

NOVA SCOTIA UTILITY AND REVIEW BOARD

**IN THE MATTER OF THE LIQUOR CONTROL ACT AND THE NOVA SCOTIA
LIQUOR LICENSING REGULATIONS**

-and-

IN THE MATTER OF alleged infractions under Sections 64(1), 66, 70(2) and 56(1) of the *Nova Scotia Liquor Licensing Regulations*, and 47B(1) and 78A(1)(a),(b) and (c) of the *Nova Scotia Liquor Control Act* made by **Investigation and Enforcement, Alcohol, Gaming, Fuel and Tobacco Division of Service Nova Scotia** against **TUSU KARAOKE INCORPORATED** located at 5680 Spring Garden Road (Basement), Halifax, Nova Scotia, and holder of Eating Establishment Liquor License No. 006246 and Lounge Liquor License No. 006247

BEFORE:  Julia E. Clark, LL.B., Member

DECISION AND ORDER

The Alcohol, Gaming, Fuel and Tobacco Division of Service Nova Scotia (AGFT) referred a request for a disciplinary hearing, pursuant to section 47B(1) of the *Liquor Control Act*, to the Nova Scotia Utility and Review Board on March 26, 2024, with respect to allegations of infractions under Sections 47B(1), 78A(1)(a),(b) and(c) of the *Liquor Control Act*, and Sections 64(1), 66, 70(2) and 56(1) of the *Nova Scotia Liquor Licensing Regulations* against Tusu Karaoke Incorporated, holder of Eating Establishment Liquor License No. 006246 and Lounge Liquor License No. 006247 (Licensee).

By email dated June 13, 2024, counsel for the AGFT stated that the parties would be proceeding with the hearing by way of an Agreed Statement of Facts and Joint Recommendation.

The Agreed Statement of Facts, including a Joint Recommendation on penalty, executed by Zepei Zhou, on behalf of the Licensee, and Charlene Fogarty, Regional Manager, Investigation and Enforcement, on behalf of the AGFT, was filed with the Board on June 10, 2024.

The Licensee and the AGFT, represented by Duane Eddy, appeared before the Board at a joint settlement hearing on Monday, July 8, 2024, via telephone conference wherein the Licensee acknowledged that it violated the alleged sections of the *Act* and *Regulations*,

and accepts responsibility for the offences, including the following joint recommendation on penalty:

Eating Establishment Liquor License No. 006246 and Lounge Liquor License No. 006247 to be suspended for a period of Fourteen (14) consecutive days within 30 days from the date the Board issues an order approving the settlement agreement.

It is within the Board's discretion whether or not to accept the Agreed Statement of Facts and Joint Recommendation on penalty that has been submitted to the Board for approval. Having considered the submissions, the Board accepts the Joint Recommendation, and rendered its oral decision on the same date.

The Board orders that Tusu Karaoke Incorporated, holder of Eating Establishment Liquor License No. 006246 and Lounge Liquor License No. 006247 for premises located at 5680 Spring Garden Road (Basement), Halifax, Nova Scotia, shall have its Licenses suspended for fourteen (14) days, to be served within 30 days of the date of this Order.

The Board also orders that, in accordance with sections 83(1) and (2) of the *Regulations*, a Suspension Notice will be posted at the licensed premises stating that the Liquor Licenses have been suspended. The suspension does not prevent the Licensee from providing the sale of food or other non-liquor related services.

DATED at Halifax, Nova Scotia, this 8th day of July 2024.


Cynthia Horwood
Clerk of the Board