



## MEMORANDUM

TO: Alcoholic Beverage Control Board                      DATE: September 10, 2019  
FROM: Erika McConnell, Director                              RE: 4353 No DBA (formerly Playhouse)

**Requested Action:** License transfer of ownership, location, and DBA change

**Statutory Authority:** AS 04.11.040(a) & (b): “(a) A license issued under this title may not be transferred to another person except with the written consent of the board.  
(b) A license or permit issued under this title may not be transferred to a new location except with the written consent of the board.”

AS 04.11.480(c): “A local governing body may recommend that a license be issued, renewed, relocated, or transferred with conditions. The board shall consider recommended conditions and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application or continued operation, and the recommended conditions and the record of the hearing conducted under AS 04.11.510(b)(2) or (4) shall be kept as part of the board’s permanent record of its review. If the local governing body recommends conditions, the board shall impose the recommended conditions unless the board finds that the recommended conditions are arbitrary, capricious, or unreasonable. If a condition recommended by a local governing body is imposed on a licensee, the local governing body shall assume responsibility for monitoring compliance with the condition, except as otherwise provided by the board..”

AS 04.11.510(b)(2): “the board may, on its own initiative or in response to an objection or protest, hold a hearing to ascertain the reaction of the public or a local governing body to an application if a hearing is not required under this subsection;”

**Staff Rec.:** Hold a public hearing; approve the transfer with requested conditions and delegation

**Update:** The renewal of this beverage dispensary license came before the board at the April meeting, and the board renewed the license. At the July meeting, the board rescinded its prior action due to a protest from the Municipality of Anchorage, and the board upheld the protest and denied the renewal with a 60-day abeyance, to September 13, 2019.

The licensee also submitted a transfer application which was on the agenda at the July board meeting. The board postponed consideration of the transfer application to the September meeting, to allow the renewal protest to be resolved.

On July 24, AMCO received a resolution from the Anchorage Assembly that states the following:

“The Anchorage Assembly hereby lifts its protest of the renewal of liquor license #4353 as set forth in AR 2019-138, As Amended, provided that the conditions checked in Section 3 are added to the transferred license.”

The “conditions checked in Section 3” are as follows:

1. Latin Connection Entertainment, LLC, (Hector Ortiz) and all associated licensees, affiliates, owners and employees may not be involved in any way with the operation or ownership of liquor license #4353 or any business associated with this liquor license.
2. License #4353 cannot be operated at 333 W 4th Avenue.
3. License #4353 cannot be operated by Kenneth Fuller since it is a no premises transfer without a new application to transfer the license to a premises.
4. Future transfer of license #4353 will be reviewed based on the history of prior operations and the location of operation.

**Background:** This beverage dispensary license has not been operated since September of 2017, when it was surrendered due to the bar ceasing operations. Latin Connection Entertainment LLC, the transferor, filed to renew the license and submitted a waiver of operations (1<sup>st</sup> waiver) for 2018.

The Municipality of Anchorage submitted a protest of the renewal. In the protest, the Municipality of Anchorage made the following findings: the licensee provided insufficient training to employees; the licensee failed to provide workers compensation insurance; the licensee operated an unsafe facility; the licensee failed to ensure the premises was safe for public occupancy.

At the April meeting, the board requested Mr. Ortiz, the transferor, to submit a letter to the board regarding his operation of the license. Mr. Ortiz did not submit any new correspondence. Mr. Fuller’s lawyer instead referred the board to a February 15, 2019, letter that Mr. Ortiz wrote, which was provided to the board with the renewal application (and is also in this packet).

A transfer application was submitted, to transfer the license to Kenneth Fuller at no premises with no DBA. Objections to the transfer have been submitted by the Department of Labor – Workers Compensation, and by multiple creditors.

**Attachments:** New information  
Assembly Resolution 2019-240

Provided at July meeting  
Municipality of Anchorage protest  
Renewal application  
Transfer application  
Transfer objections



# Municipality of Anchorage

P.O. Box 196650 • Anchorage, Alaska 99519-6650 • Telephone: (907) 343-4316 • Fax: (907) 249-7533 <http://www.muni.org/assembly/license>

## Office of the Municipal Clerk Licensing

July 24, 2019

Ms. Mikal Milton  
Alaska Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Ave. Ste. 1600  
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Milton:

The Anchorage Municipal Assembly at its regular meeting on **July 23, 2019** took the following final actions:

### WAIVE OF PROTEST

#### Transfer Liquor License

- General Wholesale  
K&L Beverage Company LL#3964 – AM 505-2019
- Restaurant/Eating Place  
Muse with Laura Cole LL#5317 – AM 507-2019

#### New Liquor License

- Restaurant/Eating Place  
Wings 'N Things & The Salad Bowl LL#5805 – AM 506-2019

### REQUEST OF CONDITIONS FOR TRANSFER AND CONDITIONAL LIFT OF PROTEST FOR RENEWAL

#### Transfer Liquor License

- Beverage Dispensary  
No DBA LL#4353 – AR 2019-240, As Amended  
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the July 23, 2019 Assembly Meeting.

The Assembly respectfully requests that the Alcoholic Beverage Control Board place the conditions which have been checked under Section 3 of Assembly Resolution AR 2019-240, As Amended, which is attached (un-signed), upon the liquor license. Lift of the Municipal Protest of the renewal of license #4353 is contingent upon the requested conditions being placed on license #4353.

Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,

Mandy Honest  
Business License Official

CC: Kenneth Fuller – Via Email

**Municipal Clerk's Office**  
**Amended and Approved**  
**Date: July 23, 2019**

Submitted by: Assembly Chair Rivera,  
Assembly Vice-Chair LaFrance and  
Public Safety Committee Co-Chairs  
Dunbar and Petersen  
Prepared by: Municipal Clerk's Office  
For reading: July 23, 2019

**ANCHORAGE, ALASKA**  
**AR No. 2019–240, As Amended**

1 **A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY REQUESTING**  
2 **THAT CONDITIONS BE IMPOSED BY THE STATE ALCOHOLIC BEVERAGE**  
3 **CONTROL BOARD ON BEVERAGE DISPENSARY LIQUOR LICENSE #4353, FOR**  
4 **THE TRANSFER OF OWNERSHIP FROM LATIN CONNECTION ENTERTAINMENT,**  
5 **LLC DBA PLAYHOUSE LOCATED AT 333 W 4<sup>TH</sup> AVE., STE. 207 TO KENNETH**  
6 **FULLER, NO DBA, NO PREMISES; AND CONDITIONALLY RESCINDING PREVIOUS**  
7 **ACTION ON THE RENEWAL APPLICATION.**  
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9  
10 **WHEREAS**, Kenneth Fuller has made an application with the Alaska Alcohol and  
11 Marijuana Control Office (AMCO), for consideration by the Alcoholic Beverage Control  
12 (ABC) Board, and has paid the required fee for the transfer of ownership of beverage  
13 dispensary liquor license #4353, no DBA and no premises; and  
14

15 **WHEREAS**, the Assembly passed AR 2019-138, As Amended on April 23, 2019,  
16 following a public hearing, stating its protest, which is attached, to the renewal of liquor  
17 license #4353 for Latin Connection Entertainment, LLC (Hector Ortiz) DBA Playhouse;  
18 and  
19

20 **WHEREAS**, the Municipal Clerk's Office received notice of the transfer of ownership for  
21 liquor license #4353 from Latin Connection Entertainment, LLC to Mr. Fuller on June 5,  
22 2019; and  
23

24 **WHEREAS**, attached is AM 5-2004 approved by the Assembly regarding liquor license  
25 #3670 which was owned by Mr. Fuller DBA Blondie's Alaskan Steak & Seafood and in  
26 2004 was transferred to Mr. Ortiz, Latin Connection Entertainment, LLC DBA Club  
27 Soraya, currently DBA Playhouse and the State changed the liquor license from #3670  
28 to #4353; and  
29

30 **WHEREAS**, for the Assembly's information, the Clerk's Office, in its review of the transfer  
31 application, created a history of the liquor license file which includes records of the  
32 sequence of applications and documents in regards to the Assembly approved land use  
33 for alcohol for 333 W 4<sup>th</sup> Avenue and the history of beverage dispensary license #4353;  
34 and  
35

36 **WHEREAS**, at the Alcoholic Beverage Control Board Meeting on July 9, 2019, the Board  
37 reviewed Tab 40, which is attached, regarding the license renewal and transfer for liquor  
38 license #4353 including the Municipal protest of the renewal application, associated

1 Notices of Violation, applicant response, and all protests of the transfer application for  
2 pending debts or taxes arising from the conduct of the licensed business; and  
3

4 **WHEREAS**, according to the applicant, it is his intent to transfer this license to a different  
5 owner and a different location, all future transfers will be reviewed based off of the history  
6 of prior operations, location and potential ownership; and  
7

8 **WHEREAS**, the Assembly has provided the applicant the opportunity to defend the  
9 transfer of ownership application, has considered the testimony and evidence relevant to  
10 this liquor license, and has considered the options of either protesting or waiving protest  
11 and requesting the ABC Board impose conditions;  
12

13 **NOW, THEREFORE**, the Anchorage Assembly resolves:  
14

15 **Section 1.** The Anchorage Assembly finds the applicant was given notice and a  
16 hearing was properly held July 23, 2019 for purposes stated herein with relevant evidence  
17 presented as indicated in the public records maintained by the Municipal Clerk.  
18

19 **Section 2.** Per Anchorage Municipal Code section 2.30.125, in the exercise of its  
20 powers and under AS 04.11.480 and 3 AAC 304.145 to protest issue, renewal and  
21 transfer of alcoholic beverage licenses within the municipality, the Assembly shall  
22 consider whether the proposed license meets the factors and standards set forth in that  
23 section, and those potentially relevant, pending the public hearing, to the transfer of  
24 ownership application for license #4353 are listed below.  
25

26 A. After review of the application and all relevant information, the Assembly finds that  
27 **(only check items that apply):**  
28

29  Concentration and land use. The transfer of location or issuance of the requested  
30 license will negatively impact the community through an increase in the  
31 concentration of uses involving the sale or service of alcoholic beverages within  
32 the area affected and will conform to the separate standards of section 21.50.020.  
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35  Training. The applicant cannot demonstrate prospective or continued compliance  
36 with a liquor server awareness training program approved by the state alcoholic  
37 beverage control board, such as or similar to the program for techniques in alcohol  
38 management (T.A.M.). Until such plan is approved, training by a licensee's  
39 employees in the T.A.M. shall constitute compliance with this section. (This  
40 subsection is effective December 1, 1985.)  
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43  Operations procedures. The applicant cannot demonstrate prospective or  
44 continued compliance with operations procedures for licensed premises set forth  
45 in section 10.50.035.

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- Public safety. The operator cannot demonstrate the ability to maintain order and prevent unlawful conduct in licensed premises. In determining the operator's demonstrated ability to maintain order and prevent unlawful conduct, the assembly has considered police reports, testimony presented before the assembly, written comments submitted prior to or during the public hearing, and other evidence deemed to be reliable and relevant to the purpose of this subsection and in the record for AR 2019-23 and this resolution. For purposes of this section and section 10.50.035 the term "licensed premises" shall include any adjacent area under the control or management of the licensee.
  - **Upon review of the transfer application, it was found that Mr. Fuller has been involved with Mr. Ortiz and Playhouse since 2003.**
- \_\_\_\_\_
- Payment of taxes and debts. Pursuant to AS 4.11.330, the applicant is delinquent in payment of taxes owed to the municipality for the payment of any debts or taxes, including any estimated taxes for the current year arising from the conduct of the licensed business.
  - \_\_\_\_\_
  - \_\_\_\_\_
- Notice of possible protest. There appears to be a readily identifiable pattern or practice of recurring violent acts or unlawful conduct in a licensed premises. If notice that that the applicant must submit and implement a plan for remedial action or be in jeopardy that a protest will be filed to any renewal, transfer of location or transfer of ownership sought by the licensee has been issued to the licensee, the assembly in applying the standards set forth above shall consider:
  - Whether a plan has been submitted;
  - The reasonableness of any plan that has been submitted; and
  - The diligence and effectiveness of the licensee in implementing remedial measures.
- \_\_\_\_\_
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- Security for payment of debts and taxes. The applicant is delinquent in payment of taxes owed to the municipality, and adequate security for the payment of debts and taxes has not been received. Security for payment may be in the form of:
  - Escrowed funds sufficient to pay the debts and taxes claimed and any escrow fees;
  - Actual payment of debts and taxes claimed; or
  - A guarantee agreement in accordance with this subsection. Any guarantee agreement under this subsection shall be in writing, shall be signed by the transferor, transferee and municipality, and must include:
    - Acknowledgment and acceptance of responsibility by the transferee for the debts and taxes due to the municipality;
    - Recognition of the municipality as the beneficiary of the agreement; and

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- Recognition of the municipality's remedies for breach of the agreement including:
  - A civil suit for enforcement of the agreement;
  - Protest of a subsequent renewal for nonpayment of taxes arising from conduct of the licensed business or breach of the guarantee agreement; and
  - Any other remedies or claims that the municipality might have asserted against the transferor.

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**Public health.** The operator has engaged in a pattern of practices injurious to public health or safety, such as providing alcohol to minors or intoxicated persons, committing serious violations of state law relevant to public health or safety, or other actions within the knowledge and control of the operator which place the public health or safety at risk. The assembly has considered criminal convictions, credible proof of illegal activity even if not prosecuted, police reports, testimony presented before the assembly, written comments submitted prior to or during the public hearing, and other evidence deemed to be reliable and relevant to the purpose of this subsection and in the record as AR 2019-138, As Amended and this resolution.

- **The Department of Labor and Workforce Development has protested the transfer of the license due to outstanding civil penalty.**
- **The Department of Revenue, Workers' Compensation has protested the transfer of the license due to an existing civil case.**
- **Future transfer of license #4353 will be reviewed based on the history of prior operations and the location of operation.**
- \_\_\_\_\_

B. The Anchorage Assembly, based on the evidence and information provided and its findings, hereby **conditionally protests** the transfer of ownership of liquor license #4353 until the following conditions to remediate the above findings are met, if any are listed:

- \_\_\_\_\_
- \_\_\_\_\_

**Section 3.** Per AMC subsection 2.30.120F.2., in the exercise of its rights under AS 04.11.480(c), based on the evidence and information provided, and based on the findings in Section 2, the Assembly respectfully requests that the Alcoholic Beverage Control Board impose the following conditions, if any are listed, on liquor license #4353:

A. After review of the application and all relevant information, the Assembly finds that **(only check items that apply):**

- Latin Connection Entertainment, LLC, (Hector Ortiz) and all associated licensees, affiliates, owners and employees may not be involved in any way with the operation



1 or ownership of liquor license #4353 or any business associated with this liquor  
2 license.

3  License #4353 cannot be [TRANSFERRED BACK TO]operated at 333 W 4<sup>th</sup>  
4 Avenue.

5  License #4353 cannot be operated by Kenneth Fuller since it is a no premises  
6 transfer without a new application to transfer the license to a premises.

7  Certification from the Anchorage Fire Department must be received prior to the  
8 protest of the renewal being lifted.


9  Future transfer of license #4353 will be reviewed based on the history of prior  
10 operations and the location of operation.

11  
12 **Section 4.** The Anchorage Assembly hereby [CONDITIONALLY] lifts its protest of  
13 the renewal of liquor license #4353 as set forth in AR 2019-138, As Amended, provided  
14 that [ANY CONDITIONS IN SECTION 2 ARE MET, AND/OR THAT IF ANY]the  
15 conditions [ARE]checked in Section 3[, THOSE]are added to the transferred  
16 license.

17  
18  
19 PASSED AND APPROVED by the Anchorage Assembly this 23rd day of July, 2019.

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22   
23 \_\_\_\_\_  
24 Chair

25 ATTEST:

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27 \_\_\_\_\_  
28 Municipal Clerk  
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**From:** [Honest, Miranda L.](#)  
**To:** [AMCO Local Government Only \(CED sponsored\)](#)  
**Cc:** [Jones, Barbara A.](#); [!MAS Assembly Members](#); [Gates, Dean T.](#)  
**Subject:** RE: Assembly Action on Playhouse LL#4353  
**Date:** Tuesday, April 23, 2019 9:59:34 PM  
**Attachments:** [AR 2019-138 As Amended Playhouse LL4353.pdf](#)

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I apologize, attached is the AR with all supporting documentation.

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**From:** Honest, Miranda L.  
**Sent:** Tuesday, April 23, 2019 9:56 PM  
**To:** 'AMCO Local Government Only (CED sponsored)' <amco.localgovernmentonly@alaska.gov>  
**Cc:** Jones, Barbara A. <barbara.jones@anchorageak.gov>; !MAS Assembly Members <MASAssemblyMembers@ci.anchorage.ak.us>; Gates, Dean T. <dean.gates@anchorageak.gov>  
**Subject:** Assembly Action on Playhouse LL#4353

Hello,

At the April 23, 2019 Regular Assembly Meeting, the Assembly held public hearing regarding the protest of the renewal of liquor license #4353 and gave the applicant the opportunity to defend their application.

The Assembly has passed AR 2019-138, As Amended to PROTEST the renewal of liquor license #4353. Attached is AR 2019-138, As Amended outlying the facts and findings of the Assembly and stating their protest.

Thank you,  
Mandy Honest  
Business License Official  
Municipal Clerk's Office

Municipal Clerk's Office

Approved

Date: April 23, 2019

Submitted by: Assembly Chair Rivera, Assembly  
Vice-Chair LaFrance and Public Safety  
Committee Co-Chairs Dunbar and  
Quinn-Davidson

Prepared by: Municipal Clerk's Office

For reading: April 23, 2019

**ANCHORAGE, ALASKA**  
**AR No. 2019-138, As Amended**

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY REGARDING A  
PROTEST TO THE RENEWAL OF BEVERAGE DISPENSARY LIQUOR LICENSE  
#4353, FOR LATIN CONNECTION ENTERTAINMENT, LLC DBA PLAYHOUSE  
LOCATED AT 333 W 4<sup>TH</sup> AVE., ANCHORAGE, AK 99501.**

(Downtown Community Council)

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1 **WHEREAS**, Latin Connection Entertainment, LLC has made an application with the  
2 Alaska Alcohol and Marijuana Control Office (AMCO), for consideration by the Alcoholic  
3 Beverage Control (ABC) Board, and has paid the required fee for the renewal of beverage  
4 dispensary liquor license #4353 to be used for Playhouse, located at 333 W 4<sup>th</sup> Ave.,  
5 Anchorage, Alaska, 99501; and  
6

7 **WHEREAS**, the Assembly must enter any protest to AMCO within 60 days following  
8 receipt of the application; and  
9

10 **WHEREAS**, Anchorage Municipal Code (AMC) 2.30.120 and 3 AAC 304.145(d) require  
11 the Assembly to hold a public hearing to provide the applicant an opportunity to defend  
12 their application prior to exercising or waiving the right to protest; and  
13

14 **WHEREAS**, the Anchorage Municipal Clerk received a copy of this application on  
15 February 22, 2019 and has determined that the last day for the Assembly to file a protest  
16 is April 23, 2019; and  
17

18 **WHEREAS**, at the Regular Assembly Meeting of April 9, 2019, the Assembly reviewed  
19 the renewal application for Playhouse and after public safety and other concerns  
20 regarding this establishment were brought to their attention, they bifurcated license #4353  
21 from AM 2019-229 and set it for public hearing at the April 23, 2019 regular Assembly  
22 meeting to discuss those concerns and to potentially protest the renewal of the license;  
23 and  
24

25 **WHEREAS**, 10 day notice of the public hearing for April 23, 2019 has been given to the  
26 applicant and the Downtown Community Council as required by AMC section 2.30.120;  
27 and  
28

29 **WHEREAS**, the Assembly has provided the liquor licensee the opportunity to defend the  
30 renewal application, has considered the testimony and evidence relevant to this liquor  
31 license, and has considered the options of either protesting or waiving protest and  
32 requesting the ABC Board impose conditions;

1  
2 **NOW, THEREFORE**, the Anchorage Assembly resolves:  
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4 **Section 1.** The Anchorage Assembly finds the applicant and the Downtown  
5 Community Council were given notice and a hearing was properly held on April 23, 2019  
6 for purposes stated herein with relevant evidence presented as indicated in the public  
7 records maintained by the Municipal Clerk.  
8

9 **Section 2.** Per Anchorage Municipal Code section 2.30.125, in the exercise of its  
10 powers and under AS 04.11.480 and 3 AAC 304.145 to protest issue, renewal and  
11 transfer of alcoholic beverage licenses within the municipality, the assembly shall  
12 consider whether the proposed license meets the factors and standards set forth in that  
13 section, and those potentially relevant, pending the public hearing, to the renewal  
14 application for license #4353 are listed below.  
15

16 A. After review of the application and all relevant information, the Assembly finds that  
17 **(only check items that apply):**  
18

19  **Concentration and land use.** The transfer of location or issuance of the requested  
20 license will negatively impact the community through an increase in the  
21 concentration of uses involving the sale or service of alcoholic beverages within  
22 the area affected and will conform to the separate standards of section 21.50.020.

23  **Training.** The applicant cannot demonstrate prospective or continued compliance  
24 with a liquor server awareness training program approved by the state alcoholic  
25 beverage control board, such as or similar to the program for techniques in alcohol  
26 management (T.A.M.). Until such plan is approved, training by a licensee's  
27 employees in the T.A.M. shall constitute compliance with this section. (This  
28 subsection is effective December 1, 1985.)

29 **The Assembly found that the training was insufficient. Employees were**  
30 **found without proof of server education and applicant did not have current**  
31 **server education.**

32  **Operations procedures.** The applicant cannot demonstrate prospective or  
33 continued compliance with operations procedures for licensed premises set forth  
34 in section 10.50.035.

35 **The Assembly found that the applicant failed to provide workers**  
36 **compensation insurance.**

37  **Public safety.** The operator cannot demonstrate the ability to maintain order and  
38 prevent unlawful conduct in licensed premises. In determining the operator's  
39 demonstrated ability to maintain order and prevent unlawful conduct, the assembly  
40 has considered police reports, testimony presented before the assembly, written  
41 comments submitted prior to or during the public hearing, and other evidence  
42 deemed to be reliable and relevant to the purpose of this subsection and in the  
43 record for this resolution. For purposes of this section and section 10.50.035 the  
44 term "licensed premises" shall include any adjacent area under the control or  
45 management of the licensee.

1        **The Assembly heard testimony from Police Chief Doll including four**  
2        **incidents that were charged against various employees of the applicant.**  
3        **Shootings, assault and weapons on premises. The applicant is found to**  
4        **operate an unsafe facility.**

- 5         **Payment of taxes and debts.** Pursuant to AS 4.11.330, the applicant is delinquent  
6        in payment of taxes owed to the municipality for the payment of any debts or taxes,  
7        including any estimated taxes for the current year arising from the conduct of the  
8        licensed business.

9        **Notice of possible protest.** There appears to be a readily identifiable pattern or  
10       practice of recurring violent acts or unlawful conduct in a licensed premises. If  
11       notice that that the applicant must submit and implement a plan for remedial action  
12       or be in jeopardy that a protest will be filed to any renewal, transfer of location or  
13       transfer of ownership sought by the licensee has been issued to the licensee, the  
14       assembly in applying the standards set forth above shall consider:

- 15         Whether a plan has been submitted;  
16         The reasonableness of any plan that has been submitted; and  
17         The diligence and effectiveness of the licensee in implementing remedial  
18        measures.

- 19         **Security for payment of debts and taxes.** The applicant is delinquent in payment of  
20        taxes owed to the municipality, and adequate security for the payment of debts  
21        and taxes has not been received. Security for payment may be in the form of:

- 22         Escrowed funds sufficient to pay the debts and taxes claimed and any  
23        escrow fees;  
24         Actual payment of debts and taxes claimed; or  
25         A guarantee agreement in accordance with this subsection. Any guarantee  
26        agreement under this subsection shall be in writing, shall be signed by the  
27        transferor, transferee and municipality, and must include:  
28         Acknowledgment and acceptance of responsibility by the transferee  
29        for the debts and taxes due to the municipality;  
30         Recognition of the municipality as the beneficiary of the agreement;  
31        and  
32         Recognition of the municipality's remedies for breach of the  
33        agreement including:  
34         A civil suit for enforcement of the agreement;  
35         Protest of a subsequent renewal for nonpayment of taxes  
36        arising from conduct of the licensed business or breach of the  
37        guarantee agreement; and  
38         Any other remedies or claims that the municipality might have  
39        asserted against the transferor.

- 40         **Public health.** The operator has engaged in a pattern of practices injurious to public  
41        health or safety, such as providing alcohol to minors or intoxicated persons,  
42        committing serious violations of state law relevant to public health or safety, or  
43        other actions within the knowledge and control of the operator which place the  
44        public health or safety at risk. The assembly has considered criminal convictions,  
45        credible proof of illegal activity even if not prosecuted, police reports, testimony

1 presented before the assembly, written comments submitted prior to or during the  
2 public hearing, and other evidence deemed to be reliable and relevant to the  
3 purpose of this subsection and this resolution.

4 **The Assembly heard testimony from Fire Chief Hettrick that the applicant**  
5 **has failed to apply for or schedule a fire inspection to ensure the facility is**  
6 **safe for public occupancy.**  
7

8 B. The Anchorage Assembly, having considered the evidence and information provided  
9 and the above findings, hereby **protests** the renewal of liquor license #4353 based  
10 on the following facts and findings:  
11

- 12 • In June of 2017, Hector Juan Ortiz was cited by the Community Action Policing  
13 Officers for Licensee Responsible for Alcohol Violations (AMC section  
14 8.35.416.150). Hector Ortiz was issued a citation with a court date that he failed to  
15 show up for so a warrant was issued for Hector Ortiz for Failure to Appear. (APD  
16 Case # 17-22080)  
17
- 18 • Citation issued to Hector Ortiz due to two of his servers at the Playhouse Bar,  
19 located at 333 W 4th Ave, having expired alcohol server cards. The Playhouse  
20 Bar manager, Tahjimsi Wyam Carmen-Harrison who is known as "TJ Carmen",  
21 was cited for failure to maintain an alcohol server card (AS 4.21.025). A  
22 Playhouse server named Kyle Coryell was also cited for failure to maintain an  
23 alcohol server card. (APD Case # 17-22080)  
24
- 25 • During the closing time for bars required by law, APD Officers responded to  
26 incidents outside and inside the Playhouse bar including:  
27
  - 28 ▪ 11/5/2016 Assault on an Officer by a Playhouse patron.  
29 (APD Case #16-46423)
  - 30
  - 31 ▪ 11/6/2016 Assault 3 - Injury with weapon; misconduct involving a weapon  
32 5; and loaded firearm in a Bar.  
33 (APD Case #16-46551)
  - 34
  - 35 ▪ 11/19/16 Child Neglect - left without adequate care. Playhouse patron  
36 left 2 year old child in his car while in bar.  
37 (APD Case #16-48373)
  - 38
  - 39 ▪ 12/4/2016 Disturbance - large fight inside the Playhouse.  
40 (APD Case #16-50407)
  - 41
  - 42 ▪ 6/3/2017 Failure to Register Sex Offender Registry. Bartender at  
43 Playhouse arrested.  
44 (APD Case #17-21940)  
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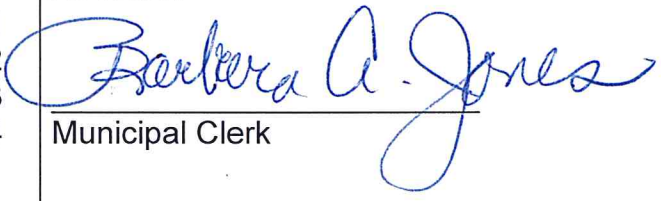
- 7/9/2017 Misconduct Involving a Weapon. MIW 3 – felon in possession, MIW 4 – firing recklessly. (APD Case #17-27140)
  
- 7/9/2017 Access to Licensed Premises by Minor. Three 20 year old females were cited. (APD Case #17-27147)

- Other:  
**Certification from the Anchorage Fire Department has not been received due to inability to conduct inspection and other issues outlined in attached comments from the Fire Department.**

PASSED AND APPROVED by the Anchorage Assembly this 23rd day of April, 2019.

  
\_\_\_\_\_  
Chair

ATTEST:

  
\_\_\_\_\_  
Municipal Clerk

## Anchorage Police Department – Reports regarding 333 W 4<sup>th</sup> Ave. and Playhouse

In June of 2017, Hector Juan Ortiz was cited by the Community Action Policing Officers for Licensee Responsible for Alcohol Violations (AMC 8.35.416.150). Hector Ortiz was issued a cite with a court date that he failed to show up for so a warrant was issued for Hector Ortiz for Failure to Appear. Ortiz was arrested on his outstanding warrant in July of 2017 due to a disturbance at his residence where the Anchorage Police Department responded.

The original citation was issued to Hector Ortiz due to two of his servers at the Playhouse Bar, located at 333 W 4<sup>th</sup> Ave, having expired alcohol server cards. The Playhouse Bar manager, Tahjimsi Wyam Carmen-Harrison who went by "TJ Carmen", was cited for failure to maintain an alcohol server card (AS 4.21.025). A Playhouse server named Kyle Coryell was also cited for failure to maintain an alcohol server card. APD Case # 17-22080.

There were problems associated with the Playhouse bar. The liquor license owned by Hector Ortiz was utilized to sell alcohol in a bar managed by TJ Carmen who failed to pay rent to the owners of the building they leased. When bar break occurred, APD Officers responded to incidents outside and inside the Playhouse bar including:

11/5/2016	Assault on an Officer by Playhouse patron	APD Case # 16-46423
11/6/2016	Assault 3 – injury w/ weapon Misconduct involving a weapon 5 Loaded firearm in a Bar	APD Case # 16-46551
11/19/16	Child Neglect- left w/o adequate care Playhouse patron left 2 year old child in his car while in bar	APD Case # 16-48373
12/4/2016	Disturbance Large fight inside the Playhouse	APD Case # 16-50407
6/3/2017	Failure to Register SOR Bartender at Playhouse arrested	APD Case # 17-21940
7/9/2017	Misconduct involving a weapon MIW 3 – Felon in Possession MIW 4 – Firing Recklessly	APD Case # 17-27140
7/9/2017	Access to Licensed Premises by Minor Three 20 year old females were cited	APD Case # 17-27147



# Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 7-13-17

License #/Type: Beverage Dispensary - 4353

Licensee: Latin Connection Entertainment LLC

Address: 333 W. 4th Avenue, Anchorage

DBA: Playhouse

AMCO Case #: AB17-0252

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

It has been brought to the attention of AMCO Investigators by members of the Anchorage CAP Team, that from June 4th to June 8th, four summonses were issued for failing to maintain server education at your establishment. Server Kyle Joseph Coryell received summonses on June 4, 7 and 8 (TAPS card expired 5-10-17). Manager Tahjimsi Wyam Carmen-Harrison, aka TJ Carmen, received a summons on June 7th for expired server education (TAPS expired 8-14-15). Further when CAP Team members attempted to enter the club on the night of June 2 into early morning of June 3, Manager TJ Carmen attempted to block their access, advising them that Playhouse was a private club. On the evening of May 19th into the morning of May 20 and evening of June 3rd into the morning of June 4th, members of the Anchorage Police report that they smelled both burnt and unburnt marijuana within your premises. When licensee Hector Ortiz was later interviewed, he admitted that he has also smelled the odor of marijuana within the licensed premises. You were issued a citation for violation of AMC8.35.416.150, licensee responsible for violations.

See page two for further.

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

\*Please send your response to the address below and include your Marijuana Establishment License Number in your response.

Alcohol & Marijuana Control Office  
ATTN: Enforcement  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, Alaska 99501  
[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: 

SIGNATURE: *HANA Delivered by*

Delivered VIA: Mail

Received by AMCO 4.23.19  
*ADA A Jones 728-17*  
*FAMO*

7013 2250 0000 9617 5545

# Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 7-13-17

License #/Type: Beverage Dispensary #4353

Licensee: Latin Connection Entertainment, LLC Address: 333 W. 4th Ave, 99501

DBA: Playhouse

AMCO Case #: 17-0252

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

PAGE 2 CONTINUED

As of 7-14-17, none of your employees are covered by workers compensation. During your 2017-2018 renewal process, you as the licensee are required to have current server education, your TAPS card had expired on 4-16-16. You did not obtain new server education until 6-12-17. These are violations of Title IV and Anchorage Municipal Ordinance 10.50.015(S) which states you have to have server education prior to employment. On 6-2-16, Bartender Ralph Ernest Dillon was asked to provide proof of server education to which he could not, APD Report 17-021868. Finally on 7-9-17, APD Report 17-027147, indicates they located three under 21 persons on the premises at 0255 hours.

Your attention is turned to AS 04.21.025: Server education (4 violations), 3AAC304.465: Alcohol server education course (1 violation), AS 04.11.630: Accessibility of license and licensed premises to inspection (1 violation), AS 04.21.030: Responsibilities of licensees, agents, and employees (11 violations), AS 04.16.150: Licensee responsible for violations (11 violations), AS 04.11.370: Suspension and revocation of licenses and permits (1 violation) and AS04.16.052: Furnishing of alcoholic beverages to persons under the age of 21 by licensees (3 violations).

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

\*Please send your response to the address below and include your alcohol license number in your response.

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office  
ATTN: Enforcement  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, Alaska 99501  
[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date:

Received by AMCO 4.23.19

From Latin Connection Entertainment LLC DBA Playhouse

Hector J. Ortiz

4110 Northstar Street

Anchorage Alaska, 99503

TO: ABC Board

Ref: Your Letter, Violations Dtd 7/1317

1. My manager T.J. Carmen was delegated the responsibility to over see the TAP program and failed to this. I never work the bar, made a mistake in thinking that and I had an oversight in this. However I obtained a card shortly after the occurrence. I had delegated responsibility for the TAP compliance but obviously we failed in that area.
2. It was never brought to my attention that anyone under the age of 21 was served alcohol. Only cleaning staff remains past 3:00AM on premises to clean.
3. The bar was closed for operation on 29 June and we had no employees to cover under Workman's compensation. I don't intend to open again. I spoke to Workman's Compensation and reported the investigator.
4. I had a conversation with the police about the smell of Marijuana and reasoned that the smell of marijuana, while I do not condone it, is prevalent in all clubs where young people attend. They use it outside or in their cars and bring the smell into the club. I don't recall the citation for this.
5. I have in the past always maintained good rapport with APD. We have had our problems like any other club that serves young people. I do not condone anyone impeding the police from entering the premise, especially if they are conducting an investigation. Apparently according to witnesses and the manager the police came to arrest an unregistered sex offender with what the manager thought they should have and a warrant. He apparently was in her way and she entered the club. I feel that if it was

Received by AMCO 4.23.19

6. serious enough for a citation she should have been arrested on the spot.. I consider that very serious offense.
7. I realize that I am responsible because it is my Corporation, Club, Lease and License. Unfortunately I trusted a manager to run the operation who instead ran it into the ground by not doing his job. He took the businsss to the ground and alieniated the city against me. I am presently out of business and will reiterate that I do not have any plans to continue.
8. I have a 5 September court date for violations issued by the police. My lawyer is awaiting instructions or information from the authorities to proceed.
9. I am in very poor health right now and the constant hospitalizations and appointments have caused me to be remiss in meeting responsibilities and dead lines. Please understand that I have been overwhelmed with all this business and all the recent occurrences. I have a good record of civic involvement and cooperation with the city.
10. Please be advised that I am no longer associated T.J Carmen. An audit indicates that he was seriously embezzling cash and became a heavy drug user. He broke in the premise stole and sold a bunch of club property and left town without notice. I am launching an investigation with the police.
11. If possible I would like to meet with you at your convenience.

Hector J Ortiz

(907) 202-5054

(907) 764-8680



**ANCHORAGE FIRE DEPARTMENT**  
**Municipality of Anchorage**  
**FIRE INSPECTION NOTICE**



**FIN: 19-0153-TF**  
**333 W 4TH #228B**

Date of Inspection: **4/15/2019**  
 Re-inspection Date: **[Redacted]**

Building Information  
 Occ: **A2**  
 Area: **2000-4999 SF**  
 Sprinkler: **Yes**

**Inspector name and Phone:**  
**Tom Furch 267-4964;**  
 Inspector email address: **furchtp@muni.org**

Bldg type **Commercial**  
 Insp. Type **LL**  
 #  
 Units

**Inspection Fee:**

client email **hectoro@gci.net**

**Bldg name:** Ship Creek Mall **1** Inspec. time:

**Busi name:** The Playhouse

**Site Address:** **333W4TH228B**

The facility is fully sprinklered

**Contact Phone:**

10

Ownership type:

Business Owner

**Hector Ortiz**  
**4110 Northstar St**  
**Anchorage, Ak 99503**

Inspection status:

**Inspection**  
**Notes**

Subject to AMC 23.45 and 10.75, you are hereby ordered to comply with the following fire inspection comments upon receipt of this notice. An inspection to determine whether the said conditions were abated will be conducted on or after the re-inspection date and if corrections are not made escalating fees and enforcement options will apply. You have the right to appeal these requirements to the Fire Marshal. **Do not pay from this inspection. You will be billed separately by Wittman Enterprises.**

**Fire Inspection Comments:** [Clear Comment](#)

- 1 **Liquor License application is under protest for the following reasons:**
- 2 **1. A current fire inspection of the facility has not been performed. It is the business owners responsibility to request & schedule an inspection & provide access.**
- 3 **Contact Inspector @ 267-4964 or 267-4901 to schedule an inspection. Upon completion of the inspection noted deficiencies shall be corrected immediately.**
- 4 **2. The mixture of alcohol, nightclub use, high occupant loads (OL), in a non sprinklered space within a partially sprinklered building creates a high risk environment.**
- 5 **The historical record & fire modeling has shown that the above combination of factors could & has often resulted in fires with a large loss of lives.**
- 6 **Since as an existing nightclub the fire code would not specifically prohibit the use as such or require sprinklers to be installed other provisions to reduce risk should be**
- 7 **explored &/or required to include reducing the occupant load, voluntary sprinklering of the space, not allowing alcohol, adding additional exits, etc.**
- 8 **Note: The current fire code does not have a retro active provision to require sprinklers to be installed in existing nightclubs. New nightclubs req sprinklers @ 100 OL.**
- 9 **End of List**



Alaska Alcoholic Beverage Control Board

**Form AB-17: 2019/2020 Renewal License Application**

**What is this form?**

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing liquor license that will expire on December 31, 2018. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

**This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.**

**Section 1 – Establishment and Contact Information**

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

<b>Licensee:</b>	Latin Connection Entertainment LLC	<b>License #:</b>	4353
<b>License Type:</b>	Beverage Dispensary	<b>Legal Ref.:</b>	AS 04.11.090
<b>Doing Business As:</b>	Playhouse		
<b>Premises Address:</b>	333 W 4th Avenue, Ste 207		
<b>Local Governing Body:</b>	Municipality of Anchorage		
<b>Community Council:</b>	Downtown		
<b>Mailing Address:</b>	4110 Northstar St., Anchorage, AK 99503		
<b>City:</b>	Anchorage	<b>State:</b>	Alaska
		<b>ZIP:</b>	99503

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual **must be a licensee** who is required to be listed in and authorized to sign this application.

<b>Contact Licensee:</b>	Hector J. Ortiz	<b>Contact Phone:</b>	764-8680
<b>Contact Email:</b>	hectoro@gci.net		

**Optional:** If you wish for AMCO staff to communicate with individual who is not a licensee named on this form (eg: legal counsel) about this application and other matters pertaining to the license, please provide that person's contact information in the fields below.

<b>Name of Contact:</b>	Ken Fuller	<b>Contact Phone:</b>	229-1178
<b>Contact Email:</b>	fulfish@yahoo.com		



# Form AB-17: 2019/2020 Renewal License Application

## Section 2 – Entity or Community Ownership Information

This top subsection must be completed by any licensee that is a **corporation** or **LLC**. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). This number is neither your EIN/tax ID number, nor your business license number. **You may view your entity's status or find your CBPL entity number by using the following site:** <https://www.commerce.alaska.gov/cbp/main/search/entities>

General partnerships and local governments should skip to the second half of this page. Licensees who directly hold a license as an individual or individuals should skip to Section 3.

Alaska CBPL Entity #:	82477D
-----------------------	--------

**You must ensure that you are able to certify the following statement before signing your initials in the box to the right:**

Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.

This subsection must be completed by any **community** or **entity**, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a **corporation**, the following information must be completed for each **stockholder who owns 10% or more** of the stock in the corporation, and for each **president, vice-president, secretary, and managing officer**.
- If the applicant is a **limited liability organization**, the following information must be completed for each **member with an ownership interest of 10% or more**, and for each **manager**.
- If the applicant is a **partnership**, including a limited partnership, the following information must be completed for each **partner with an interest of 10% or more**, and for each **general partner**.

**Important Note:** The information provided in the below fields (including spelling of names, specific titles, and percentages held) must match that which is listed with CBPL. If one individual holds multiple titles mentioned in the bullets above, all titles must be listed for that individual on this application and with CBPL. Failure to list all required titles constitutes an incomplete application.

Name of Official:	Hector J. Ortiz				
Title(s):	Member/Manager	Phone:		% Owned:	100
Mailing Address:	4110 Northstar St.				
City:	Anchorage	State:	Alaska	ZIP:	99503

Name of Official:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	

Name of Official:					
Title(s):		Phone:		% Owned:	
Mailing Address:					
City:		State:		ZIP:	



# Form AB-17: 2019/2020 Renewal License Application

## Section 3 – Sole Proprietor Ownership Information

This section must be completed by any licensee who directly holds the license as an **individual or multiple individuals** and is applying for license renewal. If more space is needed, please attach a separate sheet that includes all of the required information. Entities should skip to Section 4. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an:  applicant  affiliate (spouse)

Name:				Contact Phone:	
Mailing Address:					
City:		State:		ZIP:	
Email:					

This individual is an:  applicant  affiliate (spouse)

Name:				Contact Phone:	
Mailing Address:					
City:		State:		ZIP:	
Email:					

## Section 4 – Alcohol Server Education

This section must be completed only by the holder of a **beverage dispensary, club, or pub** license or **conditional contractor's permit**. The holders of all other license types should skip to Section 5.

Read the line below, and then sign your initials in the box to the right of the statement:

Initials

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as set forth in AS 04.21.025 and 3 AAC 304.465.

## Section 5 – License Operation

Check a single box for each calendar year that best describes how this liquor license was operated:

2017    2018

The license was regularly operated continuously throughout each year. (license operated at least  2017  2018 To July of 2017 until ABC Board pulled the license)

The license was regularly operated during a specific season each year.  2017  2018

The license was only operated to meet the minimum requirement of 240 total hours each calendar year.  2017  2018  
*If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.*

The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both of the calendar years.  2017  2018  
*If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement, unless a complete copy of the form (including fees) has already been submitted for that year.*





Alaska Alcoholic Beverage Control Board  
**Form AB-17: 2019/2020 Renewal License Application**

**Section 6 - Violations and Convictions**

**Applicant violations and convictions in calendar years 2017 and 2018:**

	Yes	No
Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2017 or 2018?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2017 or 2018?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.

**Section 7 - Certifications**

Read each line below, and then sign your initials in the box to the right of each statement: Initials

I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently approved and on file with the Alcoholic Beverage Control Board.

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board or AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Hector J. Ortiz  
 Signature of licensee

[Signature]  
 Signature of Notary Public

Hector J. Ortiz  
 Printed name of licensee

Member/Manager  
 Latin Connection Entertainment LLC



Notary Public, in and for the State of ALASKA

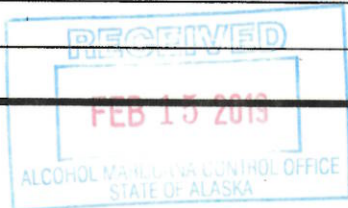
My commission expires: W/OFFICE

Subscribed and sworn to before me this 5 day of FEB, 2019.

Seasonal License? Yes  No

If "Yes", write your six-month operating period: \_\_\_\_\_

License Fee:	\$ 2500.00	Application Fee:	\$ 300.00	TOTAL:	\$ 2800.00
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					



**Hector J. Ortiz**  
Latin Connection Entertainment LLC  
4110 Northstar Street  
Anchorage, Alaska 99503

February 15, 2019

Johnathan Church  
Occupational Licensing Examiner  
Dept. of Commerce, Community and  
Economic Development  
Alcohol & Marijuana Control Board  
550 West 7<sup>th</sup> Ave  
Suite 1600  
Anchorage, Alaska 99501

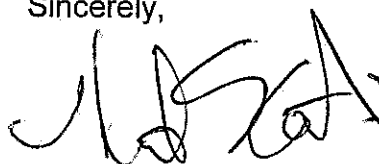
Re: Incomplete Renewal Application for License # 4353 DBA Playhouse

Dear Mr. Church:

The purpose of this letter is to respond to your January 30, 2019 letter concerning the above referenced matter, and to supplement the Renewal Application for License # 4353 DBA Playhouse. You acknowledged my the listing of the "NOV" in response to the inquiries set out in "Section 6 - Violations and Convictions" but request additional information concerning "convictions". There is no additional information concerning any convictions, because there were no convictions, other than the fact that licensee received a *citation* for the NOV and paid a \$500 fine, as explained in the continuation sheet to the Section 6 answers. In making those answers and certifications on Form AB-17 of the renewal form I was only attempting to be complete and truthful in my answers because the NOV I mentioned resulted in a "citation" which was resolved by payment of a \$500 fine.

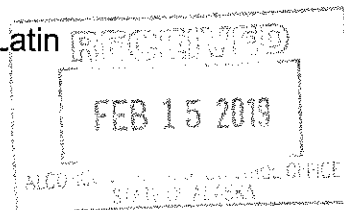
Enclosed with this letter is a new signed and notarized Form AB-17 for AMCO to insert into the Latin Connection Entertainment LLC Renewal License Application as a supplement.

Sincerely,



Hector J. Ortiz  
Member/Manager of Latin  
Entertainment, LLC

HC  
Enclosure



Details

# ENTITY DETAILS

## Name(s)

Type	Name
Legal Name	LATIN CONNECTION ENTERTAINMENT,LLC

**Entity Type:** Limited Liability Company

**Entity #:** 82477D

**Status:** Good Standing

**AK Formed Date:** 9/30/2003

**Duration/Expiration:** 09/30/2053

**Home State:** ALASKA

**Next Biennial Report Due:** 1/2/2021

**Entity Mailing Address:** 4110 NORTHSTAR ST, ANCHORAGE, AK 99503

**Entity Physical Address:** 4110 NORTHSTAR STREET, ANCHORAGE, AK 99503

## Registered Agent

**Agent Name:** HECTOR ORTIZ

**Registered Mailing Address:** 4110 NORTHSTAR ST, ANCHORAGE, AK 99503

**Registered Physical Address:** 4110 NORTHSTAR ST, ANCHORAGE, AK 99503

## Officials

AK Entity #	Name	Titles	Owned	<input type="checkbox"/> Show Former
	Hector J Ortiz	Member	100	

## Filed Documents

Date Filed	Type	Filing	Certificate
9/30/2003	Creation Filing	<a href="#">Click to View</a>	
10/20/2003	Biennial Report		
1/05/2004	Biennial Report		
1/05/2004	Initial Report	<a href="#">Click to View</a>	
12/29/2006	Biennial Report	<a href="#">Click to View</a>	



Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

# Form AB-01: Transfer License Application

### What is this form?

This transfer license application form is required for all individuals or entities seeking to apply for the transfer of ownership and/or location of an existing liquor license. Applicants should review **Title 04 of Alaska Statutes** and **Chapter 304 of the Alaska Administrative Code**. All fields of this form must be completed, per AS 04.11.260, AS 04.11.280, AS 04.11.290, and 3 AAC 304.105.

**This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.**

## Section 1 – Transferor Information

Enter information for the **current** licensee and licensed establishment.

Licensee:	Latin Connection Entertainment, LLC		License #:	4353	
License Type:	Beverage Dispensary License		Statutory Reference:	04.11.090	
Doing Business As:	Playhouse				
Premises Address:	333 West 4th Avenue, Suite 207				
City:	Anchorage	State:	Alaska	ZIP:	99501
Local Governing Body:	Municipality of Anchorage				

### Transfer Type:

- Regular transfer
- Transfer with security interest
- Involuntary retransfer

### OFFICE USE ONLY

Complete Date:		Transaction #:	1049129
Board Meeting Date:		License Years:	
Issue Date:		BRE:	





Alaska Alcoholic Beverage Control Board

**Form AB-01: Transfer License Application**

**Section 2 – Transferee Information**

Enter information for the *new* applicant and/or location seeking to be licensed.

Licensee:	Kenneth J. Fuller				
Doing Business As:	<del>Playhouse</del> <b>NO DRA</b>				
Premises Address:	<del>333 West 4th Avenue, Suite 207</del> <b>NO Premises</b>				
City:	Anchorage	State:	Alaska	ZIP:	99501
Community Council:	<del>Downtown</del>				

Mailing Address:	4141 "B" Street, Suite 410				
City:	Anchorage	State:	Alaska	ZIP:	99503

Designated Licensee:	Kenneth J. Fuller				
Contact Phone:	907-229-1178	Business Phone:	907-229-1178		
Contact Email:	fulfish@yahoo.com				

Seasonal License?  Yes  No  
 If "Yes", write your six-month operating period: \_\_\_\_\_

**Section 3 – Premises Information**

Premises to be licensed is:

- an existing facility     a new building     a proposed building

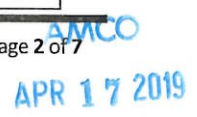
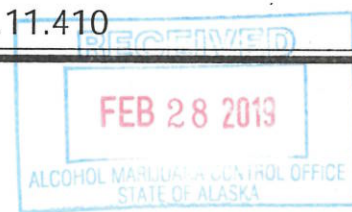
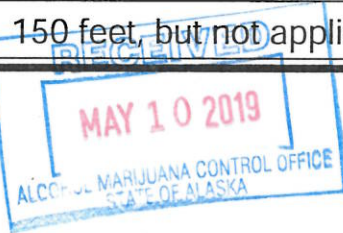
The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

Denali Elementary: 7/10's of a mile, but not applicable per 04.11.410

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

Heart of the City: 150 feet, but not applicable per 04.11.410





Alaska Alcoholic Beverage Control Board

# Form AB-01: Transfer License Application

## Section 4 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 5.  
If more space is needed, please attach a separate sheet with the required information.  
The following information must be completed for each licensee and each affiliate (spouse).

This individual is an:  applicant  affiliate

Name:	Kenneth J. Fuller				
Address:	4141 "B" Street, Suite 410				
City:	Anchorage	State:	Alaska	ZIP:	99503

This individual is an:  applicant  affiliate

Name:					
Address:					
City:		State:		ZIP:	

## Section 5 – Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 6.

If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	





Alaska Alcoholic Beverage Control Board

**Form AB-01: Transfer License Application**

Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
 Phone: 907.269.0350

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:		AK Formed Date:		Home State:	
Registered Agent:			Agent's Phone:		
Agent's Mailing Address:					
City:		State:		ZIP:	

Residency of Agent:

Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?





Alaska Alcoholic Beverage Control Board

# Form AB-01: Transfer License Application

## Section 6 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named as a transferee in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

## Section 7 – Authorization

Communication with AMCO staff:

Yes No

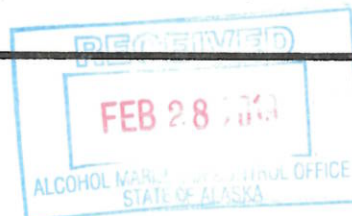
Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

If "Yes", disclose the name of the individual and the reason for this authorization:

John W. Colver  
4141 "B" Street  
Ste. 410  
Anchorage, AK 99503

(907) 272-0401

The above individual is the Applicant's attorney.







Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
alcohol.licensing@alaska.gov  
<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

**Form AB-01: Transfer License Application**

**Section 8 – Transferor Certifications**

Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

I declare under penalty of perjury that the undersigned represents a **controlling interest** of the current licensee. I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approve of the transfer of this license, and find the information on this application to be true, correct, and complete.

Latin Connection Entertainment, LLC

By: [Signature]

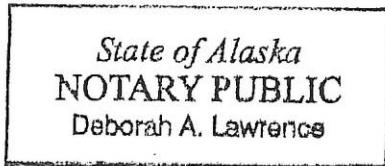
Signature of transferor Member/Manager

Hector J. Ortiz

Printed name of transferor

Subscribed and sworn to before me this 24 day of August, 2018.

[Signature]  
Signature of Notary Public



Notary Public in and for the State of Alaska.

My commission expires: 4/15/21

\_\_\_\_\_  
Signature of transferor

\_\_\_\_\_  
Printed name of transferor

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Notary Public

Notary Public in and for the State of \_\_\_\_\_.

My commission expires: \_\_\_\_\_





Alaska Alcoholic Beverage Control Board  
**Form AB-01: Transfer License Application**

**Section 9 – Transferee Certifications**

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

[Handwritten initials in box]

I certify that all proposed licensees have been listed with the Division of Corporations.

[Handwritten initials in box]

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

[Handwritten initials in box]

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.

[Handwritten initials in box]

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

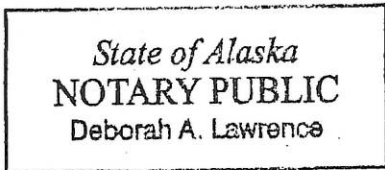
[Handwritten initials in box]

As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.

Ken Fuller  
Signature of transferee

Ken Fuller  
Printed name

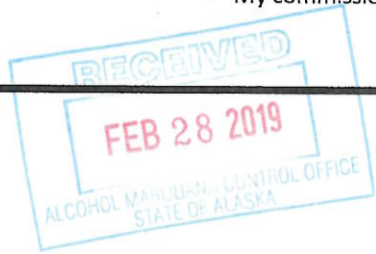
Subscribed and sworn to before me this 24 day of August, 2018.



Deborah A. Lawrence  
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 6/30/2019





THE STATE  
of **ALASKA**  
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community,  
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE  
550 West 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
Main: 907.269.0350

June 5, 2019

Woodward Town and Country Plaza, Inc  
411 W 4<sup>th</sup> Ave #200  
Anchorage, AK 99501

License Number:	4353
License Type:	Beverage Dispensary
Transferor:	Latin Connection Entertainment LLC
Transferor Doing Business As:	Playhouse

Transfer of Ownership Application

Transfer of Controlling Interest

AS 04.11.360(4) requires that the board deny an application for transfer of a license to another person if the transferor has not paid all debts or taxes arising from the conduct of the business licensed under this title unless the transferor gives security for the payment of the debts or taxes satisfactory to the creditor or taxing authority. Our records indicate that you are listed as a creditor or taxing authority for the above license.

We have received an application for transfer of ownership for the above liquor license. For the purposes of AS 04.11.360(4) and in compliance with AS 04.11.280(b), this letter serves to provide written notice and request for status from the above referenced entity regarding the above application (see attached application documents for more information).

Please complete and return this form to the AMCO office at [alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov).

NAME: Robert Good

PHONE: 907-278-3263

Do you have an objection to the transfer of this license?

Yes  No

AMOUNT OWED: \$126,000

DATE: 06/12/2019

COMMENTS: Additional charges in the amount of \$153,759.86 have accrued

If you have any questions, please send them to [alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov).

since tenant refuses to sign cancellation of lease offered.

Sincerely,

*Erika McConnell*

Erika McConnell  
Director, ABC Board



THE STATE of ALASKA

GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

DOL/WC/Juneau JUN 10 2019

June 5, 2019

Alaska Department of Labor and Workforce Development
PO Box 115512
Juneau, AK 99811

Table with 2 columns: Field Name and Value. Fields include License Number (4353), License Type (Beverage Dispensary), Transferor (Latin Connection Entertainment LLC), and Transferor Doing Business As (Playhouse).

[X] Transfer of Ownership Application

[ ] Transfer of Controlling Interest

AS 04.11.360(4) requires that the board deny an application for transfer of a license to another person if the transferor has not paid all debts or taxes arising from the conduct of the business licensed under this title unless the transferor gives security for the payment of the debts or taxes satisfactory to the creditor or taxing authority.

We have received an application for transfer of ownership for the above liquor license. For the purposes of AS 04.11.360(4) and in compliance with AS 04.11.280(b), this letter serves to provide written notice and request for status from the above referenced entity regarding the above application (see attached application documents for more information).

Please complete and return this form to the AMCO office at alcohol.licensing@alaska.gov.

NAME: Erwin Fariolan

PHONE: (907) 465-6919

Do you have an objection to the transfer of this license?

[X] Yes [ ] No

AMOUNT OWED: \$7,000.00 +/-

DATE: 6/11/2019

COMMENTS: Employer has an outstanding civil penalty.

If you have any questions, please send them to alcohol.licensing@alaska.gov.

Sincerely,

Erika McConnell

Erika McConnell
Director, ABC Board

AMCO

JUN 13 2019



THE STATE  
of **ALASKA**  
GOVERNOR MICHAEL J. DUNLEAVY

**Department of Commerce, Community,  
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600  
Anchorage, AK 99501  
Main: 907.269.0350

June 6, 2019

Department of Revenue  
Department of Labor, Employment Security  
Department of Labor, Workers' Compensation  
Via email: [theresa.mitchell@alaska.gov](mailto:theresa.mitchell@alaska.gov)  
[elizabeth.glooschenko@alaska.gov](mailto:elizabeth.glooschenko@alaska.gov)  
[rizalina.olde@alaska.gov](mailto:rizalina.olde@alaska.gov)  
[velma.thomas@alaska.gov](mailto:velma.thomas@alaska.gov)  
[erwin.fariolan@alaska.gov](mailto:erwin.fariolan@alaska.gov)  
[dor.tax.collections@alaska.gov](mailto:dor.tax.collections@alaska.gov)

<b>License Number:</b>	4353
<b>License Type:</b>	Beverage Dispensary
<b>Applicant:</b>	Kenneth Fuller
<b>Doing Business As:</b>	No DBA
<b>Transferee EIN:</b>	[REDACTED]
<b>Transferor EIN:</b>	73-1682376

**Transfer of Ownership Application**

**Transfer of Controlling Interest**

AS 04.11.330(b) and AS 04.11.370(a)(6) require that an applicant for a liquor license operate in compliance with each applicable public health, fire, safety, and tax code and ordinance of the state and the local governing body in which the applicant's proposed licensed premises are located.

This letter serves to provide written notice and request for compliance status from the above referenced entities regarding the above application (see attached application documents for more information). **Please complete and return this form to the AMCO office at [alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov).**

REVIEWER: Erwin Fariolan

- DOR
- Employment Security
- Workers' Compensation

DATE: 6/12/2019 PHONE: (907) 465-6919

Compliant  Non-compliant

COMMENTS: Under review due existing civil case.

If you have any questions, please send them to [alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov).

Sincerely,

Erika McConnell  
Director, ABC Board