

**Licence
Appeal
Tribunal**

**Tribunal
d'appel en
matière de permis**



DATE: 2017-04-05
FILE: 10394/AGRPPA
CASE NAME: 10394 v. Registrar of Alcohol, Gaming and Racing

Appeal from an Order of Monetary Penalty of the Registrar of Alcohol, Gaming and Racing under the *Alcohol and Gaming Regulation and Public Protection Act, 1996*, S.O. 1996, c. 26

Reign Banquet Hall

Appellant

-and-

Registrar of Alcohol, Gaming and Racing

Respondent

REASONS FOR DECISION AND ORDER

ADJUDICATOR: Harinder S. Gahir, Vice-Chair

APPEARANCES:

For the Appellant: Jenel Matosas, Agent

For the Respondent: Faye Kidman, Counsel

Heard in Toronto: March 7, 2017

DECISION AND ORDER

This is a hearing before the Licence Appeal Tribunal (the “Tribunal”) arising out of an Order of Monetary Penalty issued by the Registrar of Alcohol, Gaming and Racing under the *Alcohol and Gaming Regulation and Public Protection Act, 1996* (the “Registrar” and the “Act” respectively). The Order, dated July 29, 2016, imposed a monetary penalty of \$2,500 on Reign Banquet Hall (the “Appellant”) with respect to two contraventions of sections 29 and 45(1) of R.R.O. 1990, Regulation 719 (the “O.Reg.”) under the *Liquor Licence Act* (the “LLA”).

The Order alleges that on April 9, 2016, the Appellant permitted drunkenness as an intoxicated male patron was observed in the licensed premises.

The Order further alleges that on April 10, 2016, the Appellant failed to clear the signs of service and consumption in the licensed premises within forty-five minutes after the end of the period during which liquor may be sold and served under the licence.

For the reasons below, the Tribunal confirms the Order of Monetary Penalty.

At the onset of the hearing, the Appellant’s Agent, Jenel Matosas admitted the allegations against the Appellant and asked for additional time to pay the fine. The Tribunal notes that Section 14.1(7) of the Act only allows the Tribunal to confirm the monetary penalty or set it aside. The Tribunal does not have jurisdiction to defer the payment of the Monetary Penalty. As the Appellant has admitted that it contravened section 29 and 45(1) of the Regulation as alleged in the Order of Monetary Penalty, the Tribunal confirms the monetary penalty.

ORDER

Pursuant to s. 14.1(7) of the Act, the Tribunal confirms the monetary penalty of \$2,500 imposed under the Order of Monetary Penalty dated July 29, 2016, with respect to the breach of section 29 and 45(1) of the Regulation.

LICENCE APPEAL TRIBUNAL

Harinder S. Gahir, Vice-Chair

Released: April 5, 2017