

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: 1/17/19

Licensee: Baker Industries, LLC

DBA: Satori

License #/Type: #10975/Marijuana Retail Stores

Address: 221 E, 5th Avenue, Anchorage, AK 99501

AMCO Case #: AM190139

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.

On Thursday, January 17, 2019. After a review of the operating plan of Satori retail store, it was discovered that Satori owner and employees had been checking identification in an area that was not compliant with the operating plan submitted to and approved by the Marijuana Control Board.

The Satori ID check station is located in the center area of the retail store but in the operating plan, the ID check station is approved to be located at the front entrance to the retail store.

On November 6th, 2018 while on a inspection of the Satori retail store it was observed that the owner & employees were in the back office area. When AMCO arrived at the ID check and sign in area which was located in the middle of the retail store. AMCO was then greeted by Satori staff at those middle counters. This was observed by AMCO enforcement and the AMCO Criminal Justice Technician.

Your attention is directed to:

3 AAC 306.705. Licensed premises; alteration (c) 1,2,3.

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 of Violation. A licensee may respond, either orally or in writing to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation, to correct any defect that is the subject of the notice of violation of AS 17.8 or this chapter.


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 license number in your response.**

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: K. Whiteman

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Email

Date:



Jana D. Weltzin
Licensed in Alaska & Arizona
3003 Minnesota Blvd., Suite 201
Anchorage, Alaska 99503
Phone 630-913-1113
Main Office 907-231-3750
JDW, LLC
jana@jdwcounsel.com

February 7, 2019

AMCO & Enforcement
Marijuana Control Board
Sent Via Email

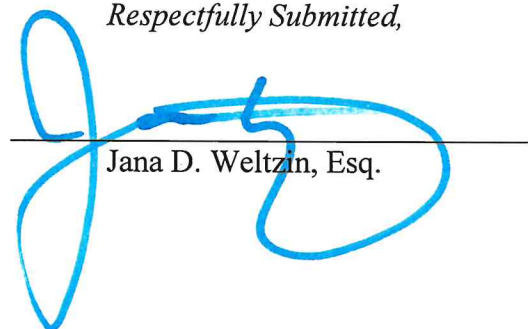
Re: NOV Case No: AM190139 – Satori License No: 10975

Dear MCB and Enforcement Team:

On January 17, 2019, my client Andrew Baker designated licensee for Satori, received the NOV number referenced above. The NOV states that on November 6, 2018, while on an inspection of Satori's retail store it was observed that Satori's ID check station is located in the center area of the retail store and is to be located at the front entrance to the retail store.

Andrew completely understands the concerns of the violation and agrees that he does need to move his ID check point to the door and has moved the check point for identification check right up to the door as of February 5th. He sincerely apologizes for the time and energy that Enforcement had to spend on this matter and appreciates Enforcement's hard work to continuously protect the integrity of our Industry and he completely agrees that this NOV was warranted.

Respectfully Submitted,



Jana D. Weltzin, Esq.

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: 2/5/19

Licensee: Baker Industries, LLC

DBA: Satori

License #/Type: #10975 Marijuana Retail Stores

Address: 221 E, 5th Avenue, Anchorage, AK 99501

AMCO Case #: AM190245

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.

On February 5th, 2019 at approximately 3:00 pm AMCO staff were present at Satori a retail marijuana store. AMCO Director and licensing staff were present to review the floor layout for a possible change of premises diagram. While at Satori, AMCO staff waited at the front entrance where the ID check station is located on the approved operation plan diagram. AMCO staff IDs were not checked at the front door entrance as indicated in the operation plan. AMCO staff proceeded to the retail area where the identifications again were not checked although Satori staff had been present. It was noted that a sale of marijuana product had been completed to a patron without Satori staff requesting to check the patrons age or identification.

This incident is a clear disregard for the notarized Form MJ-01 Marijuana Establishment Operating Plan - Section 8, Control plan for persons under the age of 21 which is signed on September 28th, 2016 by a Satori representative.

This is a violation of:

3 AAC 306.020. Application for new license (c) 1,3

3 AAC 306.350. Identification requirement to prevent sale to person under 21 (a)

3 AAC 306.705. Licensed premises; alteration (c) 1,2,3.

3 AAC 306.715. Security alarm systems and lock standards (c) 2

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 of Violation. A licensee may respond, either orally or in writing to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation, to correct any defect that is the subject of the notice of violation of AS 17.8 or this chapter.

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 license number in your response.**

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: K. Whiteman

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:



Jana D. Weltzin
Licensed in Alaska & Arizona
3003 Minnesota Blvd., Suite 201
Anchorage, Alaska 99503
Phone 630-913-1113
Main Office 907-231-3750
JDW, LLC
jana@jdwcounsel.com

April 2, 2019

AMCO & Enforcement
Marijuana Control Board
Sent Via Email

Re: NOV Case No: AM190245 – Satori License No: 10975

Dear Honorable MCB Members, Director McConnell and Enforcement Team:

My client Andrew Baker, designated licensee for Satori, received the NOV number referenced above and it was dated Feb. 5th 2019. My client received this NOV on Feb. 8th in his email inbox, but did not actually realize he had received an NOV. Marijuana licensees' email addresses are made public by AMCO, therefore a plethora of vendors essentially spam these email addresses with sales offers and other types of solicitations. To avoid this issue in the future, Andrew has adjusted his email inbox settings and marked AMCO and Enforcement email addresses as "Important" so to flag it red in his email inbox so that important Enforcement correspondence is not missed in the future.

The NOV states that on February 5, 2019 Director McConnell and Licensing staff team members were visiting the store because of a review of the floor plan layout change (MJ14) that the licensee submitted. AMCO Director and staff entered the retail premises where their age was not verified at the door. They approached the retail counter and still were not asked for identification by staff. It is unclear whether Satori staff recognized the Director and assumed she was there in an official capacity, but regardless if Satori Staff recognized the Director, the Director and her staff should have been asked for their identification.

The fact that the Director and her staff made it all the way to the display counter without being asked for identification is not acceptable. To ensure that this never happens again, a new check stand has been set up in front of the entry door so that no person shall enter the retail sales floor without first providing valid identification. Please see attached pictures of the identification check point that was set up right after the Director's Feb. 5th visit.

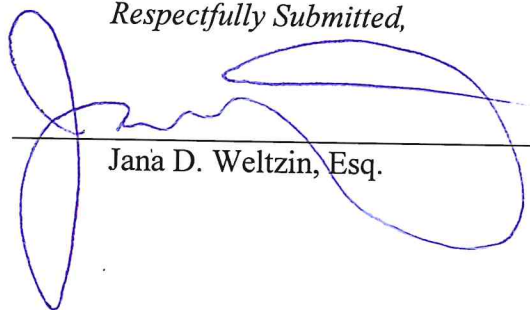
However, while my client agrees that the Director should have had her ID checked, my client absolutely disagrees and refutes the allegation that a sale of marijuana product occurred without proper age verification.

The licensee, Andrew, has reviewed all video footage from February 5, 2019 and at no time on that date did a sale occur without proper age identification verification. However, Andrew did see in the video footage that while the Director was present in the store, an employee was doing a till exchange and perhaps the Director mistook the till exchange for a purchase. If this issue rises to the level where the MCB wants to discuss the situation with the licensee we are happy to do so and would request that Enforcement provide the video from that day to the licensee and the MCB, as Enforcement has the only copy of the video of that day's events.

Andrew prides himself on ensuring that his facility is committed to following both state and muni regulations, by selling regulated marijuana to only those old enough to consume and with proper age verification. Andrew and his team will take every step necessary to ensure that age verification occurs upon entering the licensed premises.

We look forward to your response and taking the next steps moving forward to conclude on the events that happened on February 5, 2019 in the Satori Retail Facility.

Respectfully Submitted,



Jana D. Weltzin, Esq.

Alcohol & Marijuana Control Office

Initiating License Application

6/4/2019 10:15:03 AM

License Number: 10975**License Status:** Active-Operating**License Type:** Retail Marijuana Store**Doing Business As:** SATORI**Business License Number:** 1041562**Designated Licensee:** Andrew Baker**Email Address:** satorimj.ak@gmail.com**Local Government:** Anchorage (Municipality of)**Community Council:** Downtown**Latitude, Longitude:** 61.130000, -149.524000**Physical Address:** 221 E. 5th Ave
Anchorage, AK 99501
UNITED STATES**Licensee #1****Type:** Entity**Alaska Entity Number:** 10035981**Alaska Entity Name:** Baker Industries, LLC**Phone Number:** 503-410-4796**Email Address:** satorimj.ak@gmail.com**Mailing Address:** 221 E. 5th Ave
Anchorage, AK 99501
UNITED STATES**Entity Official #1****Type:** Individual**Name:** Andrew Baker**SSN:** [REDACTED]**Date of Birth:** [REDACTED]**Phone Number:** 503-410-4796**Email Address:** satorimj.ak@gmail.com**Mailing Address:** 221 E. 5th Ave
Anchorage, AK 99501
UNITED STATES**Note:** No affiliates entered for this license.



Alaska Marijuana Control Board

Form MJ-20: Renewal Application Certifications

What is this form?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's main office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Baker Industries, LLC	License Number:	10975		
License Type:	Retail Marijuana Store				
Doing Business As:	Satori				
Premises Address:	221 E. 5th Ave				
City:	Anchorage	State:	Alaska	ZIP:	99501

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Andrew Baker
Title:	Manager, Member

Section 3 – Violations & Charges

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

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

AB

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

AB

I certify that a notice of violation has **not** been issued for this license.

--

Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).

AB



Form MJ-20: Renewal Application Certifications

Section 4 – Certifications

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

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

AS

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

AS

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

AS

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

AS

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

AS


I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

AS

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

AS

As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.


Signature of licensee

Andrew Baker

Printed name of licensee


Notary Public in and for the State of Alaska

My commission expires: 11/17/2021

Subscribed and sworn to before me this 25th day of June, 2019.

