

**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

LCB NO. L-25,383

JAI SHRI RAM INC.  
d/b/a HIGHLINE CHEVRON  
23845 PACIFIC HWY S  
DES MOINES, WA 98198-8740

FINAL ORDER OF THE BOARD

LICENSE APPLICANT

LICENSE APPLICATION NO. 081570  
UBI NO. 603 356 855 001 0001

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

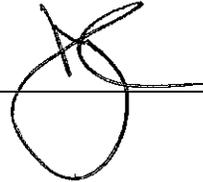
1. The Licensing Division of the Liquor Control Board issued a *Statement of Intent to Restrict on Liquor License*, dated December 8, 2014, in regard to an application for license assumption of a Beer/Wine Grocery Store liquor license;
2. Restrictions proposed by the Licensing Policy and Compliance Manager state that Devendra Malik is prohibited from having any involvement in the licensed business to include ownership, management, or employment. He is not prohibited from performing standard landlord duties;
3. No hearing request was received from the Applicant;
4. 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;

FINAL ORDER OF THE BOARD  
HIGHLINE CHEVRON  
LICENSE APPLICATION NO. 081570  
LCB NO. L-25,383

NOW, THEREFORE, IT IS HEREBY ORDERED that Board affirms the approval of the License Restrictions referenced in section 4 of the Statement of Intent to Restrict on Liquor License.

DATED at Olympia, Washington this 10<sup>th</sup> day of February, 2015.

WASHINGTON STATE LIQUOR CONTROL BOARD

  
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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).

**STATE OF WASHINGTON  
WASHINGTON STATE LIQUOR CONTROL BOARD**

In the Matter of Intent to Restrict for the  
privileges of a Grocery Store Beer/Wine  
from:

Jai Shri Ram, Inc  
Highline Chevron  
24131 94<sup>th</sup> Ave S  
Kent WA 98030

Location Address: 23845 Pacific Hwy S  
Des Moines WA 98198

License Application No. 081570  
UBI 603 356 855 001 0001

LCB No. 25,383

**STATEMENT OF INTENT TO  
RESTRICT ON LIQUOR LICENSE**

The authority of the Washington State Liquor Control Board in this proceeding is based on the provisions of Title 66 Revised Code of Washington (RCW) and Title 314 Washington Administrative Code (WAC).

**1. LICENSE HISTORY**

- 1.1 The applicant entity is a corporation consisting of two officers/stockholders, Desh Pal Singh and Manoj Kumar Sharma. Neither the applicant entity nor the principals have held a liquor license.

**2. SUMMARY OF RELEVANT FACTS**

- 2.1 Respondent applied for an assumption of the above Beer/Wine Grocery Store liquor license #081570 on July 29, 2014.
- 2.2 The current licensee at this location, Devendra (David) Malik is principal Desh Pal Singh's uncle and is leasing the real and business property to the respondent.
- 2.3 Devendra Malik has an extensive liquor license violation history at six current and seven previously licensed locations. This includes 20 Administrative Violation Notices (AVNs), 17 Written Warnings, 15 Verbal Warnings, and 5 Tobacco Violation Notices (TVNs).
- 2.4 On March 13, 2013, Shiva Partners LLC dba 7-Eleven #39638A applied for an assumption of the Beer/Wine Grocery Store liquor license #080806 held by Priyana Inc. The sole member of Shiva Partners LLC is Devendra's daughter, Priyana Malik.
- 2.5 On June 5, 2013, Shiva Partners LLC dba 7-Eleven #39639A applied for an assumption of the

Beer/Wine Grocery Store liquor license #081102 held by Mahadev Inc.

- 2.6 Devendra Malik is an officer in both Priyana Inc. and Mahadev Inc.
- 2.7 In November 2013, the Liquor Control Board (LCB) issued a "Statement of Intent to Deny Liquor License" for the above two applications based on suspicion of hidden ownership by Devendra Malik and failure to submit documents. Priyana Malik then filed requests for administrative hearings.
- 2.8 A Stipulated Settlement Agreement was reached on August 29, 2014. The agreement was to deny both of the applications with the stipulation that if the requests for hearings were withdrawn, and if the true parties of interest were disclosed when re-applying, the LCB would waive the one year waiting period to re-apply that is in WAC 314-09-010 (2)(b)(i). The Board issued its Final Order denying the applications on September 25, 2014. Priyana has since re-filed the applications under Shiva Partners LLC.

### **3. RELEVANT AUTHORITY AND CONCLUSIONS**

- 3.1 The facts outlined in paragraphs 2.2 through 2.8 constitute grounds for restriction of the liquor license application under the provisions of RCW 66.08.030 (12) where the power of the board to make regulations extends to prescribing the conditions, accommodations, and qualifications requisite for the obtaining of licenses to sell beer, wines and spirits, and regulating the sale of beer, wines and spirits thereunder.
- 3.2 The facts outlined in paragraphs 2.2 through 2.8 also constitute grounds for restriction under the provisions of RCW 66.24.010 (6) where every license issued under this section is subject to all conditions and restrictions imposed by this title or by rules adopted by the board.
- 3.3 The facts outlined in paragraphs 2.2 through 2.8 also constitute grounds for restriction under the provisions of WAC 314-07-015 (3) where in approving a liquor license, the board reserves the right to impose special conditions as to the involvement in the operations of the licensed business of any former licensees, their former employees, or any person who does not qualify for a liquor license.
- 3.4 Paragraphs 3.1 through 3.3 above each establish a separate and independently sufficient basis for restriction.

**4. REQUEST FOR INTENT TO RESTRICT**

The below-signed Compliance and Policy Manager of Licensing for the Washington State Liquor Control Board, having reviewed the Report on Application prepared by Licensing Specialist Angie Chamberlain on November 12, 2014, and based on those materials, having concluded as set forth above, seeks the restriction on the liquor license of Highline Chevron:

**Devendra Malik is prohibited from having any involvement in the licensed business to include ownership, management or employment.** He is not prohibited from performing standard landlord duties.

DATED this 8<sup>th</sup> day of December, 2014.



Sharon A. Hendricks, Compliance & Policy Manager  
Licensing & Regulation Division

The Washington State Liquor Control Board has a policy of providing equal access to its services.

This document was mailed to the following people:

Jai Shri Ram, Inc Highline Chevron 24131 94 <sup>th</sup> Ave S Kent WA 98030	City of Des Moines Mayor of Des Moines 21630 – 11th Avenue South DES MOINES WA 98198 6398
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Washington State  
Liquor Control Board

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February 11, 2015

Jai Shri Ram Inc.  
d/b/a Highline Chevron  
24131 94<sup>th</sup> Ave S  
Kent, WA 98030-4752

Sharon Hendricks,  
Policy and Compliance Manager  
WSLCB  
PO Box 43098  
Olympia, WA 98504-3098

RE: FINAL ORDER OF THE BOARD  
APPLICANT: Jai Shri Ram Inc.  
TRADE NAME: Highline Chevron  
LOCATION: 23845 Pacific Hwy S, Des Moines, WA 98198  
LICENSE APPLICATION NO. 081570  
LCB HEARING NO. L-25,383  
UBI: 603 356 855 001 0001

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 Statement of Intent to Restrict on Liquor License.

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 (3)

cc: Dora Duval, Licensing Manager, WSLCB  
Diana Peters, Enforcement Officer, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. L-25,383

JAI SHRI RAM INC.  
d/b/a HIGHLINE CHEVRON  
23845 PACIFIC HWY S  
DES MOINES, WA 98198-8740

DECLARATION OF SERVICE BY  
MAIL

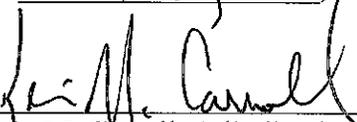
LICENSE APPLICANT

LICENSE APPLICATION NO. 081570  
UBI NO. 603 356 855 001 0001

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 electronic mail for WSLCB offices, and Campus Mail via Consolidated Mail Services for state offices on the date below to:

JAI SHRI RAM INC. d/b/a HIGHLINE CHEVRON 24131 94 <sup>TH</sup> AVE S KENT, WA 98030-4752	SHARON HENDRICKS, POLICY AND COMPLIANCE MANAGER, LICENSING DIVISION WSLCB
JAI SHRI RAM INC. d/b/a HIGHLINE CHEVRON 23845 PACIFIC HWY S DES MOINES, WA 98198-8740	

DATED this 11<sup>th</sup> day of February, 2015, at Olympia, Washington.

  
Kevin McCarroll, Adjudicative Proceedings Coordinator