

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

## MEMORANDUM

TO: Marijuana Control Board

DATE: August 19, 2020

FROM: Carrie Craig, Records and Licensing  
Supervisor

RE: #12254 Lady Gray Gourmet Medibles

3 AAC 306.100(b) states that if a renewal application is late as provided under 3 AAC 306.035(e), an additional non-refundable late renewal application fee is \$1,000.

On June 30, 2020 the renewal application was placed in the queue however payment had not been processed.

On July 7, 2020 Ms. Sawyer notified the licensee that she had received a total of \$9,100.00 not the \$9,600.00 for multiple renewal applications. She also informed the licensee that one of the renewals would be considered late because the full fees were not paid in time.



Jana D. Weltzin  
Licensed in Alaska & Arizona  
901 Photo Ave  
Anchorage, Alaska 99503  
Phone 630-913-1113  
Main Office 907-231-3750  
JDW, LLC  
jana@jdwcounsel.com

July 30, 2020

**Re: Notice of Appeal for Renewal Fee Late Payment for Lady Gray Gourmet Medibles License No. 12254**

Dear Marijuana Control Board Members:

I am writing to you today on behalf of Tasha Grossl, designated licensee for Lady Gray Gourmet Medibles. On Friday June 26, 2020 Tasha sent what she thought to be the full renewal fee payments for both of her licenses via USPS envelope containing cashier checks. As you know, because of the lack of access to banking institutions, simple transactions like submitting license renewal payments have an added element of additional effort and room for human error. Tasha did not realize that as she counted out her cashiers' checks for renewal fees, she miscounted and was short in her renewal payment by \$500.00.

Per the shipping records, the envelope containing Tasha's fees were delivered to AMCO on Monday June 29, 2020, prior to the deadline for AMCO to receive renewal payment. On Tuesday, July 7<sup>th</sup>, eight (8) days after the fees arrived, Tasha received an email stating that the payment was short by \$500 and thus subject to a \$1000 late fee for the unintentional miscalculation. JDW promptly delivered the fees (\$500 plus the \$1000 late fee) to AMCO to ensure the renewal license was complete, but also immediately appealed the late fee to this Board. The licensee, who always provides this Board with the most detailed product descriptions and files MJ15s for any adjustment to any product ingredients or production process and even the smallest packaging changes, made a minor accounting error that is being punished with a punitive fee of \$1000.00. The renewal fees arrived at the office prior to the deadline, and, understandably because AMCO staff is busy, was opened eight days after it was delivered. Had the envelope containing the fees been opened when it arrived (or a day after it arrived), the discrepancy could have been caught and remedied prior to the 30<sup>th</sup> deadline. We understand that AMCO staff is busy and cannot always process mail the same day it arrives, but this licensee intended to comply with the renewal requirements and substantially did comply – she simply made a simple accounting error and once she was alerted to the error, she immediately ensured correction. We kindly request that the MCB take these facts into consideration and refund Tasha the \$1,000.00 late fee.

Truly and Sincerely Yours,

A handwritten signature in blue ink, appearing to read "Jana D. Weltzin", is written over the typed name. The signature is stylized with a large loop at the end.

Jana D. Weltzin, Esq.



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<----- Cut on dotted line.

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### Click-N-Ship® Label Record

<b>USPS TRACKING # :</b>	
<b>9405 5036 9930 0432 9101 74</b>	
Trans. #:	498023460
Print Date:	06/26/2020
Ship Date:	06/26/2020
Expected:	
Delivery Date:	06/29/2020
Priority Mail® Postage	<b>\$7.75</b>
Total:	<b>\$7.75</b>
From:	TASHA GROSSL 35555 KENAI SPUR HWY # 255 SOLDOTNA AK 99669-7674
To:	CARRIE CRAIG AMCO RENEWAL LICENSING 550 W 7TH AVE STE 1800 ANCHORAGE AK 99501-3567
<small>* Retail Pricing Priority Mail rates apply. There is no fee for USPS Tracking® service on Priority Mail service with use of this electronic rate shipping label. Refunds for unused postage paid labels can be requested online 30 days from the print date.</small>	

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Check the status of your shipment on the USPS Tracking® page at [usps.com](https://usps.com)

**From:** [Marijuana Licensing \(CED sponsored\)](#)  
**To:** [Jana Weltzin](#); [tasha@ladygraygrowing.com](mailto:tasha@ladygraygrowing.com); [Klinkhart, Glen Edward \(CED\)](#)  
**Cc:** [Marijuana Licensing \(CED sponsored\)](#); [Glen Klinkhart](#)  
**Subject:** RE: Renewals licenses 12255 & 12254 Lady Gray  
**Date:** Thursday, July 9, 2020 12:04:00 PM

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Hi, Jana,

Under the 3 AAC 306.100(b), if a renewal application is late under 3 AAC 306.035(e) it incurs a non-refundable late fee of \$1000.

The renewal application packet includes the payment of fees. The reason why the full fees to a renewal application (or any application for that matter) are required is so the application can be put in the queue to be reviewed. The fees cover the complex, extensive review of application, administration fees, enforcement fees, etc. If full fees are not paid, it doesn't go in the queue, and consequently doesn't get reviewed.

To answer your questions about why it can't be added to the incomplete letter as everything else: we are already giving the benefit of the doubt to the licensee that the paperwork is complete and accurate when we receive it. We don't know that something is missing or incomplete until we actually review it. The fee is part of maintaining this process.

Under 3 AAC 306.095, an aggrieved applicant or license holder may appeal to the **board** any action of the director, or an employee, or agent of the board: you/the licensee are aggrieved by my request for the late fee. Your appeal needs to go to the board. Further, the fee late fee would need to be paid now, and if the board agrees with you, then it gets refunded.

Under 3 AAC 306.085, an informal conference is for when you want to appeal a board's decision. The regulations do not address an 'informal conference' before going to the board.

An accounting error is causing a few licensees (not just this one) late fees.

Respectfully,

Jane Sawyer  
AMCO-Regulations  
907-269-0490

**From:** Jana Weltzin [mailto:[jana@jdwcounsel.com](mailto:jana@jdwcounsel.com)]  
**Sent:** Thursday, July 9, 2020 11:01 AM  
**To:** Tasha Grossl <[tasha@ladygraygrowing.com](mailto:tasha@ladygraygrowing.com)>  
**Cc:** Marijuana Licensing (CED sponsored) <[marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov)>  
**Subject:** Re: Renewals licenses 12255 & 12254 Lady Gray

Jane - please consider this our notice of appeal of the \$1,000.00 late fee for either license, we would like to request an informal conference with the director as we do not agree that this renewal application should be deemed late due to the circumstances and we find the charge of \$1,000 for a simple accounting error to be punitive. It looks like the communication regarding missing fees was

just a few days ago, why would this accounting error not be deemed an incomplete item and the licensee given the standard 14 days to correct the deficiency like all other incomplete items?

Thank you,

Jana D. Weltzin, Esq.  
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Principal Owner  
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[jana@jdwcounsel.com](mailto:jana@jdwcounsel.com)  
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Thank you.



Think green, please don't print unnecessarily

On Thu, Jul 9, 2020 at 10:36 AM Tasha Grossl <[tasha@ladygraygrowing.com](mailto:tasha@ladygraygrowing.com)> wrote:

Hi Jane,

Thank you and understood. Jana can you weigh in on which license should be marked late or does it matter? And if a short blurb or explanation could be accompanied with the late stamp, I would appreciate it as this feels to be different situation ~ if something comes up later it may be helpful. Appreciated, Tasha

On Thu, Jul 9, 2020 at 10:29 AM Marijuana Licensing (CED sponsored)

<[marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov)> wrote:

Hi Tasha,

We work under the assumption that the licensee verifies the documents and/or fees when they submit it for any sort of paperwork. I know your envelope lists a total of \$9600 but I counted the money orders over and over and had someone else counted it, and what I described below is what we have. If you find otherwise, of course, let me know, I just don't know where it could have gone.

The absolute, latest date we must have the remaining balance (\$1500) in our office is August 31, 2020. There is no leniency, no postmark deal on this, it must be in our office or one of the licenses will expire.

**Question:** which license do you want to be late on?

Jane Sawyer  
AMCO-Regulations  
907-269-0490

**From:** Tasha Grossl [mailto:[tasha@ladygraygrowing.com](mailto:tasha@ladygraygrowing.com)]  
**Sent:** Thursday, July 9, 2020 10:08 AM  
**To:** Marijuana Licensing (CED sponsored) <[marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov)>  
**Cc:** Jana Weltzin <[jana@jdwconsult.com](mailto:jana@jdwconsult.com)>  
**Subject:** Re: Renewals licenses 12255 & 12254 Lady Gray

Hello Jane, sorry for the delay in my reply - I counted the money orders twice before submission, huge bummer I didn't hear about the discrepancy until after the due date as I would've obviously had it fixed via overnight delivery if I had to because as it stands I'll have a \$1000 late fee because of this? I'm out of town until Saturday and will verify my money order receipts when I return but otherwise will plan on sending \$1500 in money orders to your office to square this up? Can you please update me to the new due date? Appreciated, Tasha

On Tue, Jul 7, 2020 at 10:37 AM Marijuana Licensing (CED sponsored) <[marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov)> wrote:

Tasha,

I've got my hands on your renewal applications for Lady Gray, but the total of the money orders is \$9,100 not \$9,600, did you forget a money order by chance? One of your renewals will be considered late because the full fees were not paid in time.

I have the following money orders

\$300 x2  
\$500 x7  
\$1000 x5

Thank you  
Jane Sawyer  
AMCO-Regulations  
907-269-0490

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upload image J. Tasha Grossl Managing Member Lady Gray Growing & Gourmet Medibles M: 907.398.1019 A: [35555 Kenai Spur Hwy. #255](https://www.35555kenaispurhwy.com) W: [www.ladygraymedibles.com](http://www.ladygraymedibles.com)E: [Tasha@ladygraygrowing.com](mailto:Tasha@ladygraygrowing.com) facebookinstagram

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upload image J. Tasha Grossl Managing Member Lady Gray Growing & Gourmet Medibles M:  
907.398.1019 A: 35555 Kenai Spur Hwy. #255 W: [www.ladygraymedibles.com](http://www.ladygraymedibles.com):  
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