

**STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION**

NOTICE AND PARTICULARS

By E-Mail: mcfairlawns@yahoo.com; shawnroka@yahoo.com

In the matter of:

Shawn A. Roka, Permittee
McFairlawns Sports Tavern
216 Frost Road
Waterbury, CT 06705

Permit No. LCA.7614
Case Nos. 2022-236 and 2023-29
Backer: 3 Partners, LLC

Pursuant to Chapter 545 generally and specifically Section 30-55 of the Connecticut General Statutes as amended, you and a member of the backer limited liability company are hereby summoned to appear before the Department of Consumer Protection of the State of Connecticut, on the 27th day of April 2023 at **1:00 p.m., by Microsoft Teams**, then and there to answer to the complaint and charges of said Division, the particulars of which are as follows:

Incident 1.

Charge 1. Permit Recorded.

On or about June 24, 2022, you violated Sec. 30-53 of the Connecticut General Statutes, which provides that, "Each permit granted or renewed by the Department of Consumer Protection shall be of no effect until a duplicate thereof has been filed by the permittee with the town clerk of the town within which the club or place of business described in such permit is situated"...

As more particularly set forth:

On or about June 24, 2022, the liquor permit issued to you was not recorded with the City of Waterbury clerk's office.

Charge 2. Conduct; Smoking.

On or about June 24, 2022, you violated Sec. 30-6-A24 of the Regulations of Connecticut State Agencies, which provides that, "No disturbances, brawls, unlawful conduct or gambling of any kind except where provided by the general statutes, and no slot machines or gambling devices which may be used for the purpose of securing money or any other valuable things, shall be permitted or suffered upon any permit premises, nor shall such premises be conducted in such a manner as to constitute a nuisance."

As more particularly set forth:

On or about June 24, 2022, during an inspection, two patrons were observed using electronic cigarettes on the premises by liquor agents, which constitutes a violation of Conn. Gen. Stat. § 19a-342a(b)(1)(E).

Incident 2.

Charge 1. Unlawful Conduct (2 Counts).

On or about December 19, 2022 and February 7, 2023, you violated Sec. 30-6-A24 of the Regulations of Connecticut State Agencies, which provides that, “No disturbances, brawls, unlawful conduct or gambling of any kind except where provided by the general statutes, and no slot machines or gambling devices which may be used for the purpose of securing money or any other valuable things, shall be permitted or suffered upon any permit premises, nor shall such premises be conducted in such a manner as to constitute a nuisance.”

As more particularly set forth:

On or about December 19, 2022, a search and seizure warrant executed by the Connecticut State Police Narcotics Task Force on McFairlawns Sports Tavern, resulted the confiscation of various illegal narcotics and an illegal firearm from the permitted premises and your arrest for drug-related and firearm offenses.

On or about February 7, 2023, a liquor agent attempted to make contact with the permittee at the premises and found a notice on the door from the Department of Revenue Services regarding unpaid sales taxes. Said agent contacted a tax collection supervisor at the Department of Revenue Service, who advised that a warrant was issued for the permittee to appear at a hearing in late February 2023, to answer to said charge.

Charge 2. Financially Irresponsible.

The Department has reasonable cause to believe that you are not a suitable person to hold a permit for the sale of alcoholic liquor because as of February 7, 2023, you appear to be financially irresponsible or have neglected or are unable to pay your just debts; consequently, your permit should be suspended or revoked pursuant to Section 30-47(a)(1) of the Connecticut General Statutes.

As more particularly set forth:

On or about February 7, 2023, a liquor agent attempted to make contact with the permittee at the premises and found a notice on the door from the Department of Revenue Services regarding unpaid sales taxes. Said agent contacted a tax collection supervisor at the Department of Revenue Service, who advised that a warrant was

issued for the permittee to appear at a hearing in late February 2023, to answer to said charge.

Charge 3. Failure to Cooperate.

On or about February 7, 2023, you violated Sec. 30-6-A10 of the Regulations of Connecticut State Agencies, which provides that, “No permittee or backer or his agent shall refuse to cooperate with or give information to the department, the police authorities or any other enforcement agency upon any matter arising out of the conduct of the permit premises.”

As more particularly set forth:

To date, following multiple calls to the permittee, several emails, at least one voice mail and a message left with an employee at the McFairlawns, the permittee has failed to make contact with this department regarding these cases.

PLEASE BE ADVISED THAT YOU WILL BE EXPECTED TO APPEAR WHEN YOUR HEARING IS CALLED BY THE COMMISSION. FAILURE TO APPEAR AT THE DESIGNATED TIME MAY RESULT IN A DEFAULT. YOU WILL BE REQUIRED TO SHOW CAUSE, IF THERE BE ANY, WHY YOUR LIQUOR PERMIT SHOULD NOT BE REVOKED OR SUSPENDED OR ANY OTHER AUTHORIZED PENALTY IMPOSED ON YOU.

If you have any questions, please contact Tanya Washington of the Department of Consumer Protection’s Legal Division by telephone (860) 241-8475, fax (860) 706-1332, or email tanya.washington@ct.gov.

Dated at Hartford, Connecticut this 13th day of April 2023.

STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION

/s/ Scott P. Madeo

Scott P. Madeo
Staff Attorney
Department Of Consumer Protection