

Police Department Liquor License Disapproval Recommendation

Application Information

Business Name	THAT ONE MINI MART	District	4
Business Location	2720 West Indian School Road		
Applicant Names	Shamsher Singh	Series Type	10

The Police Department recommends disapproval of this liquor license application for the following reasons:

Mr. Shamsher Singh in accordance with Arizona Revised Statute 4-203.A is not capable, qualified and reliable to own and operate a Series 10 liquor license due to a possible hidden ownership, lack of oversight of his business, failure to truthfully disclose his source of funding for the business and overall lack of understanding of his responsibilities as a business owner.

The question of a possible hidden ownership arose after a careful review of Mr. Singh's presented documents. A store visit and interviews showed disparity in his statements and the documents submitted. According to Mr. Singh's statements and the state liquor application he would own this liquor store and be a fulltime manager at the "76" gas station convenience mart located at 4102 North 27th Avenue which is 299 feet apart.

The question arose of who would operate That One Mini Mart in his absence. During a visit to That One Mini Mart, Ms. Noor Dinkha was operating the store alone. When asked if she was the manager she said "yes" and then was informed that she was not listed on the state application as the manager, she then immediately said "no". Ms. Dinkha stated that she only worked at the store during the time Mr. Singh worked at his other job. Ms. Dinkha admitted that her son is Mark Dinkha, the previous owner who had his interim liquor license revoked. Ultimately Mr. Dinkha's liquor license was denied by the State Liquor Board.

Mr. Singh was asked how much money he paid for the business including startup costs. He stated on his application, which he was the agent for and completed himself, the amount of \$70,000.00. Prior to agreeing for an interview at the Department of Liquor Licensing and Control, Mr. Singh signed a Consequence of Making a False statement affidavit.

Under section ARS 39-161: Presentment of false instrument for filing:

A person who acknowledges, certifies, notarizes, procures or offers to be filed, registered or recorded in a public office in this state an instrument he knows to be false or forged, which, if genuine, could be filed, registered or recorded under any law of this state or the United States, or in compliance with established procedure is guilty of a class 6 felony.

During the interview Mr. Singh presented a Purchase Agreement and Receipt which indicated that Mr. Singh has not yet paid Mr. Dinkha for the business. According to Mr. Singh he issued Mr. Dinkha a check for \$20,000.00 but was told Mr. Dinkha would not deposit the check until he obtained the liquor license. Mr. Singh was informed that it was a seller financed purchase due to the terms of the agreement. This contradicted what he presented on his state application and city questionnaire where he stated it was paid for through personal savings.

LIQUOR LICENSE DISAPPROVAL FORM

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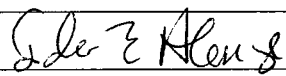
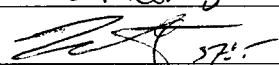
Mr. Singh was then asked for the property lease agreement and how much he paid for the utilities. Mr. Singh said that he paid \$2069 a month, which included rent and utilities. Later he stated that he paid \$1700 for electricity and water. When asked for the copy of the lease agreement, Mr. Singh presented a lease transfer document signed by only he and Mr. Dinkha, not the property owner Mr. Taejin Chung.

At one point during the interview it was pointed out to Mr. Singh that the Purchase Agreement he signed contained a non-compete clause that stated that he would not manage, own or operate a similar business within 5 miles for 5 years. Mr. Singh stated that he had not read that portion of the lease agreement and did not want to give up his job at the "76" gas station. Mr. Singh said that wanted to keep his job at the gas station and preferred to sell the business since he was not making any money at That One Mini Mart.

Mr. Singh was asked how he knew That One Mini Mart was for sale. He stated that Mr. Dinkha would purchase gas at the "76" and told Mr. Singh that his liquor license was revoked and asked if he wanted to purchase the liquor store business from him. Mr. Singh stated that he never inquired from Mr. Dinkha why his license to sell liquor was revoked. Mr. Singh stated was told that he would gross \$40,000.00 a month according to Mr. Dinkha. Mr. Singh was unable to explain in detail his expenses and profit since operating the business. Mr. Singh stated that he had an accountant take care of payroll, and then stated that he was losing a lot of money but was unable to give an estimation.

The evidence indicates that Mr. Singh will not be able to properly over see the business, intentionally or unknowingly misrepresented facts on official documents and did not understand the terms of operating the business according to his agreement. This indicates that Mr. Singh is not capable, reliable or qualified to hold a liquor license within the city of Phoenix.

This recommendation for disapproval is submitted by: Det. R. Gokool 7605

SIGNATURES	
Administrative Licensing Investigator	I. Alonge A4289 
Liquor Enforcement Detail Supervisor	Sgt. Mark Doty 5785 

LIQUOR LICENSE DISAPPROVAL FORM