

**HEARING BEFORE A PANEL
OF THE BOARD OF
ALBERTA GAMING, LIQUOR AND CANNABIS COMMISSION**

**IN THE MATTER OF the *Gaming, Liquor and Cannabis Act*
Revised Statutes of Alberta 2000, Chapter G-1, as amended
and the Regulation**

and

**1565473 Alberta Ltd.
o/a Neighbours Liquor (Licensee)
c/o Reliance Legal Group LLP
Unit 1101, 3961 52nd Avenue N.E.
Calgary, Alberta T3J 0J7**

DATE OF HEARING:	June 25, 2024
HEARING PANEL:	Patti Grier, Presiding Member Len Rhodes, Panel Member
LICENSEE / REPRESENTATIVE:	Taranjeet Singh Aujla, Legal Representative Irfan Akram, Owner/Operator
REGULATORY SERVICES DIVISION:	Petrina Nash, Hearing Officer

DECISION OF THE HEARING PANEL

The Panel finds that Neighbours Liquor contravened:

- Section 4.6.1 of the Retail Liquor Store Handbook (the Handbook);
- Section 15(3)(b) of the Gaming, Liquor and Cannabis Regulation (the Regulation); and
- Section 99 of the *Gaming, Liquor and Cannabis Act* (the Act).

For the contravention of section 4.6.1 of the Handbook, the Panel imposes a fine of \$500 in accordance with section 91(2)(c) of the Act.

For the contravention of section 15(3)(b) of the Regulation, the Panel imposes a fine of \$500 in accordance with section 91(2)(c) of the Act.

For the contravention of section 99 of the Act, the Panel imposes a fine of \$1,000 in accordance with section 91(2)(c) of the Act and the following conditions on the Class D Retail Liquor Store licence numbered 771472-1 (the Licence) in accordance with section 91(2)(b) of the Act, effective as of October 14, 2024:

- (1) The premises must install and satisfactorily maintain a digital camera security system covering the entirety of the premises that is operational at all times, excluding washrooms. The digital camera security system must be of sufficient quality to clearly identify individuals in the premises. The monitor and recording system shall be in a locked, secure area within the premises that only staff members have access to.
- (2) The cameras and lighting must be positioned to clearly capture 24-hour coverage of activity identifying all individuals entering/exiting the premises, including staff areas, and all individuals within the premises. The digital camera security system must have on premises 28-day minimum recording retention in a common format that is easily accessible and contains an accurate time/date stamp not obscuring the image.
- (3) The digital camera security system must be tested weekly to ensure all cameras and recording equipment are functioning properly. When requested by an inspector, a log of the test results must be kept on the premises in an easily accessible format that contains an accurate time/date stamp.
- (4) When requested by an inspector, footage from the recording system must be provided in an easily accessible format that contains an accurate time/date stamp.
- (5) Both the log of the test results and any footage from the recording system must not be obscured by a date/timestamp or any other image on the recording.
- (6) The licensee, an employee of the licensee, or a contracted person must have the ability/skill to provide the digital camera recording or a log of test results to AGLC within a reasonable period of time.
- (7) Any malfunctions of the digital camera security system must be immediately reported to the AGLC, via the e-mail address inspections.mailbox@aglc.ca. A plan identifying system compliance must be submitted to AGLC for approval. Any changes made to the approved plan must be approved by AGLC.

Further, Irfan Akram and all employees of Neighbours Liquor are directed to participate in a mandatory staff training seminar conducted by the Regulatory Services Division on or before September 16, 2024.

The fines in the total amount of \$2,000 are to be paid on or before August 15, 2024. If the fines are not paid in full by August 15, 2024, the Licence shall be suspended for a period of four (4) days commencing with the normal opening of business on August 19, 2024 and continuing until the normal close of business on August 22, 2024.

The Licensee may make a lump sum payment or pay in installments. The Licensee is directed to contact the Regulatory Services Division to make payment arrangements.

I. Jurisdiction and Preliminary Matters

[1] On April 24, 2024, Gary Peck, the Vice President of the Regulatory Services Division (Regulatory Services) of the Alberta Gaming, Liquor and Cannabis Commission (AGLC) contacted Len Rhodes, Board Chair, via email to request that the Board convene a hearing for 1565473 Alberta Ltd. operating as Neighbours Liquor, as a result of the following alleged contraventions:

- section 4.6.1 of the Handbook: A retail liquor store must be staffed at all times it is open for business. It cannot be staffed by a person who is working in another adjacent business;
- section 15(3)(b) of the Regulation: Every facility licensee, liquor licensee and cannabis licensee must ensure that, during the term of the licence, the licensed facility or licensed premises meets (b) in the case of a retail liquor store licence, the requirements referred to in clause (a) and the requirements set out in Part 1 of Schedule 2; and
- section 99 of the Act: No person may hinder, obstruct or impede an inspector in the performance of the inspector's duties or in the exercise of the inspector's powers.

[2] Pursuant to sections 91(1)(a) and 91(2) of the Act and the Administrative Sanction Guideline for Violations, the Board Chair directed that a hearing before a Panel of the Board be convened.

[3] In accordance with section 11 of the Act, the Board Chair designated two members of the Board to sit as a Panel to conduct the hearing and make a decision – Patti Grier (Presiding Member) and Len Rhodes.

[4] The Licensee was provided with a Notice of Hearing and hearing record via recorded mail and email on April 26, 2024, which provided details regarding the hearing and the alleged contraventions.

[5] On May 13, 2024, Taranjeet Singh Aujla of Reliance Legal Group LLP advised the Hearing Panel Office that he had been retained as the legal representative for the Licensee and requested that the hearing be adjourned. The Panel granted a short adjournment until June 25, 2024.

[6] The hearing was subsequently re-scheduled and an Updated Notice of Hearing and attached hearing record were provided to Mr. Aujla and Regulatory Services via email on May 15, 2024.

[7] The parties and the Panel were provided with a record containing various documents pertaining to the issues before the panel. Mr. Aujla confirmed receipt of the Updated Notice of Hearing dated May 15, 2024 and the attached hearing record. The following documents were entered into evidence:

- Exhibit 1 Hearing Record, including Tabs 1 to 2
- Exhibit 2 Additional documents provided by the Licensee, including Tabs 1 to 2
- Exhibit 3 Additional documents provided by Regulatory Services, including Tabs 1 to 2
- Exhibit 4 Video footage of a walk through of Neighbours Liquor provided by Regulatory Services

II. Issues

[8] Did Neighbours Liquor contravene section 4.6.1 of the Handbook and/or section 15(3)(b) of the Regulation and/or section 99 of the Act?

[9] If Neighbours Liquor contravened section 4.6.1 of the Handbook and/or section 15(3)(b) of the Regulation and/or section 99 of the Act, what sanction should the Panel impose in accordance with section 91(2) of the Act?

III. Regulatory Services Submissions

[10] Regulatory Services called three witnesses: AGLC Inspectors Brendon Kessler, Larissa Feser and Jodi Lebid. Inspector Kessler has been an inspector with AGLC for 1 year and 9 months, Inspector Feser has been an inspector with AGLC for over a year, and Inspector Lebid has been an inspector with AGLC for approximately 22 years. The inspectors co-authored an Incident Report dated April 15, 2024, which details an incident that occurred on March 8, 2024 at Neighbours Liquor (Exhibit 1, Tab 1).

[11] The following is a summary of the evidence provided by Inspectors Kessler, Feser and Lebid.

[12] Inspector Kessler confirmed that Neighbours Liquor holds a Class D Retail Liquor Store licence and is located in a building complex between a convenience store and a diner. The three businesses are all under the same ownership.

[13] Although AGLC permits a liquor store and another business run by the same owner to be located next to each other, Inspector Kessler explained that:

- there are requirements under schedule two of the Regulation which stipulate that a liquor store must be completely separate from the other businesses in terms of physical layout and operation;
- there cannot be openings between the two businesses; and
- they must be staffed separately.

[14] Inspector Kessler advised that because liquor is considered a drug, it needs to be regulated and therefore a liquor store must be run independently from another business to ensure that it is supervised and controlled appropriately.

[15] On November 18, 2023, Inspector Kessler stated that he and his partner attended Neighbours Liquor to conduct an operating check. During the check, they found that there was one staff member working in the convenience store and no staff present in Neighbours Liquor.

[16] When Inspector Kessler asked the staff member in the convenience store if he could purchase liquor, the staff member directed Inspector Kessler to go to Neighbours Liquor, pick out the product he wanted, and bring it to the convenience store for purchase. Inspector Kessler and his partner entered Neighbours Liquor and found that there was no staff and no point of sale system set up.

[17] Inspector Kessler said that he and his partner identified themselves to the convenience store staff member and advised that double staffing was not permitted. When asked for their ProServe certificate, the staff member said they were not allowed to provide it without their manager's approval.

[18] Inspector Kessler contacted Irfan Akram during the evening of November 18, 2023 and educated him on double staffing.

[19] On November 21, 2023, Inspector Kessler returned to Neighbours Liquor with two AGLC inspectors to conduct an undercover purchase. One of the inspectors was directed by the staff member in the convenience store to pick out what they wanted from Neighbours Liquor and bring it to the convenience store for purchase. The inspector completed the purchase.

[20] As a result of the double staffing, Inspector Kessler submitted an incident report and the Licensee paid a fine in the amount of \$250.

[21] During Inspector Kessler's November 21, 2023 visit to Neighbours Liquor, he also discovered that there was a door in the rear wall of Neighbours Liquor connecting it to a hallway, which had a door to the convenience store and a door to the prep area of the diner. Inspector Kessler referred to a hand-drawn floor plan that showed how Neighbours Liquor was connected to the convenience store and the diner (Exhibit 3, Tab 1).

[22] Inspector Kessler informed the Licensee that Neighbours Liquor was no longer in compliance with the Regulation, and he gave them several months to remove the doors and install drywall between the businesses.

[23] Inspector Kessler returned to Neighbours Liquor on January 29, 2024 and found that the alterations had been completed.

[24] On March 8, 2024, Inspectors Feser and Lebid conducted an operating check at Neighbours Liquor to ensure that the Licensee was not double staffing. Inspectors Feser and Lebid made the following observations outside of the convenience store and Neighbours Liquor:

- Both stores had signs indicating they were open.
- A man was inside of the convenience store standing behind the service counter.
- Nobody was inside of Neighbours Liquor.

[25] Upon entering the convenience store, Inspector Feser stated that she:

- purchased a Charleston Chew (Exhibit 1, Tab 1, Attachment 1) from an employee identified as H.S.;
- confirmed with H.S. that Neighbours Liquor was open;
- did not see H.S. attempt to call another staff member;
- followed H.S. into Neighbours Liquor;
- observed no additional staff on duty in Neighbours Liquor;
- purchased a can of Coors Cherry Seltzer (Exhibit 1, Tab 1, Attachment 2) from the service counter in the liquor store; and
- exited the liquor store and observed H.S. re-enter the convenience store.

[26] Inspector Lebid conducted observations outside of Neighbours Liquor and the convenience store while Inspector Feser was inside of the stores. Inspector Lebid stated that she:

- did not see any staff members other than H.S.; and
- saw H.S. walk from the convenience store to Neighbours Liquor, and then back to the convenience store once Inspector Feser completed her purchase.

[27] After exiting Neighbours Liquor, Inspectors Feser and Lebid continued to observe the convenience store and Neighbours Liquor. Inspectors Feser and Lebid said that they saw a male patron purchase liquor from H.S. at the service counter in Neighbours Liquor and then observed H.S. re-enter the convenience store.

[28] Inspectors Lebid and Feser entered the convenience store and identified themselves to H.S. as AGLC inspectors. H.S. confirmed that he was the only staff member working in the convenience store. When Inspector Lebid asked him who was working in the convenience store, H.S. responded "I'll call her."

[29] The inspectors asked where the Neighbours Liquor staff member was, and H.S. said she was in the washroom. They proceeded to enter Neighbours Liquor and found the lights on with no staff members present. The inspectors then walked through the rear door of Neighbours Liquor into the rear hallway where they observed a washroom that was under construction (Exhibit 1, Tab 1, Attachment 3). No staff members were observed in the rear hallway, and nobody responded when the inspectors called out.

[30] While conversing with H.S. in the convenience store, Inspector Feser stated that a female entered the convenience store and identified herself as M.K., the Neighbours Liquor staff member. When asked by Inspector Lebid where she had been for the last 25 minutes, M.K.:

- stated that she was in the washroom;
- led the inspectors to the washroom in the rear hallway that was under construction;
- remained silent when asked whether that was the washroom she was referring to;
- led the inspectors down the hall, opened a door to a cooler and storage area, and said she worked in there too; and
- told the inspectors that H.S. is supposed to let her know when a customer enters Neighbours Liquor.

[31] Inspector Feser confirmed that she did not see M.K. working in Neighbours Liquor at any point during the operating check, and it was only after H.S. contacted M.K. that she attended the licensed premises and said she had been working since 12:00 p.m.

[32] When the inspectors asked her to provide the staff schedule, M.K. said the schedule was verbally conveyed to the staff that week.

[33] When asked by the Panel whether she has any doubts that there was absolutely no other staff member around during the 25-minute period, Inspector Feser said that M.K. could have been in the back area, a staff residence or the diner.

[34] Inspector Feser advised the Panel that there was no office equipment, desk or chair and no retail liquor store products in the cooler and storage area that could have explained why M.K. would be working in there.

[35] Inspector Feser stated that she and Inspector Lebid proceeded back to the convenience store to gather ProServe certificates and request video surveillance footage since the employees could not provide them with a staff schedule. M.K. and H.S. provided their ProServe certificates, but the inspectors were advised that only the owners have access to the video surveillance footage.

[36] When asked by Mr. Aujla whether it was common practice for owners of small businesses in small towns to verbally convey a schedule to their employees, Inspector Feser stated that she has never heard of business providing a verbal schedule to their employees. She further stated that a retail liquor store sells a regulated substance and needs to be supervised at all times.

[37] When asked by Mr. Aujla whether both M.K. and H.S. were at the businesses physically but not attending to the service counters they were supposed to be at, Inspector Feser confirmed that was correct.

[38] When asked by Mr. Aujla to clarify what the inspectors were looking for in the video surveillance footage, Inspector Feser explained that they wanted to see how long M.K. was absent from Neighbours Liquor and how many transactions occurred in that time. She further clarified that requesting the video surveillance was a means to show that double staffing was occurring and that only one employee was moving back and forth between the businesses.

[39] When asked by Mr. Aujla whether video cameras are installed for security purposes only, Inspector Feser agreed that they were.

[40] When asked by the Panel whether there is a condition on the Licence that states that the Licensee must retain video footage, Inspector Feser confirmed that there was no such condition on the Licence.

[41] When asked by Mr. Aujla whether the employment of M.K. and H.S. on March 8, 2024 could be verified by their paycheques, Inspector Feser said that it could be.

[42] Inspectors Feser and Lebid asked M.K. to contact the Licensee, and M.K. advised that Mr. Akram was out of the country. M.K. proceeded to make a phone call and handed the phone to Inspector Lebid. Inspector Lebid said that she asked who she was speaking with, and the man on the phone identified himself Muhammad Faizan Mushtaq, the other owner of Neighbours Liquor. Inspector Lebid:

- made a note of Mr. Mushtaq's name;
- advised him of the double staffing incident and that the Licensee would be written up for it;
- arranged to meet him on March 11, 2024 to view the video surveillance footage in order to confirm that the stores were being staffed by the same person; and
- advised him that failure to provide the video surveillance footage could result in an obstruction violation.

[43] Inspectors Feser and Lebid visited Neighbours Liquor on March 11, 2024, but when they arrived M.K. advised them that Mr. Mushtaq could not attend the meeting. They spoke to Mr. Mushtaq over the phone and re-scheduled the meeting for March 12, 2024.

[44] During their visit on March 11, 2024, the inspectors walked from Neighbours Liquor into the rear hallway and observed a door that opened into the prep area of the diner and led to the staff residences upstairs. Inspector Feser confirmed that staff could also enter the residences through a door at the back of the building.

[45] Inspector Lebid stated that she phoned Mr. Mushtaq on the morning of March 12, 2024, and he advised her that he was still in Lac La Biche and would not be able to make it to their meeting. They re-scheduled the meeting for March 13, 2024.

[46] After being advised by Inspectors Lebid and Feser that they found a door between the diner and the rear hallway behind Neighbours Liquor during their March 11 visit, Inspector Kessler attended Neighbours Liquor with them on March 13, 2024 and found that the drywall had been removed and a new door had been installed.

[47] Inspector Lebid said that she asked the man who met with the inspectors to identify himself, and he said his name was H.A. and that he was the person they had spoken to on the 8th and 11th of March.

[48] Inspectors Feser and Lebid asked H.A. what his role was with Neighbours Liquor, and he said that he is one of the shareholders and Mr. Mushtaq is not really involved in the operations of the business. Inspectors Feser and Lebid stated that they conducted a search of their records for Neighbours Liquor and H.A. was not on record as either an owner or a manager of Neighbours Liquor. Inspector Lebid advised H.A. that they could not discuss any other issues with him.

[49] When asked by Mr. Akram whether a corporate search was conducted, Inspector Lebid explained that she contacted Licensing Supervisor Laurie Browne regarding H.A.'s claim that he is a shareholder. Supervisor Browne conducted a corporate search through Alberta Corporate Registry System which confirmed that H.A. was not listed on the Licensee's corporate records as a shareholder.

[50] When asked by Mr. Aujla whether her only concern was that the corporate records of the corporation did not list H.A. as an owner, Inspector Lebid stated that when she asked H.A. to identify himself, she already knew the names of the two shareholders and that H.A. was not one of them.

[51] Inspector Lebid explained that when an applicant applies to AGLC to become a licensee, there is a vetting process with a lot of procedures that must be conducted in order for a licence to be issued. Once the vetting process is complete, the details are entered in Regulatory Services' system so that inspectors can conduct searches in the field. Because AGLC has no record of H.A., no vetting process would have been conducted on him.

[52] Inspector Feser asserted that H.A. misrepresented himself to Regulatory Services.

[53] H.A. printed off a staff schedule for the inspectors to review (Exhibit 1, Tab 1, Attachment 7) and wrote "Liquor Store" at the top of it. Inspector Feser said that when she asked to see the ProServe certification for each of the employees listed on the schedule, H.A. advised that one of the employees listed on the schedule works in the convenience store. Inspector Feser further stated that she believes the schedule was for both the convenience store and Neighbours Liquor.

[54] When asked by Mr. Aujla whether the staff schedule provided by H.A. indicates that the staff schedule is shared among businesses, Inspector Lebid said that it was a shared schedule and that a staff member from Neighbours Liquor was on the same schedule as the convenience store. She further stated that she has never seen a shared schedule for a licensed business and an unlicensed business.

[55] When asked by Mr. Aujla whether the staff schedule provided by H.A. confirmed that M.K. was scheduled to work at Neighbours Liquor on March 8, 2024, Inspector Lebid stated that it was during her visit at Neighbours Liquor on March 8, 2024 that she was introduced to M.K. after asking to speak to the liquor store staff member on duty.

[56] Inspector Lebid said that she questioned H.A. about the re-installed door, and he said it had been installed a few months ago but did not know why.

[57] Inspectors Feser and Lebid said that H.A. did not provide them with the requested video surveillance footage. He advised the inspectors that their video surveillance system was located in the diner furnace room and only retains footage for four days.

[58] Inspector Feser contacted Mr. Akram by email, and he agreed to meet with the inspectors.

[59] On March 26, 2024, Inspectors Kessler, Lebid and Feser met with Mr. Akram. Inspector Kessler confirmed that this was his first in-person meeting with Mr. Akram, who explained that the door had been reinstalled after a fire safety codes officer, identified as Officer D.M., told him that a fire exit door was required in that location in order to be in compliance with the fire code. The inspectors asked Mr. Akram for a copy of the fire inspection report and advised him that:

- Neighbours Liquor was no longer in compliance with the Regulation;
- double staffing was prohibited, to which he responded that they do not double staff; and
- H.A. misleading the inspectors and failing to provide them with the requested video surveillance footage would be reported as obstruction.

[60] Inspector Feser stated that Mr. Akram did not seem concerned that H.A. had lied about his identity to Regulatory Services, and he added that Mr. Mushtaq is not involved in the business.

[61] When asked by the Licensee whether Mr. Akram was cooperative and obeying instructions and suggestions during the March 26, 2024 meeting, Inspector Feser said that Mr. Akram acknowledged that the door had been reinstalled and provided an explanation, but he did state that they do not double staff.

[62] Inspector Feser received a copy of the kitchen fire suppression system report (Exhibit 1, Tab 1, Attachment 11) from Mr. Akram, and there was nothing in the report indicating that a fire exit door

must be installed in the premises. When Inspector Feser asked him for further documentation, Mr. Akram said that the fire inspector verbally told him that the fire exit needed to be installed.

[63] Inspector Feser contacted Officer D.M., and he stated that he visited Neighbours Liquor, the diner and the convenience store on February 20, 2024. He further stated that he did not tell the Licensee to put a door between the diner and the rear hallway and only raised the issue of the gaping hole leading to the convenience store. Officer D.M. also provided Regulatory Services with two written statements confirming this. In his first statement (Exhibit 1, Tab 1, Attachment 12), which was based on an incorrect floor plan provided by the Licensee (Exhibit 1, Tab 1, Attachment 13), Officer D.M. states that a door was already in place between the diner and the rear hallway. The second statement (Exhibit 3, Tab 2) was based on an updated diagram provided by Regulatory Services (Exhibit 3, Tab 2).

[64] Inspector Kessler stated that to his knowledge, Officer D.M. only spoke with the Licensee about closing the area between the convenience store and Neighbours Liquor.

[65] Inspector Kessler opined that the Licensee and the Licensee's staff were not cooperative with the inspectors and were not forthcoming with information requested by the inspectors during his interactions with them on November 18 and 21, 2023. Further, Inspector Kessler said that Mr. Akram made many untruthful statements about the state of Neighbours Liquor, including that liquor is only sold through Neighbours Liquor and not the convenience store.

[66] When asked by Mr. Aujla whether the Licensee complied with the recommendations regarding the door, Inspector Kessler confirmed that they were complied with when he conducted his re-inspection in January 2024.

[67] When asked by Mr. Aujla whether the Licensee, in response to Inspector Kessler's educational phone call and email, was receptive and confirmed that double staffing will not occur, Inspector Kessler stated that he did not have the email in front of him and could not confirm what was said.

[68] When asked by the Panel whether the convenience store, the diner and Neighbours Liquor have separate business licences, Inspector Kessler stated that they should each have one. Inspector Kessler further said that to his knowledge, the diner does not have a liquor licence.

[69] Inspector Lebid explained to the Panel that when there is only one staff member working in a licensed premises and they need to step away for a break, Regulatory Services recommends closing the door to the licensed premises and putting up a sign advising customers that they will be back.

IV. Neighbours Liquor Submissions

[70] Irfan Akram, one of the representatives for the Licensee, gave evidence on behalf of Neighbours Liquor.

[71] The following is a summary of the evidence provided by Mr. Akram.

[72] Mr. Akram stated that he has three family businesses in Beiseker, including Neighbours Liquor, the convenience store and the diner, which were purchased in 2023. The businesses have been in

existence for 20 years, and Mr. Akram acquired them through a share purchase agreement which included changing the directors of 1565473 Alberta Ltd.

[73] When asked by the Panel whether he could provide the exact date that he purchased the business, Mr. Akram stated that it was in May 2023, but he did not know the exact closing date. He further advised the Panel that he has owned another liquor store in Alberta for one year.

[74] When Mr. Akram purchased the businesses, he said that AGLC did not conduct an inspection of Neighbours Liquor.

[75] Mr. Akram advised that:

- H.A. is his nephew and is authorized to deal with issues at Mr. Akram's businesses when he is not available;
- H.A. is not an active shareholder of the Licensee but has a financial interest in Neighbours Liquor; and
- Mr. Mushtaq is Mr. Akram's brother-in-law, he is not actively involved in the operations of Neighbours Liquor, and he is a "sleeping partner."

[76] When asked by Regulatory Services whether the liquor licence application for Neighbours Liquor listed Mr. Mushtaq and Mr. Akram as the sole directors and shareholders of 1565473 Alberta Ltd., Mr. Akram confirmed that was correct.

[77] When asked by Regulatory Services whether he provided AGLC with any information pertaining to H.A. to show that H.A. would be eligible to represent Neighbours Liquor in any capacity, Mr. Akram said that he has not provided anything to AGLC in relation to H.A. He further clarified that H.A.:

- was a shareholder of 1565473 Alberta Ltd. but no longer holds any shares;
- has not undergone any vetting by AGLC;
- is not the manager of Neighbours Liquor and only deals with issues that arise at the business when Mr. Akram is not available.

[78] When asked by Regulatory Services to explain why H.A. misrepresented himself as Mr. Mushtaq when he spoke to Inspector Lebid over the phone on March 8, 2024, Mr. Akram explained that:

- H.A. and Mr. Mushtaq live in the same house; and
- when M.K. called Mr. Mushtaq and passed the phone to Inspector Lebid, it was Mr. Mushtaq who said hello, introduced himself and then passed the phone to H.A. since he is not fluent in English; and
- there was a miscommunication by H.A. to Regulatory Services, and he did not misrepresent himself.

[79] When asked by Regulatory Services why H.A., as a well-educated man, did not identify himself to Inspector Lebid when Mr. Mushtaq passed him the phone, Mr. Akram stated that H.A. thought Mr. Mushtaq already introduced him.

[80] When asked by Regulatory Services how often he visits Neighbours Liquor, Mr. Akram said once every one to two weeks. He further stated that his staff run Neighbours Liquor and he supervises it.

[81] Mr. Akram stated that the first inspection that occurred at Neighbours Liquor after he purchased the business was conducted by Inspector Kessler at approximately 11:30 p.m. on November 2023. Mr. Akram further described what occurred during that inspection:

- Inspector Kessler did not mention the door and did show his AGLC identification to the cashier who was working in the convenience store.
- The cashier phoned Mr. Akram and gave the phone to Inspector Kessler, and Mr. Akram said that he asked Inspector Kessler to send him an email and so that they could arrange a meeting.
- Mr. Akram could not recall if Inspector Kessler talked about double staffing.

[82] When asked by the Panel whether there was a door or drywall between Neighbours Liquor and the convenience store when he purchased the businesses, Mr. Akram said there was a door.

[83] Mr. Akram stated that Inspector Kessler's next visit to Neighbours Liquor was also a surprise visit, and there were two other inspectors with him. Mr. Akram said he was asked to close off the door between the rear hallway and the convenience store and the door between the rear hallway and the dinner and staff residences. Mr. Akram further stated that he fulfilled their request by closing off both doors with drywall.

[84] When Regulatory Services asked Mr. Akram about the door that Inspector Kessler found at the rear of the liquor store leading into the diner during an operating check on November 18, 2023, Mr. Akram stated that:

- there was a door in that area;
- he was asked by Inspector Kessler to remove the door and replace it with drywall;
- the door was removed and drywall was installed;
- Inspector Kessler visited Neighbours Liquor on January 29, 2024 to confirm the door had been removed; and
- Officer D.M. subsequently attended Neighbours Liquor and told him to remove the drywall and install a door.

[85] Prior to opening the diner, Mr. Akram explained that a fire inspection was required by fire safety. His project manager arranged for a fire inspection at the diner, which also included an inspection of Neighbours Liquor and the convenience store. The inspection was required by fire safety. The fire inspector advised that a fire exit needed to be put in between the diner and the rear hallway. Mr. Akram stated that he removed the drywall and installed a fire-rated door at the fire inspector's request in January or February 2024.

[86] Regulatory Services referred to an email from Officer D.M. to Inspector Feser (Exhibit 1, Tab 1, Attachment 12) that states that Officer D.M. attended Neighbours Liquor on February 20, 2024 and found that there was already a door in place at the back of the licensed premises. When asked by Regulatory Services how Officer D.M. could have told him to install a door when the door was already there during Officer D.M.'s visit to Neighbours Liquor, Mr. Akram stated that Officer D.M.'s evidence is incorrect because he verbally told Mr. Akram to install a fire-rated door.

[87] When asked by Regulatory Services to explain the discrepancy between Officer D.M.'s statement that he showed up to the diner because he saw on social media that it was opening without having been inspected and Mr. Akram's statement that his employee set up a meeting with Officer D.M., Mr. Akram explained that:

- when he opened the diner, he thought everything was in place; and
- he was subsequently advised that a fire inspection was required and was told that a fire-rated door needed to be installed.

[88] Mr. Akram stated that he was out of the country when he was contacted by Regulatory Services, and he requested to meet face-to-face with the inspectors upon his return. He further stated that he found the conflicting requests made by Regulatory Services and the fire inspector to be very frustrating.

[89] During the March 26, 2024 meeting, Mr. Akram said that the inspectors educated him on separating Neighbours Liquor from other businesses. He removed the fire-rated door and installed drywall between the rear hallway and the diner and staff residences.

[90] Subsequent to the March 26, 2024 meeting, Mr. Akram stated that AGLC inspectors visited Neighbours Liquor and the convenience store and advised that licensed premises was properly staffed and everything looked great. Mr. Akram further advised that during the inspectors' visit, a staff member left Neighbours Liquor to pick up food from the diner without turning off the light, and the inspectors said that they would give the Licensee a verbal warning. Mr. Akram stated that his staff member had not listened to his repeated instructions to turn off the light in Neighbours Liquor when he left the store. Mr. Akram said that the inspectors offered him and his staff a training seminar, and he thought that was a great idea.

[91] Mr. Akram said that he relays the education he has received from AGLC inspectors to his staff and asks them to abide by all rules and regulations.

[92] When asked by Regulatory Services to explain how he trains Neighbours Liquor employees, Mr. Akram stated the following:

- All staff members are ProServe certified.
- He teaches them to be cooperative with and obedient to regulatory inspectors and provide them with whatever they ask for.
- He tells his staff to seek his instructions when an inspector requests something.
- M.K. is the manager of Neighbours Liquor, and she ensures they follow AGLC's regulations and protocols and provides training to the staff once a month for 30 minutes. Further, Mr. Akram stated he could provide Regulatory Services with staff training records.

[93] With regard to the alleged double staffing, Mr. Akram asserted that there is always one employee working in the convenience store, another employee working in Neighbours Liquor, and separate staff for the diner. He further stated that:

- on March 8, 2024, there was an employee working at the convenience store and M.K. was working at Neighbours Liquor; and
- staff schedules change when someone gets sick and needs cover.

[94] When asked by Regulatory Services whether he and the staff at Neighbours Liquor were educated on double staffing prior to the incident on March 8, 2024, Mr. Akram confirmed that they were.

[95] Regulatory Services referred to the staff schedule (Exhibit 1, Tab 1, Attachment 7) provided by H.A. on March 13, 2024 and noted that one of the staff members listed on the schedule was not ProServe certified as at that date. When Regulatory Services asked whether this was the schedule for both the convenience store and Neighbours Liquor, Mr. Akram stated it was a clerical mistake and that employee should not be on the Neighbours Liquor schedule.

[96] When asked by Regulatory Services why H.S. was the only staff member present at the convenience store and Neighbours Liquor on March 8, 2024 if he was aware that double staffing is not permitted, Mr. Akram stated that if he gives his staff clear instructions and they do not follow them, he cannot do anything and cannot control them.

[97] When asked by the Panel to clarify whether he said that he cannot take responsibility for his staff, Mr. Akram stated that the Licensee is still liable and responsible for employees who do not do what they are told.

[98] When Regulatory Services asked Mr. Akram whether M.K., who was involved in the double staffing incident on March 8, 2024 and does not follow Mr. Akram's instructions, also provides training to Neighbours Liquor staff, Mr. Akram stated that she made a mistake and did not listen to him that time.

[99] With respect to H.S. and M.K., Mr. Akram said that they:

- both have an entry-level education;
- are hard-working new immigrants;
- come from a background where they think an inspector is like a police officer; and
- get confused and do not know what they are talking about when high-pressure issues arise.

[100] Mr. Akram asserted that H.A. would never obstruct AGLC inspectors while they are conducting their duties. Further, he is well educated, a part of Mr. Akram's family, and deals with the family businesses on Mr. Akram's behalf when he is not present.

[101] When asked by Regulatory Services whether he was aware that H.A. delayed showing the video surveillance footage to the inspectors despite being told that not providing it could lead to a sanction, Mr. Akram said that H.A. did not delay the meeting and was stuck somewhere. He further stated that he did not realize that the video surveillance system only retains footage for four days.

[102] When asked by Regulatory Services whether he has previously reviewed video surveillance footage in the past, Mr. Akram confirmed that he has not.

[103] Mr. Akram stated that the diner is currently operating, he is going through the application process for a liquor licence for the diner, and the AGLC inspector he recently met with said he would recommend a liquor licence for the diner.

[104] When asked by the Panel whether a staff training seminar has been held for Neighbours Liquor staff, Mr. Akram stated that seminar has not been held yet but he would like to arrange one or two for his staff and himself as soon as possible.

[105] When asked by Regulatory Services what assurances AGLC has that he won't reinstall the door, Mr. Akram stated that he would never put the door back and does not want to go through another conference/hearing.

V. Summation

Regulatory Services

[106] Regulatory Services submits that there are three matters before the Panel: a contravention of section 4.6.1 of the Handbook, a contravention of sections 15 of the Regulation and a contravention of section 99 of the Act.

[107] Regulatory Services is of the opinion that section 4.6.1 of the Handbook is very clear. Retail liquor stores are regulated businesses as they deal with the storage and sale of a drug, and staff are required to be present at all times a liquor store is operational to ensure that all AGLC policies and legislation are adhered to.

[108] Evidence presented by Inspector Feser clearly shows that she purchased an item from the convenience store from H.S. and then subsequently purchased liquor from H.S. from Neighbours Liquor. There were no other staff observed during either purchase or at any time the premises was under surveillance. H.S. had to call another staff member to attend, and this was done only after the inspectors identified themselves to H.S.

[109] Regulatory Services takes the position that because the Licensee had a prior incident report for double staffing and had been educated by Inspector Kessler that this is not permitted, there is no excuse for allowing this to happen again.

[110] The staff schedule provided on March 13, 2024 with "liquor store" hastily written above it is clearly the schedule for both businesses and shows that one staff member is regularly assigned to work in both the convenience store and Neighbours Liquor.

[111] Regarding section 15(3)(b) of the Regulation, Regulatory Services submits that a retail liquor store is required to be separate and enclosed from any other business. While Regulatory Services appreciates that the Licensee has fixed this issue, this correction was made only after the Licensee was caught for being non-compliant.

[112] Inspector Kessler identified that a door had been put in place of the mandatory drywall. The Licensee was educated and provided clear guidance on how to fix the issue.

[113] During his visit at Neighbours Liquor on March 13, 2024, Inspector Kessler found that the Licensee had removed the drywall and put the door back, and therefore the premises was no longer in compliance with the Regulation.

[114] Regulatory Services submits that when questioned about the placement of the door, Mr. Akram misled Regulatory Services by advising inspectors that he was instructed to remove the drywall by safety codes officers.

[115] Regulatory Services took the initiative to follow up with the safety codes officer, who provided a statement that he never discussed the door in question with the Licensee. In fact, the door was already in place at the time of his visit on February 20, 2024, which means that the Licensee removed the drywall before Officer D.M. attended Neighbours Liquor.

[116] Regarding the alleged contravention of section 99 of the Act, Regulatory Services presented evidence through its witnesses to show the Panel that the Licensee and its staff obstructed the inspectors' investigation.

[117] Regulatory services submits that when the inspectors asked M.K. to contact the Licensee, she contacted H.A., who in turn identified himself as Mr. Mushtaq, the other owner of Neighbours Liquor.

[118] Regulatory Services takes the position that H.A. failed to meet with the inspectors in a sufficient amount of time to provide the requested video surveillance, which contained evidence of the March 8, 2024 infraction. This delay initiated by H.A. resulted in the evidence being destroyed that would have shown the Panel that the premises does in fact double staff. H.A. did this after being cautioned by Inspector Lebid that a sanction may result if the surveillance was not provided.

[119] Regulatory Services submits that the Licensee further obstructed the investigation by lying to the inspectors about Officer D.M. advising that the Licensee must put a door back in place despite Regulatory Services prohibiting this opening. Officer D.M. never spoke to the Licensee about placing a door at the back of Neighbours Liquor, and this was clearly done in order for staff to move between the three businesses and to access the staff residences above the businesses.

[120] Operating a liquor licensed premises in the province of Alberta is a privilege and not an automatic right. It comes with significant responsibilities, including the requirement for all licensees and their staff to follow and comply with the Act, the Regulation and AGLC policies.

[121] Although the Licensee has corrected the issue with the door, Regulatory Services submits that a considerable amount of time went into investigating the misinformation provided by the Licensee.

[122] Regulatory Services requests that the Panel impose a \$3,500 fine for the contravention of section 99 of the Act, a \$500 fine for the contravention of section of 4.6.1 of the Handbook, and a \$1,000 fine for the contravention of section 15(3)(b) of the Regulation.

Neighbours Liquor

[123] Mr. Aujla, on behalf of Neighbours Liquor, submits that with respect to the alleged contravention of section 4.6.1 of the Handbook, all three inspectors confirmed that there were two employees working on March 8, 2024 who were scheduled for the retail liquor store and the convenience store.

[124] The Licensee accepts that when M.K. left the retail liquor store to work in the back area, the proper protocol should have been to turn off the lights and put up a temporary sign indicating that she would be right back.

[125] The Licensee takes the position that M.K.'s failure to put up a sign is the only violation that can be assessed and determined in this case, and it is a matter of further education.

[126] Mr. Akram has stated that he is ready and willing to arrange for AGLC training for Neighbours Liquor employees and himself. Further, he will ensure that the rules are clearly posted in the licensed premises and complied with by all employees. The Licensee submits that this is the way to educate people, as opposed to shutting down a business and imposing severe penalties.

[127] The Licensee was in compliance with the requirement to have two employees working in two separate businesses, which can be verified by pay stubs, paycheques and the schedule that was provided to the inspectors in their follow-up visit.

[128] With respect to the allegations of the door, the Licensee submits that under these circumstances and with the explanation offered by Mr. Akram, it should be assessed that Mr. Akram was taught, not caught.

[129] When Mr. Akram took over the business, the door was there and he had no idea that the door was supposed to be closed.

[130] The Licensee submits that it is very clear that when the Licensee learned of the issues with the door during the November 2023 operating check, Mr. Akram complied with Regulatory Services' directions and closed the door. Inspector Kessler inspected the door on January 29, 2024, and he confirmed that it had been closed.

[131] When Mr. Akram was dealing with the opening of the diner in February 2024, Officer D.M. showed up unannounced and told Mr. Akram that he needed a fire exit.

[132] The Licensee takes the position that it is very plausible for a business owner to think that because there was a door in place before he purchased the business, a door may be needed for a fire exit.

[133] In accordance with his understanding of the fire safety code inspection, Mr. Akram removed the drywall and installed a fire-rated door instead of a regular door at the recommendation of the fire safety code.

[134] The Licensee submits that it is important for the Panel to understand that people from different ethnic backgrounds and people with different business experience take things differently and learn more when they meet with people in person. It was at the in-person meeting on March 27, 2024 that Mr. Akram learned that the door needed to be closed in accordance with AGLC requirements. He removed the fire-rated door, and as of today that door is closed.

[135] The Licensee takes the position that the Licensee has readily and willingly complied with Regulatory Services.

[136] With regard to the allegations that a misrepresentation was made to the AGLC inspectors and their investigation was obstructed, the Licensee respectfully submits neither occurred.

[137] The Licensee submits that the second-best person was presented to Regulatory Services when Mr. Akram was out of the country, and there was confusion as to who the AGLC inspectors were speaking with over the phone. Mr. Mushtaq answered the phone, said hello, and passed the phone to H.A. Although he failed to identify himself during the phone conversation, H.A. clarified at their in-person meeting that the AGLC inspectors had been speaking with him.

[138] H.A. is the person who the family designates as a representative of the family business, and the family relies on H.A.'s education, computer skills and language skills. H.A. portraying himself as a representative of the family business was reasonable and legitimate, and there was no deliberate attempt to misrepresent himself to Regulatory Services.

[139] Mr. Akram advised the AGLC inspectors that he was out of the country and would meet with them in person once he returned. When he arrived back on March 23, 2024, he met with the inspectors on March 26, 2024, which was the first available meeting. The Licensee submits that this shows that Mr. Akram is governable and willing to learn from and work with Regulatory Services.

[140] With respect to the allegation that H.A. obstructed or impeded the inspectors from viewing the video footage, Neighbours Liquor submits that the evidence is on the record that Mr. Akram was out of the country and cannot be held responsible for that.

[141] There is evidence in the report that two of the AGLC inspectors confirmed that H.A. advised them that he was stuck in Lac La Biche dealing with another business and could not make it to Beiseker for their March 11, 2024 meeting. Neighbours Liquor takes the position that this was a very reasonable explanation.

[142] When H.A. met with the AGLC inspectors, the evidence should be assessed that he cooperated with them by explaining himself, clarifying his position, showing the schedule to the inspectors, presenting ProServe certificates, and providing access to the video surveillance footage. It was at that time that H.A. determined that the video surveillance footage was unavailable.

[143] The Licensee submits that it is very clear that having a video surveillance system is for security purposes, and it is not a requirement of AGLC to have the video footage available at all times.

[144] The Licensee takes the position that alternatives to the video surveillance footage were provided, which included the schedule and confirmation from both of the employees. Further, the two employees working on March 8, 2024 were working at two different businesses, and Mr. Akram has offered to verify this by providing copies of the employees' paycheques.

[145] When all the circumstances are assessed in this case, including the explanation provided by Mr. Akram, the fact that they took over Neighbours Liquor and that the Licensee is trying to serve the community of Beiseker, Neighbours Liquor submits that imposing a \$1,000 fine is harsh. To encourage small, independent businesses to operate successfully, the Licensee submits that the Licensee should be educated instead of being punished with fines.

[146] The Licensee is of the opinion that the appropriate fine is \$250 to \$300 and an undertaking to obtain education on regulatory compliance from an outside educator at the Licensee's expense.

[147] The Licensee is of the opinion that Regulatory Services and the Licensee are achieving the same objective, but it is achieved in a better way when businesses learn from third parties and Regulatory Services so that compliance with regulations and requirements are met by the businesses in the future.

VI. Analysis

[148] The Panel carefully considered the oral and documentary evidence submitted by Regulatory Services and the Licensee and found the following salient evidence in relation to each violation in making its finding of fact.

Section 4.6.1 of the Handbook (Contravention 1)

[149] Inspectors Feser and Lebid submitted evidence that during an operating check conducted on March 8, 2024, they did not see a staff member working in Neighbours Liquor when they were conducting surveillance outside of the licensed premises. Inspector Feser entered the convenience store, purchased a chocolate bar from H.S., asked H.S. if Neighbours Liquor was open, followed him to Neighbours Liquor, and purchased a can of Coors Cherry Seltzer from H.S. who then returned to the convenience store. Approximately 20 minutes later, they observed H.S. serve a patron in Neighbours Liquor and then return to the convenience store. At no time during their observations did they see a staff member working in Neighbours Liquor, and it was not until the inspectors identified themselves to H.S. and asked who was working at Neighbours Liquor that M.K. was contacted and eventually appeared.

[150] The Licensee provided Regulatory Services with a "liquor store" schedule (Exhibit 1, Tab 1, Attachment 7), and they suggested that it shows that the businesses were being staffed separately and that it was an alternative to the video surveillance footage requested by the inspectors. Given that the schedule has no dates on it and lists a staff member that was not ProServe certified at that time, the Panel finds that the schedule does not substantiate that Neighbours Liquor and the convenience store were staffed separately on March 8, 2024. Further, if the schedule does in fact reflect the week of Monday, March 4 to Sunday, March 10, 2024, then it indicates that H.S., not M.K., was scheduled to work at Neighbours Liquor during the evening of March 8, 2024. The Licensee also suggested that copies of M.K.'s and H.S.'s paycheques or pay stubs would show that they both worked on March 8, 2024, however, the Licensee did not submit such evidence before or during the hearing.

[151] Mr. Aujla stated during his summation that M.K. left Neighbours Liquor to work in the back area of the store and that she ought to have put up a sign. Inspectors Lebid and Feser stated that after H.S. advised them that M.K. was in the washroom, they entered the rear door of Neighbours Liquor into the rear hallway and did not observe any staff members in that area, and nobody responded to them when they called out. When the inspectors met M.K., she did not confirm that she was in the washroom they pointed to, and she proceeded to show the inspectors a cooler and storage area that she said she also works in. Inspector Feser submitted that there was no office equipment, no desk or chair, and no retail liquor store products in the cooler and storage area that could have explained why M.K. would be working in there. The Panel finds that Inspector Feser's and Inspector Lebid's testimonies support the premise that Neighbours Liquor was left unstaffed for a period of time.

[152] Based on the evidence provided by Inspectors Feser and Lebid, the Panel finds as fact that Neighbours Liquor was not staffed at all times that it was open for business on March 8, 2024 and that it was being staffed by an employee who was working at the adjacent convenience store.

[153] As such, the Panel finds that the Licensee contravened section 4.6.1 of the Handbook.

Section 15(3)(b) of the Regulation (Contravention 2)

[154] Inspectors Kessler, Feser and Lebid submitted evidence that after the Licensee removed a door between the rear hallway of Neighbours Liquor and the adjacent diner and entry to the staff residences at Inspector Kessler's request, the Licensee reinstalled the door.

[155] Regulatory Services submitted emails (Exhibit 1, Tab 1, Attachment 12) from Officer D.M. refuting Mr. Akram's claim that he had instructed him to install a fire exit between the rear hallway of Neighbours Liquor and the diner and entry to the staff residences. Further, Officer D.M. stated in his email to Regulatory Services that a door was already in place during his inspection on February 20, 2024.

[156] Mr. Akram did not deny that he reinstalled the door and stated that he did so after receiving verbal instructions from Officer D.M. to install a fire exit in the diner. If Mr. Akram did in fact receive verbal instructions from Officer D.M. to install a fire exit between the diner and the rear hallway of Neighbours Liquor, he could have easily contacted Regulatory Services and asked for their direction before reinstalling the door.

[157] Whatever Mr. Akram's reason may have been for reinstalling the door, the Panel finds as fact that the Licensee chose to reinstall the door with full knowledge that it would violate the physical separation requirements set out in the Regulation.

[158] As such, the Panel finds that the Licensee contravened section 15(3)(b) of the Regulation.

[159] Although the Panel acknowledges that the Licensee has removed the fire-rated door and installed drywall in its place, the Panel finds that Regulatory Services spent a considerable amount of time and resources dealing with this issue.

Section 99 of the Act (Contravention 3)

[160] The Panel heard evidence that the Licensee and H.A.'s delay in meeting with AGLC inspectors obstructed them from obtaining the requested video surveillance footage from March 8, 2024. Further,

H.A., who the inspectors believed to be Mr. Mushtaq during their phone conversations, was warned that failure to provide the requested video surveillance footage on March 11, 2024 could lead to a sanction for obstruction.

[161] The Licensee contended that video surveillance footage is only for security purposes. The Licensee also stated that H.A. cooperated with the inspectors' request for video surveillance footage and was not aware that the video surveillance system only retained footage for four days until he attempted to fulfill their request.

[162] Although the Handbook does not require a retail liquor store to have a video surveillance system, section 104(b) of the Act stipulates that a licensee has a duty to assist an inspector in carrying out an inspection by providing the inspector with records.

[163] The Panel considered whether H.A. intentionally delayed meeting with the inspectors in order to ensure that the March 8 video surveillance footage would no longer be available. The Panel does not find it credible that the Licensee did not know the retention period of their video surveillance system. Further, the Panel finds that the Licensee was given a sufficient amount of time to arrange for the video surveillance footage to be provided to Regulatory Services. As such, the Panels finds that by failing to provide the inspectors with the requested video surveillance footage, H.A., while holding himself out as Mr. Mushtaq, hindered and impeded the inspectors in the performance of their duties and in the exercise of their powers.

[164] As such, the Panel finds that the Licensee contravened section 99 of the Act.

[165] The Licensee has received education from Regulatory Services on double staffing twice and subsequently violated section 4.6.1 of the Handbook on March 8, 2024. Further, the Licensee does not maintain reliable and clear records of their employees' scheduled shifts at Neighbours Liquor. As such, the Panel finds that having a video surveillance system with a 28-day retention period would deter the Licensee from double staffing Neighbours Liquor in the future.

[166] The Panel finds it concerning that Mr. Akram only visits Neighbours Liquor once every one to two weeks and has allowed H.A. to communicate with Regulatory Services on behalf of the Licensee when he is not authorized to do so. Operating a licensed retail liquor store is a privilege and not a right that comes with significant responsibilities, including the requirement for licensees and their employees to comply with the Act, the Regulation, all relevant AGLC policies and any licence conditions.

VII. Finding

[167] For the reasons stated above, the Panel finds that Neighbours Liquor contravened:

- Section 4.6.1 of the Handbook;
- Section 15(3)(b) of the Regulation; and
- Section 99 of the Act.

[168] For the contravention of section 4.6.1 of the Handbook, the Panel imposes a fine of \$500 in accordance with section 91(2)(c) of the Act.

[169] For the contravention of section 15(3)(b) of the Regulation, the Panel imposes a fine of \$500 in accordance with section 91(2)(c) of the Act.

[170] For the contravention of section 99 of the Act, the Panel imposes a fine of \$1,000 in accordance with section 91(2)(c) of the Act and the following conditions on the Licence in accordance with section 91(2)(b) of the Act, effective as of October 14, 2024:

- (1) The premises must install and satisfactorily maintain a digital camera security system covering the entirety of the premises that is operational at all times, excluding washrooms. The digital camera security system must be of sufficient quality to clearly identify individuals in the premises. The monitor and recording system shall be in a locked, secure area within the premises that only staff members have access to.
- (2) The cameras and lighting must be positioned to clearly capture 24-hour coverage of activity identifying all individuals entering/exiting the premises, including staff areas, and all individuals within the premises. The digital camera security system must have on premises 28-day minimum recording retention in a common format that is easily accessible and contains an accurate time/date stamp not obscuring the image.
- (3) The digital camera security system must be tested weekly to ensure all cameras and recording equipment are functioning properly. When requested by an inspector, a log of the test results must be kept on the premises in an easily accessible format that contains an accurate time/date stamp.
- (4) When requested by an inspector, footage from the recording system must be provided in an easily accessible format that contains an accurate time/date stamp.
- (5) Both the log of the test results and any footage from the recording system must not be obscured by a date/timestamp or any other image on the recording.
- (6) The licensee, an employee of the licensee, or a contracted person must have the ability/skill to provide the digital camera recording or a log of test results to AGLC within a reasonable period of time.
- (7) Any malfunctions of the digital camera security system must be immediately reported to the AGLC, via the e-mail address inspections.mailbox@aglc.ca. A plan identifying system compliance must be submitted to AGLC for approval. Any changes made to the approved plan must be approved by AGLC.

[171] Further, Mr. Akram and all employees of Neighbours Liquor are directed to participate in a mandatory staff training seminar conducted by Regulatory Services on or before September 16, 2024.

[172] The fines in the total amount of \$2,000 are to be paid on or before August 15, 2024. If the fines are not paid in full by August 15, 2024, the Licence shall be suspended for a period of four (4) days commencing with the normal opening of business on August 19, 2024 and continuing until the normal close of business on August 22, 2024.

[173] The Licensee may make a lump sum payment or pay in installments. The Licensee is directed to contact Regulatory Services to make payment arrangements.

Signed at Calgary, this 16th day of July, 2024

A handwritten signature in black ink, appearing to be 'Patti Grier', written in a cursive style.

Patti Grier, Presiding Member, Hearing Panel