

ADMINISTRATIVE HEARINGS DIVISION

June 17, 2021

STIPULATED SETTLEMENT AGREEMENT FOR ALCOHOL SERVICE PERMIT APPLICATION CASE

1. **ASHLEY RICHTER**

200 Trail Street
Gaston, OR 97119

(SP Application #45DS34)

Under OAR 845-009-0020(3), the Commission will deny a service permit if the applicant has one incident leading to a felony drug conviction that occurred within two years of the date the Commission received the application, or at least two incidents leading to two or more felony drug convictions that occurred within four years of the date the Commission received the application, unless this denial basis is not applicable by operation of OAR 845-009-0020(7). OAR 845-005-0355(1)(a) states that the Commission may restrict a license or service permit when, in the absence of a restriction, the Commission has a basis to cancel, suspend/fine or deny the license or service permit.

Note: A Notice of Proposed Service Permit Denial was issued to Applicant on March 11, 2020 under OAR 845-009-0020(3), based on two felony drug convictions that occurred within four years of the date the Commission received the application. Permittee requested a hearing and now wishes to enter into this settlement agreement.

SYNOPSIS: Applicant had been convicted of felonies involving controlled substances, which would be a basis to deny the application. Because Applicant was actively participating in addiction treatment and was employed and performing successfully in her position, it was decided to issue her a restricted permit allowing her to continue her employment at that premises.

TERMS OF AGREEMENT

1. The Commission will issue Applicant an alcohol service permit with the listed restriction after this agreement is ratified and after Staff determine that the application is complete.
2. Applicant accepts the imposition of the following restriction on the service permit without any conditions or reservations:

Applicant may only exercise the privileges of the service permit at Shari's Café, 2185 NW 185th Avenue, Hillsboro, Oregon.
3. The restriction will remain on the service permit until the Commission modifies or removes it pursuant to OAR 845-005-0355.
4. If Applicant mixes, sells, or serves alcoholic beverages, or supervises any employees that do, at any licensed premises other than the premises listed above, the service permit will be revoked.
5. Applicant withdraws her Request for Hearing in this matter.
6. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their June 2021 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Applicant's hearing rights will be restored. If the agreement is accepted and approved in its entirety by the Commission, Applicant waives any and all rights to a contested case hearing under the Administrative Procedures Act (ORS Chapter 183) and to judicial review, or to otherwise challenge this agreement and the final order.