

ADMINISTRATIVE HEARINGS DIVISION

August 15, 2024

STIPULATED SETTLEMENT AGREEMENT FOR A MARIJUANA VIOLATION CASE

1. Tine Trading Company, LLC
Orechid, LLC, Mbr
Sean Davis, Mbr/Mgr
Ric Scicchitano, Mbr
3 E Ramona Ave
Colorado Springs, CO 80905
dba **TINE TRADING COMPANY**

(Wholesaler)

OAR 845-025-8520(3)(c)(A) - On or before about June 14, 2023, Licensee or Licensee's employees, agents or representatives failed to retain control of and/or lost access to the licensed premises when the landlord of the premises evicted Licensee for failure to pay rent and Licensee did not notify the Commission in writing 15 days in advance of the loss of access. None of the grounds for exceptions stated in OAR 845-025-8520(3)(c)(B) apply. .

(1st Level Category II)

Note: Licensee was charged with this violation by Notice dated May 14, 2024. The proposed penalty was a Letter of Reprimand. Licensee requested a hearing and now wishes to enter into this settlement agreement.

SYNOPSIS: During an investigation on another matter, OLCC discovered the Licensee, Tine Trading Company, LLC, had lost physical control of the licensed premises when the landlord of the premises evicted Licensee for failure to pay rent. Licensee did not notify the Commission in writing within 15 days in advance of the loss of access as required. No grounds for an exception to the rule existed.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Notice. This was Licensee's first Category II violation within two years.
2. Licensee withdraws the request for hearing.
3. Licensee agrees to accept a Letter of Reprimand for this violation. This reprimand will become a permanent part of the licensee's Commission file and may be considered in any future application for any license or permit by the licensee.
4. Licensee's license expired effective October 25, 2023, and was not renewed. Licensee accepts that the appropriate sanction is a Letter of Reprimand.
5. This agreement is conditioned upon final approval of the Commission and will be reviewed by the Commissioners at their August 2024 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee's hearing rights, if any, will be restored. If the agreement is accepted and approved in its entirety by the Commission, Licensee 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.