

STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

IN THE MATTER OF

Maria Campos, Applicant
Keila's Cafe, LLC, Backer
Liquor Permit No. LCA.6959
Docket No. 09-149

Case No. 2008-12346
February 5, 2009

MEMORANDUM OF DECISION

This matter involves a new application for a café liquor permit for Keila's Cafe, 379 Capitol Avenue, Hartford, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection on February 5, 2009, at which time Julio Robles appeared on behalf of the applicant, his mother, Maria Campos, and his wife, Keila Robles, a member of the backer limited liability company. The hearing was held in accordance with Section 30-39(c), Connecticut General Statutes, as a result of a legally sufficient remonstrance questioning the suitability of the proposed location. Remonstrants appeared on behalf of the remonstrance to oppose the application.

Based upon the evidence adduced at the hearing, we find the following facts: Liquor Control Agent Anderson conducted a thorough investigation in connection with the application and the remonstrance filed in opposition to the application; he verified that at least ten remonstrants were residents of Hartford and over the age of 18 years. There is proper zoning approval for a café liquor permit. Agent Anderson

did an on-site inspection and spoke with the applicant and the agent for the remonstrants who expressed concerns about noise, litter and people hanging out in front of the proposed location. Agent Anderson found nothing questionable about the applicant or the proposed location based upon his investigation. The prior permit has lapsed and the location is currently closed. Remonstrants described prior incidents of lawlessness outside the premises in the later evening hours. Beer bottles were found on the sidewalk outside the location. The prior owner and his employees did little to maintain order.

Mr. Robles managed the premises for a period of time before the prior permit lapsed. He instituted strict rules requiring patrons to present age identification prior to entering. He did not tolerate smoking inside this location. As a safety measure, he served beer in plastic cups rather than glass bottles on Friday and Saturday nights. He intends to operate this location in a responsible manner.

Based upon the substantial evidence presented, we find the location and the applicant to be suitable for a café liquor permit. The determination of factual matters with regard to the suitability of the location of proposed liquor permit premises is vested with the Liquor Control Commission. Brown v. Liquor Control Commission, 176 Conn. 428, 407 A.2d 1020 (1973).

Accordingly, we hereby deny the remonstrance and grant the final café liquor permit to Maria Campos and Keila's Café, subject to the agent's final requirements.

**DEPARTMENT OF CONSUMER PROTECTION
LIQUOR CONTROL COMMISSION**

BY:

Elisa A. Nahas, Esq.
Presiding Officer

Parties:

Brendan Mahoney, Agent for Remonstrants, 160 Fairfield Avenue,
Hartford, CT 06114

Nonparties:

John Suchy, Director, Liquor Control Division
Connecticut Beverage Journal, 2508 Whitney Ave., P.O. Box 185159,
Hamden, CT 06518
Connecticut State Library, 231 Capitol Avenue, Hartford, CT 06106