



**DECISION OF THE  
GENERAL MANAGER  
LIQUOR CONTROL AND LICENSING BRANCH**

IN THE MATTER OF

A hearing pursuant to Section 20 of

***The Liquor Control and Licensing Act, R.S.B.C. 1996, c. 267***

Licensee: Palomino's The Rock'n Horse Cabaret Ltd.  
dba Evolution  
502 Discovery Street  
Victoria, BC V8T 1G8

Case: EH06-018

For the Licensee: Peter K. Jones

For the Branch: Shahid Noorani

Enforcement Hearing Adjudicator: Sheldon M. Seigel

Date of Hearing: April 4, 2006

Place of Hearing: Victoria, BC

Date of Decision: April 27, 2006

## **INTRODUCTION**

The licensee owns and operates a nightclub in Victoria, B.C. The establishment is known as Evolution. It holds Liquor Primary Licence No. 167968.

The Victoria Police Department, along with the Liquor Control and Licensing Branch (the branch) and the Victoria Bylaw Office initiated a project on the business days of September 30, 2005, and October 14, 2005, to determine if minors in the community were being served liquor in licensed establishments in the City of Victoria.

The project consisted of the use of a 17-year-old female, a 20-year-old female auxiliary police officer, and a plain-clothes undercover police team. The 17-year-old and the 20-year-old attempted to gain entry to liquor primary establishments and sought to be served liquor, while the police team provided support.

The branch issued a Notice of Enforcement Action (NOEA) for supplying liquor to a minor contrary to Section 33 of the *Liquor Control and Licensing Act* (the *Act*).

## **ALLEGED CONTRAVENTIONS**

On October 15, 2005, the licensee allegedly contravened Section 33 of the *Act* by supplying liquor to a minor as set out in the NOEA, contravention #B007049.

## **RELEVANT STATUTORY PROVISIONS**

*Liquor Control and Licensing Act*, R.S.B.C. 1996, c.267

Section 33(1) A person must not

(a) sell, give or otherwise supply liquor to a minor

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**ISSUES(S)**

1. Did the licensee supply liquor to a minor?
2. Did the licensee exercise due diligence in its activities such as to excuse it from a finding of contravention?
3. If the contravention is proven, is a penalty appropriate in the circumstances, and if so, what is the appropriate penalty?

**EXHIBITS**

Exhibit No. 1	Branch's Book of Documents
Exhibit No. 2	Photocopy of four pieces of identification (the branch)
Exhibit No. 3	Photocopy of rear of driver's license shown in Exhibit No.2 (the branch)
Exhibit No. 4	Procedures Manual (the licensee)

**PRELIMINARY MATTERS**

The branch requested that the identity of the minor not be disclosed publicly during these proceedings in the interest of her security.

I ruled that all reference to the minor would be by her initials only, both during the process and in all written documentation relating to the process.

The licensee sought a dismissal of the allegation on the following grounds:

[1] There has been no alleged contravention of permitting a minor into the establishment, yet in the [Branch's summary of evidence] there is reference to the manner in which the identification of the alleged minor was verified. It is my submission that a reasonable assumption can be made that [the Branch] by not pursuing permitting a minor into the

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establishment acknowledges that the establishment exercised due diligence in verifying the identification of the alleged minor. [2] It is common knowledge, and accepted practice with Liquor Primary Establishments operating as cabarets, that identification is checked by door staff in a well-lighted area at the entrance to the cabaret to ensure that minors do not gain access. This was the circumstance in this case as noted in summary of evidence in the NOEA. The interior lighting of cabarets is subdued. To determine if a patron in the cabaret appears to be under the age of 25 being the age to check identification as identified in the [Guide] is realistically not practical due to the subdued lighting. Accordingly, the reliance is on the door staff to check identification.

[3] There has to be a progression of events, or what is sometimes referred to as a connection of dots, that lead to the alleged contravention. In this case, the identification of the alleged minor was verified, found to be acceptable, and permitted into the cabaret. Once inside the cabaret, no further check of identification was necessary and liquor would be supplied.

I denied the application and ruled that the hearing would proceed. I advised that written reasons for the denial of the application would be provided in the decision.

The licensee submitted that by not alleging a contravention for allowing a minor into the licensed premise, the branch acknowledged that the licensee exercised due diligence. I find that this argument has no merit. The general manager is authorized by the *Act* to take enforcement action for alleged contraventions of the *Act* or *Regulation*, in her discretion. There is no basis in law for concluding that one enforcement action implies acknowledgement of anything relating to another potential allegation. Further, due diligence is a defence, which if successful is a complete answer to an allegation of a contravention under the *Act* or *Regulation*. It must be proven on the evidence and does not operate to interfere with the general manager's right to proceed with enforcement action in any manner in which she is authorized.

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The licensee submitted that the minor's identification was checked at the door where the lighting was adequate for that purpose, and that once inside the establishment the subdued lighting made further ID checks impractical. The licensee's representative argued: "Once inside the cabaret, no further check of identification was necessary and liquor would be supplied." This is clearly wrong. It is a contravention to serve alcohol to a minor. It is also a contravention to fail to ask for prescribed identification for anyone appearing under the age of 25 years. This obligation is not discharged by passing the door screening. It is well-established law that each and every employee of the licensee who comes into contact with a minor or a person appearing under the age of 25 years has a continuing obligation on behalf of the licensee to refuse service, check identification, or remove a minor from the premise.

The representative of the licensee further submitted that the branch had in its possession a 5"X7" photograph of the minor, which was taken on the day of the alleged contravention. He indicated that he was allowed to view the photograph but was denied a copy of it. He wanted a copy in order to hire an expert artist or to use a "photo-shop" type software program to modify the photograph to show that with some modifications to the minor's appearance, she might reasonably resemble the picture ID that she presented at the door. This would, argued the licensee, show that the appearance of the minor as presented at the establishment could coincide with an older photograph taken for a driver's licence at some point in the past. The licensee submitted that the denial of the right to a copy of this photograph denied it an opportunity to mount a proper defence.

The branch responded to this application by advising that it did not seek to use the photograph in the hearing in order to protect the identity of the minor.

I find that this application was ill timed. No evidence had yet been presented by the branch. If the branch were to ask that such a photograph be entered into

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evidence as an exhibit, it would be procedurally open for the licensee's representative to raise an objection at that time.

An enforcement hearing adjudicator has no jurisdiction to dismiss an allegation of contravention, or to terminate an enforcement process prior to or without a hearing. An enforcement hearing adjudicator is a delegate of the general manager for the purposes of conducting and adjudicating upon allegations of contravention, and some specific licensing functions. This jurisdiction is not inherent, but granted by the general manager. An enforcement hearing adjudicator has no authority to dismiss an allegation of contravention or to terminate an enforcement process without or prior to a *viva voce* hearing, or in some cases a hearing by written submissions.

## **EVIDENCE**

The branch called a constable with the Victoria Police Department (VPD). He testified as follows:

- He is the operations officer for the VPD. In particular, he is responsible for operations involving bars, crowd issue, and liaison with liquor establishments.
  - He is the director of the relevant ID check police project.
  - He spent some time looking for a suitable minor who was physically and emotionally able to participate in a program such as this.
  - He chose the minor identified as MK.
  - He met with MK and her parents and all agreed to enter into a service contract.
  - He sorted through many packages of identification at the police department, looking for one that did not resemble MK in any way.
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- He found a package of ID that described an individual physically very different from MK. The physical descriptors hair colour, eye colour, size, weight, and age, were completely different.
  - He wanted to make it "super easy for them to catch her." Exhibit No. 2 is a copy of that ID.
  - Exhibit No. 3 is a copy of the reverse side of the driver's license in Exhibit No. 2.
  - Four officers were trained for this project. The goal was to ensure the safety of MK and a "handler". MK's role was to present the "false ID" and attempt to gain entrance to the establishment. Once inside, MK would attempt to be served liquor.
  - The handler is a police reservist.
  - On October 14, 2005, he met with the four-trained officers, MK and the handler, at the police station for a briefing.
  - He gave the package of ID to MK.
  - MK was to use that package of ID to attempt to gain access and service in seven establishments that night.
  - The ID was collected from her at the end of the night.
  - Notes from MK and the handler were also collected at the end of the night. Those notes were identified in Exhibit No. 1.
  - MK was given no opportunity to practice the signature of the false ID.
  - Evolution was checked at 12:15 a.m. on October 15, 2005.
  - There has been no Licensed Premise Check (LPC) issued to Evolution in the past two years for permitting minors in the establishment or supplying liquor to minors.
  - MK was allowed entry to eleven of the twelve establishments she visited on the two dates of the project.
  - The interior of the establishment is less well lit than the area near the front door.
  - Once inside it is harder to determine ones age than in the well-lit area outside the door.
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The branch called MK. She testified as follows:

- Her birth-date is <sup>[1]</sup>, 1988. She was 17 on October 15, 2005.
- She has brown eyes, is 180 cm or 5'11" in height and was 170 lbs.
- Her hair is brown with blonde streaks. On October 15, 2005, she looked as she does now. Her hair colour and style are the same. She is dressed similarly.
- She worked with the VPD on contract on October 15, 2005.
- Her job was to go into a bar with a handler to see if they checked her ID properly and to see if they checked ID when she ordered drinks.
- She attended twelve establishments as part of this project on two occasions.
- She was provided with the false ID by the Victoria Police Department.
- There were four pieces of ID including Drivers Licence, CareCard, Social Insurance Card and a Bank Card.
- She had no other ID with her on those occasions.
- She confirmed Exhibit No. 2 and Exhibit No. 3 are copies of the ID that she was given.
- On October 14, 2005, she met with the handler and the police team at the police station and then went out to seven bars.
- She attended Evolution at 12:15 a.m. on October 15, 2005.
- There were two bouncers at the door. One of them asked to see her ID and looked at her driver's licence. He did not turn it over or ask that she take it out of her wallet.
- The bouncer asked her no more questions.
- The handler paid the cover charge for both of them and they went inside.
- They went to the bar and MK ordered two Corona beers.
- The bartender handed them two beers and MK paid.
- He did not ask for identification.

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<sup>[1]</sup> Personal information severed pursuant to the Freedom of Information and Protection of Privacy Act.

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- They sat at a table but did not drink from the beer.
- They danced and then left soon after.
- She was refused entry at only one of the twelve establishments. At that establishment, the doorman turned over her ID and compared her physical descriptors. He refused her entry.
- She identified her and the handler's notes in Exhibit No. 1, relating to Evolution.

The branch called the handler. She testified as follows:

- Her birthday is <sup>[2]</sup>, 1984.
- She is employed with the police department as a reservist and by contract.
- She has experience working for the branch as an agent regarding under-age identification checking and has been trained by the branch.
- On October 15, 2005, she was working with the police as a handler for MK in a project designed to report on liquor licensee's practices of checking the identification of minors.
- She accompanied MK because MK was a minor. She also reported on ID checks on herself.
- She started the shift on October 14, 2005, at the Victoria police station where there was a briefing.
- MK was given false ID and photos were taken of both of them.
- She identified Exhibit No. 3 and Exhibit No. 4 as copies of the false ID.
- MK looked the same then as she does today.
- They arrived at Evolution at 12:15 a.m.
- The doorman asked for ID from both of them and MK produced the false ID.
- They were both admitted after the handler paid the cover charge for both of them.

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<sup>[2]</sup> Personal information severed pursuant to the Freedom of Information and Protection of Privacy Act.

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- They sat briefly with undercover officers and then MK and she went to the bar.
- MK ordered two beers.
- The bartender did not ask any questions, but handed MK the beers. MK paid for them.
- They sat at the table with the officers for a couple of minutes and then left the establishment.
- They went to a police car and made notes.
- She identified her notes and MK's notes in Exhibit No. 1.
- MK was denied entry at one of the twelve bars they visited. At that place, the doorman asked MK to take the false ID out of her wallet and looked at the photo of MK. He asked if she was wearing contact lenses. She said no and was denied entry.

The branch called the compliance and enforcement officer (C & E officer). He testified as follows:

- He has been a C & E officer for two years. He is responsible for the area in which Evolution is situated.
  - Issues involving minors and over-service are important public safety concerns to the branch.
  - Minors are not seasoned or knowledgeable about alcohol consumption.
  - He had knowledge of the project in which MK and her handler were participating.
  - He contacted the establishment that had refused entry to MK that same night, and ascertained that the doorman believed the ID did not look like MK at all.
  - He issued a Contravention Notice to Evolution on November 10, 2005.
  - He met with the principal of Evolution and discussed training with the doorman and bartender who were on duty on October 15, 2005.
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- He was advised as to the current policies in place, and that there were to be more policies put in place in the future and new training implemented.
- He was advised about the training available to the employees of Evolution and he made notes on these discussions. He identified his notes in Exhibit No. 1.
- He was not satisfied that due diligence was exhibited by what he was told, such as to cause him to change his mind about pursuing enforcement action.
- He identified Exhibit No. 4 as the new training manual put in place sometime after October 2005.
- He agreed that part of the decision process in determining whether to proceed to enforcement action may include the history of compliance and the enforcement record of the establishment.
- He chose to pursue enforcement action because of the severity of the incident and the public safety risks.
- The initial LPC notice indicated two alleged contraventions; permitting a minor on the premises and supplying alcohol to a minor. The branch decided not to pursue one due to duplication of penalty.
- Eleven of the twelve establishments allowed the minor entry and served her. Ten of the eleven were charged with supplying liquor to a minor.
- Since 2004, he has not pursued enforcement action for permitting a minor in a licensed establishment.
- He identified all of the administrative and relevant documents in Exhibit No. 1.

The licensee called the principal of the licensee. He testified as follows:

- He has been the owner of Evolution for eight years, and its predecessor for two years more.
  - He has a long history in the liquor industry.
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- During his ownership of Evolution, he was not approached by the police for any issues of consequence.
- He participated in a Downtown Victoria Task Force in the past.
- His staff was questioned by the liquor compliance and enforcement officer during business hours, and no advance notice was given.
- The bartender and the doorman have extensive training.
- There was a manual in place before the new one that was created after October 15, 2005. The old one was not dated, "but it was years ago- not weeks ago."
- "I am responsible for training and hiring. The doorman is the first line of defence. I feel that is important. If the doorman fails to check ID it poses the risk that minors can get in and get liquor. The minor is not checked inside as it is assumed that the minor was checked at the door. If someone was ordering a drink, the bartender would only... or the serving staff would only ask for ID under extenuating circumstances. It should have been checked at the door."
- He identified tabs 14 and 16 of Exhibit No. 1 as being a past Contravention Notice for Evolution for minors in premises with false ID, and a Compliance Meeting regarding checking ID. The commitments indicated at tab 16 are in his handwriting.

This witness read from notes written by the doorman and the bartender as to what was discussed with the C & E officer during the "business hours" meeting. These notes attested to more significant training and policies in place than those indicated by the C & E officer as a result of the same discussions.

## **SUBMISSIONS**

The branch submitted that MK was a minor, was served liquor and that there was no lawful excuse for so doing. The branch also submitted:

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- MK's physical description did not match the descriptors on the identification that she produced and she was allowed entry with no questions regarding those discrepancies.
- The doorman was not called to speak to what took place on entry. I can therefore only consider the evidence of MK and the handler as to the steps taken at the door of the establishment leading up to the entry of the minor.
- Due diligence has not been established as there were inadequate policies and training in place for employees as of October 15, 2005.
- The penalty sought is the minimum for a first contravention and is appropriate on the facts.

The licensee submitted:

- As the branch did not pursue enforcement action for permitting the minor in the establishment, the branch acknowledged that due diligence was established when the doorman checked for identification.
  - People can change their appearance. The doorman acted reasonably by asking for identification and looking at it. It was not unreasonable to conclude that the person presenting the ID was the same person as that described in the ID. The driver's licence was more than one year old at the time it was used to gain entry to the club.
  - One cannot reasonably say that an establishment must have a well-lit area and ask for ID as a first line of defence and then depend on staff to determine again, in dim lighting, if someone is under the age of 25.
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- It is contrary to the principles of hospitality that one should have to continually ask for ID after a person has passed the first line of defence. "They passed the first line of defence and therefore were quite within their realm to serve liquor to this minor as the test had been passed."
- "There was a meeting, but not a Compliance Meeting. The licensee was not allowed a Compliance Meeting to determine whether the matter should proceed to a hearing." Therefore, the branch did not follow proper process.
- It is inappropriate for the C & E officer to question staff at the establishment during business hours. His notes about the discussions are not accurate and the licensee's statements from the employees as read into evidence are more reliable.
- "The licensee is a good character facing a serious suspension equivalent to \$30,000 gross revenue lost and staff laid off for four days. This has impact on the staff too. The higher degree of the impact of the penalty, so the care awarded to giving it." The penalty, if any, should be the minimum monetary penalty of \$5,000.

## **ANALYSIS AND DECISION**

### The Contravention

The alleged contravention is one of supplying liquor to a minor. The evidence that MK was at all relevant times a minor and that the bartender supplied her with liquor in the licensed establishment during the normal course of business were not disputed. I find that the contravention has been proven.

Much evidence and argument was submitted relating to the identification checked and used to gain entry at the front door of the establishment. While this

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might speak to issues relating to a defence of due diligence, it does not address the components of the contravention on the facts.

The representative of the licensee submitted that it is an offence to allow minors in to a licensed establishment, so once inside there is no continuing obligation to check for identification. In support of his theory, he cited the lighting requirements at the door and the traditional "dim" lighting of the interior of a cabaret. This proposition is simply wrong in law. It is contrary to the *Act* to provide liquor to a minor. The fact that an establishment has allowed a minor entry does not affect in any way the establishment's continuing obligation to refuse to serve a minor or to check for identification as prescribed if the individual appears to be under the age of 25.

The bartender had an obligation to ask for prescribed identification if the individual appeared under the age of 25. I find on the evidence that MK did appear under the age of 25.

The bartender had an obligation to refuse service to a minor. I find that the bartender did supply liquor to a minor.

The representative of the licensee submitted that once the minor had gained entry to the establishment, the licensee was "...quite within their realm to serve liquor to this minor..." This statement offends the language and principles of the *Act* and *Regulation* and indeed the goals of public safety for which the legislation was designed.

The licensee submitted that it is unreasonable to expect staff to determine "in dim lighting that someone appears under the age of 25". The licensee is the master of his domain. The law requires precisely this determination. If the discharge of the licensee's legal duty is inhibited by the licensee's choice of lighting, then the licensee will be held accountable for the results.

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## The Process

The representative of the licensee made much of the fact that the branch chose not to pursue enforcement of the allegation of permitting a minor in a licensed establishment. He argued that by choosing not to pursue enforcement of this allegation, the branch had somehow exonerated the licensee from responsibility for allowing the minor entry. I can see no relevance to this argument. The general manager of the branch has complete discretion as to when and what enforcement action to take. While her actions may be considered in an enforcement hearing from the standpoint of the tenets of administrative law and procedural fairness, an enforcement adjudicator has no jurisdiction to evaluate the methodology or motivation of the general manager in choosing to pursue enforcement action. It is contrary to the *Act* to permit a minor to enter a licensed establishment without lawful reason. The act of so doing cannot be interpreted to be sanctioned by the branch because of a lack of enforcement action.

The representative of the licensee also submitted that it was procedurally unfair for the general manager to pursue enforcement action because the licensee had no history of proven contraventions. As I have already indicated, an adjudicator lacks the jurisdiction to second-guess the actions of the general manager in deciding upon enforcement action. Further, the licensee has provided no authority to support its proposition that a history of proven contraventions is necessary or even useful when deciding to pursue enforcement action.

The licensee argued that although the branch met with the licensee regarding the alleged contravention, this was not characterized as a formal Compliance Meeting and therefore the licensee was denied an opportunity to convince the C & E officer that enforcement action should be discontinued. I disagree. The evidence discloses that the C & E officer used appropriate resources and information to arrive at a conclusion that supported his recommendation to the general manager. The representative of the licensee provided no evidence to

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support the proposition that the meeting was any less valuable than a Compliance Meeting, and no authority to suggest that there is any requirement for a formal Compliance Meeting.

### Due Diligence

Due diligence is a complete defence to the allegations if established on the evidence. I find that there is little credible evidence of any diligence on the part of the licensee. The defence fails.

The matter has been clouded somewhat by the insistence of the representative of the licensee that once the minor had passed the front door and been allowed entry to the establishment, the licensee was freed of any responsibility to monitor its service to the minor. I have decided above that this proposition is incorrect. Due diligence must be established at the site of the contravention.

I find that the bartender served the minor without consideration of her age or identity. I find that she looked younger than 25 years old and as such, the bartender was obligated to check identification as prescribed by the *Regulation*. She was 17 years of age, and carrying ID that did not match her observable physical characteristics. She was not asked for ID by the bartender and she was provided with liquor.

I find that this licensee cannot escape responsibility for the contravention by any reference to appropriate training or policies in place in the establishment. In this regard, I accept the testimony of the C & E officer, given under affirmation, as credible evidence of the state of knowledge of the employees. I do not accept the hearsay evidence put forth by the licensee as to the differing recollections of the employees. The licensee chose not to call those witnesses- notwithstanding advance notice of contrary evidence.

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The representative of the licensee submitted that due diligence was exhibited by the doorman in evaluating the false ID in the possession of the minor. I have already decided that the events at the door are not the events in issue in this hearing. Although the central issue occurs at the bar, the licensee's argument might be interpreted as a submission that the doorman's actions are indicative of the licensee's due diligence in refusing entry to minors. The licensee argued that eleven of the twelve licensed establishments allowed the minor entry after producing false identification. He submitted that those numbers suggest that it was reasonable to allow her entry to the bar. Again, I disagree. The doorman did not turn over the false driver's licence to review the physical descriptors listed thereon. He did not question her about her hair colour. He did not ask her to produce a signature. He did not quiz her about her birth date or birthplace. I find that even the doorman did not exercise due diligence or demonstrate appropriate training or experience in the discharge of his duties.

Most importantly, the licensee's misunderstanding of the requirements of the liquor licence as demonstrated by his own testimony, eliminates any chance of establishing due diligence with respect to the continuing obligations of the licensee and its staff in regard to minors in the establishment. He said:

I am responsible for training and hiring. The doorman is the first line of defence. I feel that is important. If the doorman fails to check ID it poses the risk that minors can get in and get liquor. The minor is not checked inside as it is assumed that the minor was checked at the door. If someone was ordering a drink, the bartender would only... or the serving staff would only ask for ID under extenuating circumstances. It should have been checked at the door.

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**PENALTY**

Pursuant to Section 20(2) of the *Act*, having found that the licensee has contravened the *Act*, the *Regulation* and/or the terms and conditions of the licence, I have the discretion to order one or more of the following enforcement actions:

- impose a suspension of the liquor licence for a period of time;
- cancel a liquor licence;
- impose terms and conditions to a licence or rescind or amend existing terms and conditions;
- impose a monetary penalty;
- order a licensee to transfer a licence.

Imposing any penalty is discretionary. However, if I find that either a licence suspension or monetary penalty is warranted I am bound to follow the minimums set out in Schedule 4 of the *Regulation*.

The range of penalty for a first contravention of Section 33 of the *Act* in accordance with Item 2 of Schedule 4 of the *Regulation* is four (4) to seven (7) days suspension and/or a monetary penalty of \$5,000-\$7,000. The branch has recommended the minimum suspension of four (4) days.

The licensee submitted that as there was no history of proven contraventions, the branch's recommended penalty is too severe. I find this argument to be illogical. The recommended penalty is the minimum penalty prescribed by the *Regulation* for a first contravention. Therefore, the absence of a prior proven contravention has already been contemplated by the *Regulation*.

Finally, the licensee's representative pointed to the severity of the proposed penalty and submitted: "The higher degree of the impact of the penalty, so the care awarded to giving it." I disagree. It is long settled law that the ability of the

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object of the penalty to bear the burden of the penalty is not proper subject matter for consideration. The issuance of a penalty should always be accompanied by the utmost solemnity and care. To distinguish the level of effort or consideration to be devoted to the award by virtue of the magnitude of the impact of the penalty would be to place the process into disrepute. The licensee's representative has put forth no support for this proposition and it bears no further consideration.

I find that a penalty is warranted in the circumstances of this case. I accept that providing liquor to a minor is an activity that endangers the safety and security of the public in general, and minors in particular. I find that the manner of the defence of this contravention demonstrates a notable absence of remorse for the unlawful activity that I have found did occur. I believe a five-day suspension of the licence is appropriate.

## **ORDER**

Pursuant to Section 20(2) of the *Act*, I order a suspension of the Liquor Primary Licence No. 167968 for a period of five (5) days, to commence as of the close of business on Thursday, May 11, 2006, and to continue each succeeding business day until the suspension is completed. "Business day" means a day on which the licensee's establishment would normally be open for business (Section 67 of the *Regulation*).

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To ensure this Order is effective, I direct that the Liquor Licence No. 167968, be held by the branch or the Victoria Police Department from the close of business on Thursday May 11, 2006, until the licensee has demonstrated to the branch's satisfaction that the suspensions have been served.

[ ORIGINAL SIGNED]

Sheldon M. Seigel  
Enforcement Hearing Adjudicator

Date: April 27, 2006

cc: Victoria Police Department

Liquor Control and Licensing Branch, Victoria Office  
Attn: Gary Barker, Regional Manager  
Vancouver Island/Okanagan/Kootenay

Liquor Control and Licensing Branch, Surrey Regional Office  
Attn: Shahid Noorani, Branch Advocate

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