Notice of Violation

Email

(3AAC 306.805)
This form, all information provided and responses are public documents per Alaska Public Records Act AS 40.25

Date: 5/20/21

License #/Type: 15209 Limited Cultivation

Designated Licensee: Jacob Miller

AMCO Case#:

DBA: HERB'N LEGENDS LLC

Premises Address: 2771 Sherwood Lane Unit D Juneau, AK 99801

Mailing Address: 3557 Riverside Dr. Juneau, AK 99801

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.

As of 5/19/2021, Herb'n Legends LLC, 15209, Limited Cultivation, you were delinquent on your marijuana excise tax liability.

You have 30 days to resolve this matter with the Department of Revenue. If the delinquency is not resolved, an accusation may be brought to the Marijuana Control Board.

Your attention is directed to: AS 17.38.010(b)(2) legitimate, taxpaying business people, and not criminal actors, will conduct sales of marijuana; 3 AAC 306.480. Marijuana tax to be paid; 3 AAC 306.810. Suspension or revocation of license; AS 43.61.030(b). Marijuana cultivation facility fails to pay tax; AS 43.05.230(e) DOR can publish list of taxpayer(s) who failed to pay their taxes.; 15 AAC 61.020. License revocation and suspension.

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.

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. Hoelscher

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Email

Date:

From:	Jake Miller
To:	Marijuana Licensing (CED sponsored)
Subject:	Fwd: NOV Delinquency in Tax 15209
Date:	Monday, November 8, 2021 12:36:17 PM
Attachments:	image001.png image002.png

Attention Olivia Frank

Please see the below communication with Jason Davies clearing up the delinquent taxes in question. I hope this is what you need in order to keep moving forward with our application renewal. Please let me know if you have any questions or concerns. Thank you.

Sincerely-

Taylyn Miller
907-321-3564

---------- Forwarded message ---------
From: **Jake Miller** <herbnlegends907@gmail.com>
Date: Fri, Sep 17, 2021 at 5:03 PM
Subject: Re: NOV Delinquency in Tax 15209
To: Davies, Jason M (CED) <jason.davies@alaska.gov>

Thank you very much for the clarification. I clearly read your email too quickly and responded. I do apologize. I just want to make sure that I am in good standings and I am following all the rules. I hope you have a nice weekend.

On Friday, September 17, 2021, Davies, Jason M (CED) <jason.davies@alaska.gov> wrote:

> To Whom It May Concern,
>
> My apologies, I thought I made myself clear in the email I sent earlier on 9/17/2021 at 10:03am.
>
> ***"You have provided #2 of the requirements for a response which I attached to your notice of violation to be brought in front of the board."***
>
> I confirm that AMCO Enforcement has received the screenshot in the email you have provided on Thursday, September 16, 2021 10:04 AM. I will be attaching all communications from here on out regarding your notice of violation to be presented to the board for clarity.
>
> Regards,
>
> *Jason M Davies – Criminal Justice Tech II*

AMCO/ENFORCEMENT

jason.davies@alaska.gov

907-754-3410

From: Jake Miller [mailto:herbnlegends907@gmail.com]
Sent: Friday, September 17, 2021 10:03 AM
To: Davies, Jason M (CED) <jason.davies@alaska.gov>
Subject: Re: NOV Delinquency in Tax 15209

Yes I am aware that is what I have to provide. I provided that to you in the body of an email to emails up. Please confirm that you have received the screenshot.

On Friday, September 17, 2021, Davies, Jason M (CED) <jason.davies@alaska.gov> wrote:

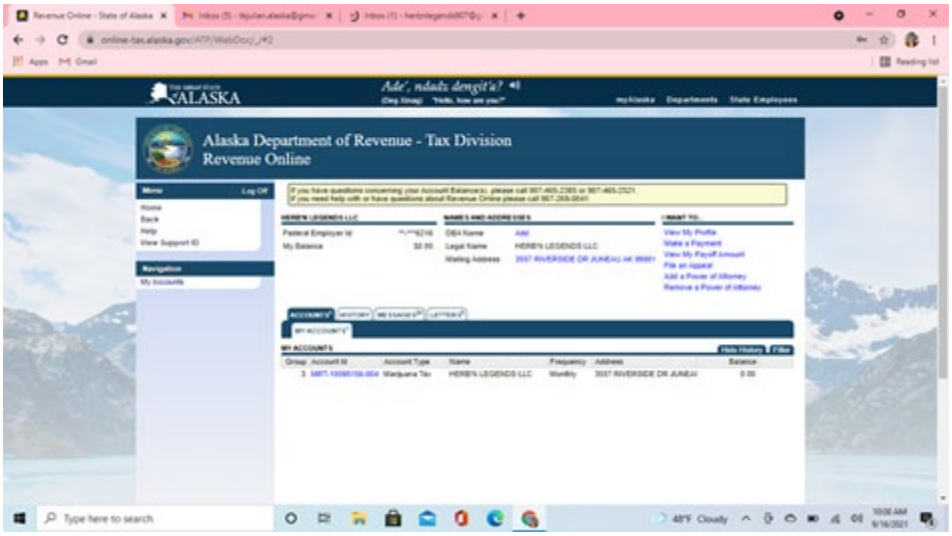
> Hello,
>
> You have provided #2 of the requirements for a response which I attached to your notice of violation to be brought in front of the board.
>
> ***Copy of receipt or screenshot of your department of revenue account that shows your taxes are at a zero balance.***
>
> Regards,
>
> *Jason M Davies – Criminal Justice Tech II*
>
> *AMCO/ENFORCEMENT*
>
> *jason.davies@alaska.gov*
>
> *907-754-3410*
>
> **From:** Jake Miller [mailto:herbnlegends907@gmail.com]
> **Sent:** Thursday, September 16, 2021 6:00 PM
> **To:** Davies, Jason M (CED) <jason.davies@alaska.gov>
> **Subject:** Re: NOV Delinquency in Tax 15209
>
> I would also like clear confirmation communication that my screen shot provide proves

my account is in good standings, that I have met what the violation required and in the timeframe. Thank you.

On Thursday, September 16, 2021, Jake Miller <herbnlegends907@gmail.com> wrote:

> Okay well the notice you sent states I need to resolve it in 30 days. I did prove that it was resolved. What is going to happen next since I met what was required?
>
> On Thursday, September 16, 2021, Davies, Jason M (CED) <jason.davies@alaska.gov> wrote:
>
> > Morning Taylyn,
> >
> > The Department of Revenue notifies AMCO when a cultivation failed to pay their marijuana excise taxes by a certain date. The taxes are required monthly. If you paid the tax prior to the date required then you should contact a representative at the Department of Revenue. I would need a letter or email from them stating that there was a mistake and I can rescind the notice of violation. As it stands, I will include your response and screenshot to the latest notice of violation.
> >
> > Regards,
> >
> > *Jason M Davies – Criminal Justice Tech II*
> >
> > *AMCO/ENFORCEMENT*
> >
> > *jason.davies@alaska.gov*
> >
> > *907-754-3410*
> >
> > **From:** Jake Miller [mailto:herbnlegends907@gmail.com]
> > **Sent:** Thursday, September 16, 2021 10:04 AM
> > **To:** Davies, Jason M (CED) <jason.davies@alaska.gov>
> > **Subject:** Re: NOV Delinquency in Tax 15209
> >
> > Hello Jason,
> >
> > The above violation has been paid for a while now. Please see the below screenshot of my Online Tax Home page. Does the tax department only communicate with AMCO if there's an amount owed but not when we pay it off? Is it only a one way

street? Lets you guys know when something wasn't paid but not when it WAS paid? Would love some clarification on that. Please let me know if the below screenshot suffices for the "violation" to go away. Thanks.



Sincerely-

Taylyn Miller

Herb'n Legends Owner

907-321-3564

On Thu, Aug 26, 2021 at 4:10 PM Davies, Jason M (CED) <jason.davies@alaska.gov> wrote:

> Hello-
>
> Attached to this email is a notice of violation(s). You have 30 days to resolve this matter with the Department of Revenue. If the delinquency is not resolved, an accusation may be brought to the Marijuana Control Board. **AMCO Enforcement must receive a notification from the Department of Revenue to rescind this notice of violation.**
>
> **NOTE: You must provide proof that,**

1. **You are in a payment plan with the Department of Revenue regarding your most current violation.**

OR

2. **Copy of receipt or screenshot of your department of revenue account that shows your taxes are at a zero balance.**

Please only reply to this email with one of the two request above.

Questions or concerns should be forwarded to amco.enforcement@alaska.gov.

Thank you,

Jason M. Davies
Criminal Justice Technician II

AMCO Enforcement
Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600

Anchorage, AK 99501
Office (907) 754-3410
jason.davies@alaska.gov

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Sincerely-

Jake & Taylyn Miller

Herb'n Legends LLC, Owners

907-321-3564 or 907-209-8889

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Sincerely-

Jake & Taylyn Miller

Herb'n Legends LLC, Owners

907-321-3564 or 907-209-8889

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Herb'n Legends LLC, Owners

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