

Mailing Date: SEPT 25 2009

COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF ADMINISTRATIVE LAW JUDGE  
FOR THE PENNSYLVANIA LIQUOR CONTROL BOARD

PENNSYLVANIA STATE	:	
POLICE, BUREAU OF	:	Citation No. 09-0776
LIQUOR CONTROL ENFORCEMENT	:	
	:	Incident No. W01-390394
v.	:	
	:	LID - 57424
WANG RU QIANG LLC	:	
1100-34 S 11 <sup>th</sup> ST UNIT 3A	:	
PHILADELPHIA PA 19147-4602	:	
	:	
PHILADELPHIA COUNTY	:	
LICENSE NO. R-AP-SS-EHF-8998	:	

JUDGE SHENKLE  
BLCE COUNSEL: James Dailey, Esq.  
LICENSEE: no appearance

**ADJUDICATION**

**BACKGROUND:**

The Bureau of Liquor Control Enforcement of the Pennsylvania State Police issued this citation on April 7, 2009. The citation alleges that Licensee violated §§491(1), 492(2) and 493(16) of the Liquor Code, 47 P.S. §§4-491(1), 4-492(2) and 4-493(16), on March 7, 2009, by selling alcoholic beverages after its Restaurant Liquor License expired on October 31, 2008, and had not been renewed and/or validated.

At the hearing scheduled for July 21, 2009, in Plymouth Meeting, Pennsylvania, there was no appearance for the Licensee; therefore, the case was heard *ex parte*.

**FINDINGS OF FACT:**

1. The Bureau investigated Licensee during the period March 4 through March 11, 2009, and sent written notice of the results of its investigation to the licensed premises by certified mail on March 24, 2009 (N.T. 10-13, Exhibit B-1).
2. This citation was mailed to Licensee on April 7, 2009 (N.T. 12-13, Exhibit B-2).
3. A Notice of Hearing was mailed to Licensee on June 5, 2009.
4. Liquor enforcement officers purchased alcoholic beverages in the licensed premises on March 7, 2009 (N.T. 4-9).
5. This license had expired on October 31, 2008, and Licensee did not have authority to operate on March 7, 2009 (Exhibit B-3).

CONCLUSIONS OF LAW:

Sustained as charged.

PRIOR RECORD:

Licensee has been licensed since September 5, 2007, and has had no prior violations.

PENALTY:

Section 471 of the Liquor Code, 47 P.S. §4-471, prescribes a penalty of license suspension or revocation or a fine in the \$1,000.00 to \$5,000.00 range, or both, for violations of the type found in this case.

ORDER

THEREFORE, it is hereby ORDERED that Licensee, Wang Ru Qiang, LLC, License No. R-AP-SS-EHF-8998, shall pay a fine of one thousand dollars (\$1,000.00) within 20 days of the mailing date of this order. In the event the fine is not paid within 20 days, Licensee's license will be suspended or revoked. Jurisdiction is retained.

Dated this 2<sup>ND</sup> day of SEPTEMBER, 2009.



David L. Shenkle, J.

jb

**NOTICE: MOTIONS FOR RECONSIDERATION CANNOT BE ACTED UPON UNLESS THEY ARE IN WRITING AND RECEIVED BY THE OFFICE OF ADMINISTRATIVE LAW JUDGE WITHIN 15 DAYS AFTER THE MAILING DATE OF THIS ORDER, ACCOMPANIED BY A \$25.00 FILING FEE.**

Detach Here and Return Stub with Payment

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The fine must be paid by cashier's check, certified check or money order. Personal and business checks are not acceptable unless bank certified. Please make your guaranteed check payable to the Commonwealth of Pennsylvania and mail to:

PLCB-Office of Administrative Law Judge  
Brandywine Plaza  
2221 Paxton Church Road  
Harrisburg PA 17110-9661