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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

HAPPY MART, INC. d/b/a
SUPER 97 STORE

109 BROADWAY AVE. E.
SEATTLE, WA 98102

LICENSEE

UBI NO. 602 163 753 001 0003
TVN NO. 2D1298A

LCB NO. T-553

FINAL ORDER OF THE BOARD

~~[PROPOSED]~~

THIS MATTER having come before the Washington State Liquor Control Board (Board) and the Washington State Liquor Control Board Education and Enforcement Division (Enforcement) by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and MARISA E. BROGGEL, Assistant Attorney General, and the Licensee, HAPPY MART, INC. d/b/a SUPER 97 STORE (Licensee) by and through its representative YUNG HO HAN, and the parties having voluntarily entered into a Stipulated Settlement Agreement for Tobacco Violation Notice (TVN) No. 2D1298A, and the Board having considered the Stipulated Settlement Agreement and Enforcement's Memorandum recommending acceptance of the Stipulated Settlement Agreement, and the Board having had the opportunity to review the file materials maintained in this case, now therefore:

IT IS HEREBY ORDERED that the violation set forth in TVN No. 2D1298A, to wit: the Licensee or an employee(s) thereof sold, gave, or permitted to be sold or given, a tobacco product to a person under the age of 18 years, is sustained.

1 IT IS FURTHER ORDERED that the Licensee shall pay a total monetary penalty of
2 one hundred eighty dollars (\$180) for the above-referenced violation. The Licensee shall pay
3 the monetary penalty within thirty (30) days of the date of the Final Order of the Board. All
4 payments shall be sent to:

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

7 In the event the Licensee fails to make a full and timely payment, the Licensee shall pay a
8 monetary penalty of three hundred dollars (\$300).

9 DATED this 14th day of FEBRUARY, 2012.

11 WASHINGTON STATE LIQUOR CONTROL BOARD

12 Sharon Foster

13 Ruthanne Alvarez

14 John M. [Signature]

25 HAPPY MART, INC.
26 d/b/a SUPER 97 STORE
T-553
UBI: 6021637530010003

RECEIVED

FEB 10 2012

Liquor Control Board
Board Administration

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

9 IN THE MATTER OF:

LCB NO. T-553

10 HAPPY MART, INC. d/b/a
11 SUPER 97 STORE

STIPULATED SETTLEMENT
AGREEMENT

12 109 BROADWAY AVE. E.
13 SEATTLE, WA 98102

LICENSEE

14 UBI NO. 602 163 753 001 0003
15 TVN NO. 2D1298A

16 The Washington State Liquor Control Board Education and Enforcement Division
17 (Enforcement) by and through its attorneys ROBERT M. MCKENNA, Attorney General, and
18 MARISA E. BROGGEL, Assistant Attorney General, and the Licensee, HAPPY MART, INC.
19 d/b/a SUPER 97 STORE (Licensee) by and through its representative YUNG HO HAN,
20 hereby enter into this stipulated settlement agreement for Liquor Control Board Case T-553.

21 **I. INTRODUCTION**

22 1. The Washington State Liquor Control Board Education and Enforcement
23 Division (Enforcement) issued Tobacco Violation Notice (TVN) No. 2D1298A on or around
24 October 27, 2011, to the above-named Licensee, specifying the following violation of the
25 Washington State Liquor Board rules and regulations:
26

STIPULATED SETTLEMENT
AGREEMENT
HAPPY MART, INC. d/b/a
SUPER 97 STORE
T-553

1

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

ORIGINAL

1 That on or around October 9, 2011, the above-named Licensee, and/or
2 employee(s) thereof, sold, gave, or permitted to be sold or given, a tobacco
product to a person under the age of eighteen (18), contrary to RCW 26.28.080.

3 2. Enforcement and the Licensee wish to enter into a settlement agreement
4 concerning the above-referenced TVN.

5 II. AGREEMENT OF THE PARTIES

6 Enforcement and the Licensee agree to the following:

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

9 2. The Licensee explicitly waives the right to further administrative review of all
10 matters related to this violation and the Licensee hereby voluntarily withdraws its request for a
11 hearing on this matter.

12 3. The Licensee admits to the violation in the above-referenced TVN; that is, on or
13 around October 9, 2011, the above-named Licensee, or an employee(s) thereof, sold, gave, or
14 permitted to be sold, a tobacco product to a person under the age of 18 years, contrary to
15 RCW 26.28.080.

16 4. The Licensee acknowledges that the above-referenced TVN is the Licensee's
17 second violation within a two-year period for selling, giving, or permitting to be sold or given,
18 a tobacco product to a person under eighteen (18) years of age; further, the Licensee
19 acknowledges that the standard penalty for a second violation within a two-year period for
20 selling, giving, or permitting to be sold or given, a tobacco product to a person under eighteen
21 (18) years of age, is a three hundred dollar (\$300) monetary penalty, pursuant to
22 RCW 70.155.100.

23 5. The Licensee agrees to pay a total monetary penalty of one hundred eighty
24 dollars (\$180) for the above-referenced violation. This amount shall be paid within thirty (30)
25 days of the date of the final order of the Washington State Liquor Control Board. Payment
26

1 shall be made to the Washington State Liquor Control Board no later than 4:00 p.m. on the
2 applicable date. Payment shall be sent to:

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

5 6. The Licensee acknowledges that failure to make a full and timely payment of
6 the penalty as required in Section II, Paragraph 4, will result in imposition of the standard
7 penalty of three hundred dollars (\$300).

8 7. The parties recognize that this settlement agreement is subject to approval by
9 the Washington State Liquor Control Board.

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

14 ROBERT M. MCKENNA
15 Attorney General

16 
17 MARISA E. BROGGEL, WSBA#41767
18 Assistant Attorney General
19 Attorneys for Washington State
20 Liquor Control Board Education
and Enforcement Division

Dated: 2/7/2012

21 
22 YUNG HO HAN
23 for Happy Mart, Inc.
24 d/b/a Super 97 Mart, Licensee

Dated: 02/02/12



**Washington State
Liquor Control Board**

February 15, 2012

Yung Ho Han
Happy Mart, Inc.
d/b/a Super 97 Store
30036 34th Ave S
Auburn, WA 98001-2224

Marissa 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*
Licensee: Happy Mart, Inc.
Trade Name: Super 97 Store
Location: 109 Broadway E, Seattle, WA 98102
LCB No. T-553
Tobacco Violation Notice No. 2D1298A
License/UBI: 6021637530010003

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, as well as a copy of the Stipulated Settlement Agreement.

The applicable monetary penalty is due by March 19, 2012. The address for payments is WSLCB, P.O. Box 43085, Olympia, WA 98504-3085. Please 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,

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (3)

cc: Tukwila and Seattle Enforcement and Education Divisions, WSLCB
Teresa Young, Tobacco Violations Coordinator, 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 HAPPY MART, INC.
6 d/b/a SUPER 97 STORE
7 109 BROADWAY E
8 SEATTLE, WA 98102-5711

9 LICENSEE

10 UBI NO. 6021637530010003
11 TVN NO. 2D1298A

LCB NO. T-553

DECLARATION OF SERVICE BY
MAIL

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; by Campus Mail for the Office of
15 Attorney General, on the date below to:

16
17 YUNG HO HAN
18 HAPPY MART, INC.
19 d/b/a SUPER 97 STORE
20 30036 34TH AVE S
21 AUBURN, WA 98001-2224

OFFICE OF THE ATTORNEY GENERAL
MAIL STOP 40100
MARISSA E. BROGGER, ASSISTANT
ATTORNEY GENERAL, GCE DIVISION

22 YUNG HO HAN
23 HAPPY MART, INC.
24 d/b/a SUPER 97 STORE
25 109 BROADWAY E
26 SEATTLE, WA 98102-5711

23 DATED this 15th day of February, 2012, at Olympia, Washington.

Kevin McCarroll, Adjudicative Proceedings Coordinator

DECLARATION OF SERVICE BY
MAIL

1

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