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: 6/20/24

License #/Type: 4526 Beverage Dispensary-Tourism AS 04.11.400(d)

Licensee: Jazco Investment LLC

Address: 7100 Lake Otis Pky., Anchorage, AK 99507

DBA: Susitna Bar and Grill

AMCO Case #: AM 24-1335

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.

On 06/17/2024 AMCO Investigators Linger and Hamilton entered Sustina Bar and Grill in Houston, AK to conduct a routine inspection. Investigator Linger contacted Brittany Maynard, and asked to see her alcohol server education card. Maynard stated she had only been employed approximately three weeks (proof of hire date 06/04/2024 was given). Investigator Linger contacted the owner, John Zavacky and his wife Inthira Zavacky, and requested their alcohol server education cards. John Zavacky presented a card that expired 11/06/2022, and Inthira Zavacky stated she has never had one. A check in the AMCO licensing records revealed just above John Zavacky's signature on his application for an alcohol license, that he agreed and understood he and all agents and employee's are required to complete an approved alcohol server education course approved by AMCO. This is in violation x2 of the below referenced statute.

This is in violation of AS 04.21.025 Alcohol server education course (a)(c)

AS 04.21.025
(a) Except as provided under (e) and (f) of this section, as a condition of issuance or renewal of a license or conditional contractor's permit and selling alcoholic beverages under a license or conditional contractor's permit, the board shall require a licensee or permittee who sells or serves alcoholic beverages and a licensee's or permittee's agents and employees who sell or serve alcoholic beverages or check the identification of a patron to complete an alcohol server education course approved by the board.

(c) A licensee, permittee, agent, or employee shall complete the course required under (a) of this section and pass a written test, online or in person, demonstrating an understanding of the course subjects not more than 30 days after being licensed, permitted, or employed. The course provider shall issue a card to each individual who completes the course and passes the written test. A card issued under this subsection is valid for three years from the date of issue. A licensee, permittee, agent, or employee may renew a card issued under this section; to renew the card, the licensee, permittee, agent, or employee must pass a written test demonstrating an understanding of the course subjects. Notwithstanding the 30-day period for completing the course and passing the written test under this subsection, a person may not sell or serve alcoholic beverages or check the identification of a patron at a permitted event under AS 04.09.600 - 04.09.690 unless the person possesses a valid card issued before the event.

Mailed 06/20/2024, Certified Return Receipt #7021 0950 0001 6766 6192

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. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: J. Linger

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date: