hong Inc.**

**TRADE NAME: Holden Hong Market**

**LOCATION: 516 7<sup>th</sup> Ave South Ste B, Seattle, WA 98104-2906**

**LICENSE NO. 408326**

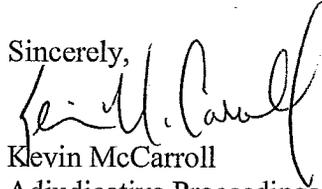
**LCB HEARING NO. 23,946**

**UBI: 603 127 641 001 0001**

Dear Parties:

Please find the enclosed Declaration of Service by Mail and a copy of the Final Order of the Board in the above-referenced matter. Please contact me if you have questions.

Sincerely,

  
Kevin McCarroll  
Adjudicative Proceedings Coordinator

Enclosures (2)

cc: Sharon Hendricks, Licensing Division, WSLCB  
Tukwila and Seattle Enforcement and Education Divisions, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,946

GOLDEN HONG INC  
d/b/a HOLDEN HONG MARKET  
516 7TH AVE SOUTH STE B  
SEATTLE, WA 98104-2906

DECLARATION OF SERVICE BY  
MAIL

APPLICANT

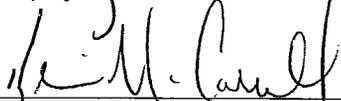
LICENSE APPLICATION NO. 408326

I certify that I caused a copy of the FINAL ORDER OF THE BOARD APPROVING  
SETTLEMENT AGREEMENT in the above-referenced matter to be served on all parties or their  
counsel of record by US Mail Postage Prepaid via Consolidated Mail Service for Licensees, by Campus  
Mail for the Office of Attorney General, on the date below to:

RYAN S-F YEE,  
ATTORNEY FOR APPLICANT  
NEWPORT LAW GROUP PC  
12826 SE 40TH LANE STE 105  
BELLEVUE, WA 98006-5266

OFFICE OF THE ATTORNEY GENERAL  
MAIL STOP 40100, GCE DIVISION  
MARISA E. BROGGEL, ASSISTANT  
ATTORNEY GENERAL

DATED this 30<sup>th</sup> day of August, 2012, at Olympia, Washington.

  
Kevin McCarroll, Adjudicative Proceedings Coordinator