

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: 9-21-18

License #/Type: #11140 / Marijuana Retail Store

Licensee: David Parker

Address: 36380 Murray Lane, Soldotna, AK

DBA: Fat Tops, LLC

AMCO Case #: AB18-1176

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 9-17-18 AMCO was informed by METRC that Fat Tops did not record sales for 7 days. A review of the days in question confirmed sales had not been recorded. Criminal Justice Tech J. Davies e-mailed the licensee requesting an explanation. Not receiving a reply by 9-20-18, Inv. Hamilton telephoned the licensee who explained that his data entry person had been sick.

On 6-4-18 and 5-31 METRC notified AMCO that Fat Tops had not recorded any sales in 7 days. A review of those time periods also confirmed that no sales had been recorded the prior 7 days to METRC's notification to AMCO.

It should be noted there were sales recorded during the time periods in question which were not reconciled at the end of the business day to the inventory tracking system as required. A review of the past few days reveals that sales on 9-12-18 were entered into the system on 9-18-18.

Your attention is referred to 3 AAC 306.330(c): Marijuana inventory tracking system

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

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date:

Article #

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

Re: Case #: AB18-1176

This is in response to the notice of violation on September 21, 2018. I handed over the sales uploads to a more experienced person that was offering the service. I found out from investigator Hoelscher that I fell behind in uploading sales to metric. I immediately contacted my contractor she was able to get Fat Tops retail current with metric and I have personally taken over doing daily reports to metric. I am no longer hiring out. I have no excuse for the job not being done.



David R. Parker
Fat Tops LLC #11140
P.O. Box 1462
Sterling, AK. 99672
907-953-2470



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Date: License #/Type:
Licensee: Address:
DBA: AMCO Case #:

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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:

Received by:

SIGNATURE:

F.R. Hamilton

SIGNATURE:

Delivered VIA:

Date:

LIC# 11138/11140
MJ 20: Attachment 1
Written Response to Section 3

There were a couple of Notices of Violations received for these license(s). All have been resolved, with only one having been found by the board to be a violation by Fat Tops, LLC.

A couple of years back there was signage which was found to be partially outside of licensee's property line and partially within Department of Transportation land usage. Upon being notified by the Borough Planning Department that the placement of the sign was partially outside of Fat Tops property line, licensee immediately remedied the situation by removing and/or resituating the signs entirely within their lawfully possessed property. Although the situation was immediately remedied, photographs were taken and provided to AMCO and a violation was ultimately found by the board to have occurred.

Around that same time, Enforcement did a surprise inspection and were unable to find a couple of packages of marijuana. It was later determined that the packages in question were present; the packages were accounted for- and had potentially been overlooked by enforcement. No violation was found to have occurred and the licensee, since that time, improved organization and accountability. A Notice of Violation was received. No violation was found by the board.

Upon inspection during the last renewal period, Enforcement found a couple of packages of marijuana showing discrepancies between weight reported in METRC and actual grams on hand. Licensee worked with METRC and enforcement to identify the source of the discrepancy, resolve the issue, and to ensure discrepancies of the same type do not recur in the future. A NOV was received. No violation was found by the board.

Alcohol & Marijuana Control Office

License Number: 11140

License Status: Active-Operating

License Type: Retail Marijuana Store

Doing Business As: FAT TOPS, LLC.

Business License Number: 1042820

Designated Licensee: David Parker

Email Address: daveparker907@gmail.com

Local Government: Kenai Peninsula Borough

Community Council:

Latitude, Longitude: 60.508722, -150.915571

Physical Address: 36380 Murray Lane
Soldotna, AK 99669
UNITED STATES

Licensee #1

Type: Entity

Alaska Entity Number: 10041733

Alaska Entity Name: FAT TOPS, LLC.

Phone Number: 907-953-2470

Email Address: daveparker907@gmail.com

Mailing Address: PO Box 1462
Sterling, AK 99672
UNITED STATES

Entity Official #1

Type: Individual

Name: David Parker

SSN: [REDACTED]

Date of Birth: [REDACTED]

Phone Number: 907-953-2470

Email Address: daveparker907@gmail.com

Mailing Address: PO Box 1462
Sterling, AK 99672
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:	FAT TOPS, LLC	License Number:	11140		
License Type:	Retail Marijuana Store				
Doing Business As:	FAT TOPS, LLC				
Premises Address:	36380 Murray Lane				
City:	Soldotna	State:	AK	ZIP:	99669

Section 2 – Individual Information

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

Name:	David Parker
Title:	member/manager

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.

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.

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).



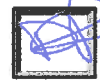
Form MJ-20: Renewal Application Certifications

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.



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.



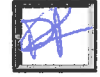
I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.



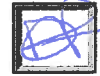
I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.



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



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.



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.



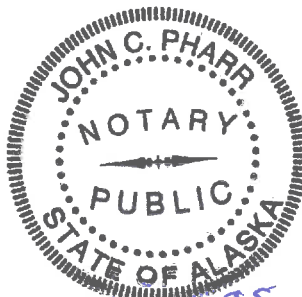
As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide 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.

David R. Parker

Signature of licensee

David Parker

Printed name of licensee



[Signature]

Notary Public in and for the State of Alaska

My commission expires: 5/22/27

Subscribed and sworn to before me this 15 day of June, 2019.