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

8 IN THE MATTER OF:

LCB NO. 24,842

9 CARLOS ALBERTO ZUNIGA MARTINEZ
10 d/b/a LOS TACOS TUMBRAS

FINAL ORDER OF THE BOARD
[PROPOSED]

11 1325 W. 2ND AVE.
12 SPOKANE, WA 99201

LICENSEE

13 License No. 406525
14 AVN NO. 4R3152D

15 THIS MATTER having come before the Washington State Liquor Control Board
16 (Board) and the Washington State Liquor Control Board Education and Enforcement Division
17 (Enforcement) by and through its attorneys, ROBERT W. FERGUSON, Attorney General, and
18 MARISA E. BROGGEL, Assistant Attorney General, and CARLOS ALBERTO ZUNIGA
19 MARTINEZ d/b/a LOS TACOS TUMBRAS (Licensee), and the parties having voluntarily
20 entered into a stipulated settlement agreement for case number 24,842, and the Board having
21 considered the Stipulated Settlement Agreement and Enforcement's Memorandum
22 recommending acceptance of the Stipulated Settlement Agreement, and the Board having had
23 the opportunity to review the file materials maintained in this case, now therefore:

24 IT IS HEREBY ORDERED that the Stipulated Settlement Agreement in the above
25 captioned case is adopted in its entirety; and the AVN for Case Number 24,842 is sustained.
26

1 Licensee shall pay two thousand, three hundred dollars (\$2,300.00) no later than thirty (30)
2 days after the date of the Final Order of the Board. **The payment shall be sent to:**

3 **Washington State Liquor Control Board**
4 **P.O. Box 43085**
5 **Olympia, WA 98504-3085**

6 In the event that the Licensee fails to make full and timely payment of the monetary
7 penalty, the Licensee shall be subject to a seven (7) day suspension of its liquor license for the
8 violation of RCW 66.44.270(1) and a five (5) day suspension of its liquor license for the
9 violation of WAC 314-17-030, the dates and time of which shall be set by the Washington
10 State Liquor Control Board.

11 DATED this 7 day of January, 2018.

12 WASHINGTON STATE LIQUOR CONTROL BOARD

13 Sharon Foster

14 Ruthann Kurose

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RECEIVED

DEC 26 2013

Liquor Control Board
Board Administration

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 24,842

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

STIPULATED SETTLEMENT
AGREEMENT

1325 W. 2ND AVE.
SPOKANE, WA 99201

LICENSEE

LICENSE NO. 406525
AVN NO. 4R3152D

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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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.

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

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

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

11 Payment shall be sent to:

12 **Washington State Liquor Control Board**
13 **PO Box 43085**
14 **Olympia, WA 98504-3085**

15 8. In the event that the Licensee fails to make the full payment of the monetary
16 penalty on time, as set out and required by Section II, Paragraph 7, the Licensee shall be
17 subject to a seven (7) day suspension of its liquor license for the violation of RCW
18 66.44.270(1); and a five (5)-day suspension for the violation of WAC 314-17-030,
19 respectively; the dates of suspension to be determined by the Board.

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

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Washington State
Liquor Control Board

January 8, 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: 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 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 applicable monetary penalty is due by Friday, February 7, 2014. If payment is not received timely, then suspension will take place from 11:00 a.m. on Thursday, February 27, 2014 until 11:00 a.m. on Tuesday, March 11, 2014.** If you have any questions, please contact me at (360) 664-1602.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin McCarroll".

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

DECLARATION OF SERVICE BY
MAIL

LICENSEE

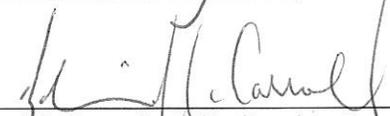
LICENSE NO. 406525
AVN NO. 4R3152D

I certify that I caused a copy of the 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 applicants and 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 8th day of January, 2014, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator