BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:	LCB NO. 24,842
CARLOS ALBERTO ZUNIGAS-MARTINEZ d/b/a LOS TACOS TUMBRAS 1325 W 2nd AVE SPOKANE, WA 99201-4612 LICENSEE LICENSE NO. 406525 AVN 4R3152D	AMENDED FINAL ORDER OF THE BOARD

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

1. On or about June 4, 2013, Enforcement issued to the Licensee AVN 4R3152D, alleging the following violations of Title 66 RCW and/or Title 314 WAC:

   (That) on or around June 1, 2013, the Licensee or employee(s) thereof gave, sold or otherwise supplied liquor to a person under twenty-one (21) years of age, in violation of RCW 66.44.270(1); and

   (That) on or around June 1, 2013, the Licensee or an employee thereof was without the required Mandatory Alcohol Server Training (MAST) Permit, contrary to WAC 314-17-030.

2. The parties entered into a settlement agreement regarding the above-referenced AVN.

3. On January 7, 2014 the members of the Board issued a Final Order of the Board approving the settlement agreement between the parties and scheduling the monetary penalty and alternative suspension dates;

Washington State Liquor Control Board
3000 Pacific Ave, S.E.
P.O. Box 43076
Olympia, WA 98504-3076
Phone: 360-664-1602

4. On February 6, 2014, the Board's staff received a request from the Licensee for a payment plan due to financial hardship which was subsequently approved by Board Chair Sharon Foster, whereby $1,150.00 toward the monetary penalty of $2,300.00 was due by the original due date of February 7, 2014 and the remaining balance due within 30 days;
5. On February 7, 2014, the Liquor Control Board's Financial Division received a check in the amount of $1,150.00 toward the stipulated monetary penalty for AVN No. 4R3152D.

The Board hereby ORDERS that the Licensee's penalty is re-scheduled as follows: The second payment of $1,150 is due by Monday, March 10, 2014. If payment is not received timely, then the stipulated 12-day suspension will take place from 11:00 a.m. on Thursday, March 27, 2014 until 11:00 a.m. on Tuesday, April 8, 2014. 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
Financial Division
PO Box 43085
Olympia, WA 98504-3085

DATED at Olympia, Washington this 13 day of February, 2014.

WASHINGTON STATE LIQUOR CONTROL BOARD

Sharon Foster

Ruthann Kurose

RECEIVED
DEC 26 2013
Liquor Control Board
Board Administration

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF: CARLOS ALBERTO ZUNIGA MARTINEZ d/b/a LOS TACOS TUMBRAS 1325 W. 2ND AVE. SPOKANE, WA 99201 LICENSEE LICENSE NO. 406525 AVN NO. 4R3152D	LCB NO. 24,842 STIPULATED SETTLEMENT AGREEMENT

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement), by and through its attorneys, ROBERT W. FERGUSON, Attorney General, and MARISA E. BROGGEL, Assistant Attorney General, and CARLOS ALBERTO ZUNIGA-MARTINEZ d/b/a LOS TACOS TUMBRAS (Licensee), hereby enter into this stipulated settlement agreement for Washington State Liquor Control Board (Board) Case No. 24,842 arising from Administrative Violation Notice (AVN) No. 4R3152D.

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ATTORNEY GENERAL OF WASHINGTON
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100
(360) 664-9006

I. INTRODUCTION

On or around June 4, 2013, Enforcement issued to the Licensee AVN No. 4R3152D, alleging the following violations of Title 66 RCW and/or Title 314 WAC:

> (That) on or around June 1, 2013, the Licensee or employee(s) thereof gave, sold or otherwise supplied liquor to a person under twenty-one (21) years of age, in violation of RCW 66.44.270(1); and
>
> (That) on or around June 1, 2013, the Licensee or an employee thereof was without the required Mandatory Alcohol Server Training (MAST) Permit, contrary to WAC 314-17-030.

Enforcement and the Licensee wish to enter into a settlement agreement concerning the above-referenced AVN.

II. AGREEMENT OF THE PARTIES

Enforcement and the Licensee agree to the following:

1. Enforcement and the Licensee enter into this Agreement to avoid the time and expense of further litigation.

2. The Licensee explicitly waives the right to further administrative review of all matters related to AVN No. 4R3152D. Furthermore, the Licensee hereby voluntarily withdraws his request for a hearing in this matter.

3. This Agreement constitutes the final written expression of all the terms of this Agreement and is a complete and exclusive statement of these terms.

4. The Licensee stipulates to the violations in AVN No. 4R3152D, to wit: Licensee stipulates that on or around June 1, 2013, the Licensee or employee(s) thereof gave, sold or otherwise supplied liquor to a person under twenty-one (21) years of age, in violation of RCW 66.44.270(1); and that on or around June 1, 2013, the Licensee or an employee thereof was without the required Mandatory Alcohol Server Training (MAST) Permit, contrary to WAC 314-17-030.

5. The Licensee admits that the above-referenced violation of RCW 66.44.270(1) is the Licensee's second violation of this type within a twenty-four (24) month period, for which the standard penalty is suspension of the Licensee's liquor license for seven (7) days.

6. The Licensee admits that the above-referenced violation of RCW WAC 314-17-030 is the Licensee's first violation of this type within a twenty-four (24) month period, for which the standard penalty is suspension of the Licensee's liquor license for five (5) days or a monetary penalty of five hundred dollars ($500).

7. The Licensee agrees to pay a monetary penalty of two thousand three hundred dollars ($2,300) within thirty (30) days of the date of the Final Order of the Board, no later than 4:00 p.m. on the applicable date, for the violations stipulated to in Section II, Paragraph 4. Payment shall be sent to:

Washington State Liquor Control Board
PO Box 43085
Olympia, WA 98504-3085

8. In the event that the Licensee fails to make the full payment of the monetary penalty on time, as set out and required by Section II, Paragraph 7, the Licensee shall be subject to a seven (7) day suspension of its liquor license for the violation of RCW 66.44.270(1); and a five (5)-day suspension for the violation of WAC 314-17-030, respectively; the dates of suspension to be determined by the Board.

9. The parties recognize that this Agreement is subject to approval by the Board.

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ATTORNEY GENERAL OF WASHINGTON
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100
(360) 664-9006

10. The undersigned parties declare that the terms of this Agreement are completely read, wholly understood, and voluntarily accepted for the purpose of making a full and final compromise and settlement of any and all violations arising from the above-referenced AVN.

ROBERT W. FERGUSON
Attorney General

#43921 — 12/24/13

MARISA E. BROGGEL, WSBA #41767 — DATE
Assistant Attorney General
Attorneys for Washington State
Liquor Control Board Education and
Enforcement Division

11/27/13

CARLOS ALBERTO ZUNIGA MARTINEZ — DATE
d/b/a LOS TACOS TUMBRAS

ATTORNEY GENERAL OF WASHINGTON
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100
(360) 664-9006

February 18, 2014

Carlos Alberto Zunigas-Martinez
d/b/a Los Tacos Tumbras
1325 W 2nd Ave
Spokane, WA 99201-4615

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

RE: ***AMENDED FINAL ORDER OF THE BOARD***
LICENSEE: Carlos Alberto Zunigas-Martinez
TRADE NAME: Los Tacos Tumbras
LOCATION: 1325 W 2nd Ave, Spokane, WA 99201-4615
LICENSE NO. 406525-4R
ADMINISTRATIVE VIOLATION NOTICE NO. 4R3152D
LCB HEARING NO. 24,842
UBI: 602-544-868-001-0003

Dear Parties:

Please find the enclosed Amended Final Order of the Board and Declaration of Service by Mail in the above-referenced matter, as well as a copy of the Stipulated Settlement Agreement. The order was amended to accommodate a request from the Licensee for payment arrangements. If you have any questions, please contact me at (360) 664–1602.

Sincerely,

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures

cc: Spokane Enforcement and Education Division, WSLCB
Jamie Marshall, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:	LCB NO. 24,842
CARLOS ALBERTO ZUNIGAS-MARTINEZ d/b/a LOS TACOS TUMBRAS 1325 W 2ND AVE SPOKANE, WA 99201-4615 LICENSEE LICENSE NO. 406525 AVN NO. 4R3152D	DECLARATION OF SERVICE BY MAIL

I certify that I caused a copy of the AMENDED FINAL ORDER OF THE BOARD 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 state offices, on the date below to:

CARLOS ALBERTO ZUNIGAS-MARTINEZ d/b/a LOS TACOS TUMBRAS 1325 W 2ND AVE SPOKANE, WA 99201-4615	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION ISAAC WILLIAMSON, ASSISTANT ATTORNEY GENERAL

DATED this 18th day of February, 2014, at Olympia, Washington.

Kevin McCarroll, Adjudicative Proceedings Coordinator

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