

# Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

#### **MEMORANDUM**

TO: Alcoholic Beverage Control Board DATE: June 6, 2025

FROM: Kyle Helie, Licensing Examiner II RE: Death of a Licensee

#### Applicable statute: AS 04.11.030. Death of licensee.

- (a) The executor or administrator of the estate of a person who was operating a business as a sole licensee under a license authorized by this title may continue to operate the licensed business until an application for transfer of a license to another person is approved or until the license is forfeited under (b) of this section.
- (b) If an application for the transfer of ownership of a license from a deceased licensee is not made within 180 days of the death of the licensee or within an additional 90 days if an application for transfer of ownership made by the executor is denied, or no petition is made to the board for an extension of time under (c) of this section within the time, the license is forfeited.
- (c) The board may extend the time limits in (b) of this section on petition of the executor or administrator.
- (d) This section does not authorize the transfer of a liquor license by an administrator or executor to the estate of a decedent.
- (e) The board may transfer a license to an executor or administrator only in the executor's or administrator's individual capacity.

## Applicable regulation: **3 AAC 305.620. Death of an individual with a controlling interest in a license issued to a business entity.**

- (a) Upon the death of an individual who owns a controlling interest in a partnership, including a limited partnership, a limited liability company, or a corporation that holds a license under AS 04 and this chapter, the business entity may continue to operate the licensed business but shall file a transfer application as required under AS 04.11.040 and 3 AAC 305.060 or a time extension request under (b) of this section not later than 180 days after the individual's death. If the business entity fails to file a transfer application or time extension by the 180-day deadline the business shall stop operation until the business entity files a transfer application.
- (b) A business entity may submit a time extension request. If the board grants a time extension, the extension may not exceed the time reasonably necessary to close the affairs of the deceased individual, as determined by the board; however, the board may extend an extension for good cause. A written request to extend the applicable deadline must
- (1) be submitted to the board before the applicable deadline expires; however, the board may

approve a request that is submitted after the deadline if there is good cause to approve the deadline extension; and

(2) include an estimated length of time required for the extension from the business entity and a description of the factors that support the requested timeline.

#### Background:

On November 11<sup>th</sup>, 2022, Isaac Mangum, 50% owner of Go Alaska Media, LLC emailed AMCO stating that his wife Karla J. Mangum, 50% owner of Go Alaska Media, LLC, had passed away. The email from Mr. Mangum also included a time extension request to submit a transfer application. That time extension request went before the Alcoholic Beverage Control Board during their meeting on December 12<sup>th</sup>, 2022. The board voted to approve a 180-day extension to submit a transfer application. AMCO did not receive a transfer application within the 180-day window approved by the board. Licensee is requesting another 180-day time extension to file a transfer of ownership application.

#### **Staff Recommendation:**

180-day extension to submit the transfer application or what the Board deems appropriate.

#### **Attachments:**

Letter requesting time extension of 180-days Email correspondence Metting minutes from the December 12<sup>th</sup>, 2022, Board meeting

6 June 2025

I am requesting a 180 days extension to transfer Liquor License number 4504. In 2022 my wife of over 42 years unexpectedly passed away, I contacted your office to make you aware of my situation. During that difficult time in my life, I believed that I completed all the paperwork to finalize the transfer, and was recently made aware that I had not. I am not trying to make excuses it is just that I was not thinking clearly. I am asking you to please give me the opportunity to correct my mistake. I am in a better place today to take care of things.

Once this request is approved, I will be transferring this license to my son Isaiah Mangum Jr for his business Gather Fairbanks, Located at 714 3<sup>rd</sup> Ave, Fairbanks, Alaska 99701. Business License number 2212107.

Thank you,

Isiah Mangum



From: <u>Isaac Mangum</u>

To: Alcohol Licensing, CED ABC (CED sponsored); Isaac Mangum

Cc: <u>Isaac Mangum</u>

Subject: Re: Renewal Alcohol Licensing #4504

Date: Wednesday, November 23, 2022 2:27:20 PM

Attachments: 2023-2024 liquor license renewal.pdf

**CAUTION:** This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks for the information, I am attaching the renewal application and a extension request along with a few other documents.

Thanks Isaac 907-378-0112

On Nov 17, 2022, at 9:59 AM, Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov> wrote:

#### Good morning,

Thank you for your inquiry and please accept our condolences. I apologize in advance – this is going to be a process unfortunately, but we are here to assist along the way. According to 3 AAC 304.216 the business entity may continue to operate the licensed business but shall file, not later than 90 days after the individual's death, a transfer application as required under AS 04.11.040 and 3 AAC 304.175 or a time extension request under (b) of this section. If a transfer application or time extension request is not filed by the 90-day deadline, the business shall cease operation until a transfer application is filed. (b) Upon receipt of a time extension request, the board may grant an extension not to exceed one year. A written request to extend the applicable deadline must be submitted before the expiration of the applicable deadline, unless the board approves a request submitted after the deadline for good case. Additional extensions may be granted by the board only for good cause.

Basically, the regulation above says that the transfer application must be submitted within 90 days after the individuals passing, however the board realizes and sympathizes that 90 days is sometimes is not enough time for families to complete probate and all the other onerous paperwork that comes with it. Therefore, they will issue a time extension upon a written request which should include the estimated time frame. We will also need a copy of the death certificate and any court documents that assign the personal representative or executer to the deceased's estate.

To <u>renew</u> the license, just fill out the application like you normally would, but in Section 4 where it asks if the ownership structure has changed check the "yes" box and include a copy of this email and your written attachment.

To <u>transfer</u> the license, the following items will need to be submitted. However, before you submit an application of any kind to the Alcohol and Marijuana Control office, you must publish and post your application as listed in Form AB-07 & Advertising Format. These items must be completed within the **60 days before submitting the application to AMCO**. Applications with publications or postings that are more than 60 days old on the day the application is submitted to AMCO will be returned without review. Please note the application process can take

3 to 6 months on average.

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

- Sections 4 and 5 are mutually exclusive; only include information in ONE of these sections.
- If you fill out section 5, please make sure that the CBPL (Corporations, Business and Professional Licensing) information matches what is listed on your application.
   https://www.commerce.alaska.gov/cbp/main/search/entities

#### AB-02: Premises Diagram:

 Please review the diagram requirements carefully, any diagram that does not meet all requirements will be returned for correction.

#### AB-03: Restaurant Designation Permit Application (if applicable):

- Menu
- \$50.00 Restaurant Designation Permit fee
- DEC Kitchen Permit or DEC Plan Review Approval or DEC Kitchen Permit Application date stamped Received by DEC (A final permit will be required before finalization.) In the Municipality of Anchorage, corresponding Department of Health and Human Services (DHHS) documentation is required.
  - Please follow this link to the DEC Food Safety website: http://dec.alaska.gov/eh/fss/food/
  - Please follow this link to the Municipality Food Safety website: <a href="http://www.muni.org/Departments/health/Admin/environment/FSS/Pages/fssf">http://www.muni.org/Departments/health/Admin/environment/FSS/Pages/fssf</a> ood.aspx

#### AB-07: Public Notice Posting Affidavit:

- An applicant must give notice of a liquor license application to the public by posting a true copy of the Form AB-00 (new licenses) or Form AB-01 (license transfers) for ten (10) days per AS 04.11.310 and 3 AAC 304.125.
- Posting should occur at the premises and another conspicuous location in the area.
- Common Carrier Vessels should post in their home port (or main port of call in Alaska) at the Harbor Master's office and another conspicuous location.

#### AB-08a: Authorization of Records Release:

- For those individuals who are required to be listed in Sections 4 or 5 of the AB-01.
- Original fingerprint card on FBI approved cardstock for each individual who is required to be listed in Sections 4 or 5 of the AB-01.
- \$48.25 Background Investigation fee for those individuals who are required to be listed in Sections 4 or 5 of the AB-01.

#### AB-09: Statement of Financial Interest:

This form should be completed by the applicant.

#### Publisher's Affidavit:

- Applicants must advertise once each week for three consecutive weeks by newspaper of general circulation
  in the area of the license; or if by radio, two times each week during triple A advertising time, for three
  consecutive weeks. Per Alaska Regulation, notice by radio MAY NOT substitute for newspaper notice in the
  following areas: Municipality of Anchorage, City and Borough of Juneau, and Fairbanks North Star Borough.
- This affidavit should be signed and notarized by an associate of the publisher or radio in which the
  advertisement was published; most publishers have their own affidavit format.
- Use the Advertising Format under New License Forms on our website to create your radio or newspaper advertisement.

#### **Entity documents:**

- Limited Liability Companies Articles of Organization, Certificate of Organization and Operating agreement.
- Corporations Certificate of Incorporation.

#### Proof of Right and Title to the premises:

- The Licensee, as listed on Page 1, Section 1 of the AB-01 form, must be the entity or individual that the lease or deed lists as the lessee or owner.
- All documents must be signed by the appropriate parties.
- Any sublease or assignment of lease must also provide the master lease/original lease.
- The "Premises Address" as listed on Page 1, Section 1 of the AB-01 form should be listed in the lease or deed. (If it is not listed, a legal linking document between what IS listed in the lease and the premises address will be required.)
- If the transfer is a transfer of ownership and NOT location, it is imperative that the transferor (current licensee) maintain right/title and interest in the premises until the transfer is effectuated. Most commonly, the submitted documents have either an effective date of "upon license transfer" or there is a lease-back agreement that is in effect until the transfer is effectuated.

#### Fees:

• \$500.00 Transfer License Application fee

All forms, instructions and fee can be found

here: <a href="https://www.commerce.alaska.gov/web/amco/AlcoholLicenseApplication.aspx">https://www.commerce.alaska.gov/web/amco/AlcoholLicenseApplication.aspx</a>. Completed documents (with the exception of fingerprint cards or payments) may be scanned and emailed, and questions or concerns may be sent to <a href="mailto:alcohol.licensing@alaska.gov">https://www.commerce.alaska.gov</a>/web/amco/AlcoholLicenseApplication.aspx. Completed documents (with the exception of fingerprint cards or payments) may be scanned and emailed, and questions or concerns may be sent to <a href="mailto:alcohol.licensing@alaska.gov">https://www.commerce.alaska.gov</a>.

I hope this information is helpful and please let us know if you have further questions or concerns. We are happy to help!

### Tarrie Graig

Records and Licensing Supervisor Alcohol and Marijuana Control Office 550 West 7<sup>th</sup> Avenue, Suite 1600 Anchorage, AK 99501 907-269-0350

From: Isaac Mangum [mailto:isaac.mangum@gmail.com]

Sent: Monday, November 14, 2022 10:14 PM

To: Alcohol Licensing, CED ABC (CED sponsored) <a href="mailto:alcohol.licensing@alaska.gov">alcohol.licensing@alaska.gov</a>

**Cc:** Isaac Mangum < <u>isaacmangum@gmail.com</u>> **Subject:** Renewal Alcohol Licensing #4504

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## To Whom it May Concern;

I am requesting a one year extension on my liquor license #4504 so the business can continue operating as is. This will give me the time I need to submit the transfer application as required, since the passing of my wife. I am submitting the renewal for licensing #4504 the way it currently is. I am asking the board to please grant me this extension.

Sincerely,

saac Mangum Date

Owner, Go Alaska Media LLC

D/B/A Venue Fairbanks

Local governing body action: pending City of Kenai and Kenai Peninsula Borough

Approved: Department of Labor, Department of Revenue

Background investigations: complete

3:29 pm: Dana W. summarizes the memo. Carrie C. reminds the board of the additional letters emailed the day before from the licensees' counsel, Sherman Ernouf, Tabs 43 and 44. **Dave K. motions to approve both transfers in Tab 43 with delegation. Jan seconds. None opposed, motion passes.** 

F. Third AB-29 Waiver of Operation Application for Board consideration.

**TAB 44** 

 3009 The Rock Wood Fired Pizza & Spirits: The Wedge Corp No Premises
 Beverage Dispensary

3:32 pm: Dana W. summarizes the memo and reads Mr. Ernouf's letter into the record. There is a discussion on the regulation regarding denying a waiver application. **Dave K. motions to approve the 3**<sup>rd</sup> waiver. **Diane T. seconds. None opposed, motion passes.** 

- G. Request for additional time to submit transfer application in relation to a death of a licensee.
  - 4504 Venue Fairbanks: Go Alaska Media LLC 514 2<sup>nd</sup> Avenue, Fairbanks Beverage Dispensary

**TAB 45** 

3:44 pm: Dana W. summarizes the memo. **Dave K. motions to approve another 180-day deadline to submit a transfer. Doug M. seconds. None opposed, motion passes.** 

- TABLED FROM PREVIOUS MEETING(S)
  - A. Alcohol Server Education Course Consideration for TIPS 360 Training

**TAB 46** 

At the September 20, 2022 meeting the ABC Board tabled consideration to this meeting for further research into the complaints.

3:47 pm: Chief Hoelscher is present to summarize their investigation. They just got info a week ago and cannot finish the investigation yet, but the course provider is not offering online classes at this time. There is a disclaimer on their website. Dana W. suggests staff provide further education to permit holders. The Chief says any e-tips cards are not valid in Alaska and they will get an advisory out to licensees. Carrie C. asks, for clarification purposes, if the board must approve the courses or was that authority delegated to Enforcement and had this in person portion of the course been previously approved? Director Wilson states the board must approve the courses after delegated review by Enforcement. The Chief states this course (minus the online portion) was previously approved. No action needed by the board.

4:08 pm: Break

4:20 pm: Reconvened

B. 876/877 The Pit Bar & Liquor Store NOV Consideration

ABC Board Meeting Agenda: December 12, 2022