



**Department  
of Commerce**

Division of Liquor Control

Ted Strickland, Governor  
Kimberly A. Zurz, Director

**ORDER**

Mailed: November 30, 2010

**VIA CERTIFIED AND FIRST CLASS MAIL  
ARTICLE #7180 9171 9113 2001 2694 & #7180 9171 9113 2001 2700**

Zeng Chun Huang, CEO  
Heng and Zhu, Inc.  
14867 Detroit Avenue  
Lakewood, OH 44107

**RE:** Transfer of Ownership Application  
Permit #3759195, Class C-1  
**FROM:** Fla Forever, Inc.  
dba China Garden  
14867 Detroit Avenue  
Lakewood, Ohio 44107  
**TO:** Heng and Zhu, Inc.  
dba China Garden

Dear Mr. Huang:

The Division of Liquor Control has carefully considered your application for a transfer of ownership of a Class C-1 liquor permit. The Division held a hearing on September 24, 2010, at the request of the Lakewood City Council upon the advisability of the issuance of this permit. An investigation was conducted which included an inspection of the proposed permit premises and a review of the application and information gathered from various documents and reports. The Division also reviewed the evidence submitted at the hearing held on September 24, 2010.

The Division denies and rejects this application for transfer of ownership of this permit based upon the following grounds and facts:

- 1) Angel Rossato, a person involved with the operation of the captioned business, has been convicted of crimes, including a felony, that relate and reasonably relate to his involvement in the operation of the captioned liquor establishment. R.C. §§4303.29(A), 4303.292(A)(1)(a), 4303.11, and 4303.27.
- 2) The applicant has allowed Angel Rossato to be involved in the operation of the captioned liquor permit business in a manner that demonstrates a disregard for the laws, regulations, or local ordinances of this state. R.C. §§4303.292(A)(1)(b), 4303.11, and 4303.27.

The captioned application was filed on April 16, 2010 and has been in process since April 20, 2010. The business operates as a small carryout Chinese Restaurant (hereinafter "China Garden") that also sell beer and tobacco products.

The Lakewood Police Department conducted an investigation at the China Garden and learned that an individual named Angel M. Rossato who had been employed by the permit holder would continue to work for the proposed transferee.

Angel M. Rossato has been convicted of the following crimes. The Division notes that the March 13, 2008 and July 24, 2007 convictions were a result of incidents that occurred while Mr. Rossato was working at the China Garden.

<u>DATE</u>	<u>CHARGE</u>	<u>DISPOSITION</u>
March 13, 2008	Drug Trafficking Offense (Crack-Cocaine). R.C. §2925.03(A) (F-3) with Forfeiture Specification. R.C. §2941.1417.	Guilty. One (1) year in prison and court costs; post release control for three (3) years.
December 18, 2007	Disorderly Conduct; Intoxication. Lakewood Codified Ordinance Section 509.03 (MM).	Guilty. \$75.00 fine and court costs.
July 24, 2007	Illegal Distribution of Tobacco Products (M-4).	Guilty. \$150.00 fine and court costs; one (1) year community control supervision with a fine of \$100.00 and 30 days in jail to be imposed upon further violations.
April 11, 2006	Resisting Arrest. Lakewood Codified Ordinance Section 525.09.	Guilty. \$250.00 fine; \$500.00 of the remaining fine and 90 days in jail suspended; one (1) year community control supervision.
October 3, 2005	Disorderly Conduct; Intoxication. Lakewood Codified Ordinance Section 509.03.	Guilty. Payment of fine and/or cost filed.

<u>DATE</u>	<u>CHARGE</u>	<u>DISPOSITION, cont'd.:</u>
September 29, 2005	Possession of Paraphernalia. Lakewood Codified Ordinance Section 513.04.	Guilty. Payment of fine and/or cost filed.
October 13, 2004	Disorderly Conduct; Intoxication. Lakewood Codified Ordinance Section 509.03.	Guilty. Payment of fine and/or cost filed.
August 10, 2004	Disorderly Conduct; Intoxication. Lakewood Codified Ordinance Section 509.03.	Guilty. \$100.00 fine and court costs.
July 13, 2004	Possession of Paraphernalia. Lakewood Codified Ordinance Section 513.04.	Guilty \$100.00 fine and court costs.
	Disorderly Conduct; Intoxication. Lakewood Codified Ordinance Section 509.03.	Guilty. \$50.00 fine.
January 5, 2004	Possession of Paraphernalia. Lakewood Codified Ordinance Section 513.04.	Guilty. \$250.00 fine, court cost, and 30 days in jail: fine and jail time suspended. One (1) year probation: 1) no drugs of abuse or alcoholic beverages; 2) obtain assessment within 30 days and follow all treatment directives.
	Disorderly Conduct; Intoxication. Lakewood Codified Ordinance Section 509.03.	Guilty. \$100.00 fine.

- 3) The Division also denies and rejects the transfer application as authorized or required by law. R.C. §4301.10(A)(2) and O.A.C. §4301:1-1-12(B).

The pleadings and facts recited in numbers one (1) and two (2) above are restated as if fully rewritten herein.

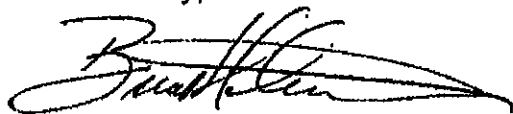
You are entitled to appeal this Order to the Ohio Liquor Control Commission. If you want to appeal this Order, you must file an appeal within 30 days of the mailing date of this Order with the:

**Liquor Control Commission  
77 South High Street, 18th Floor  
Columbus, Ohio 43215-0565  
(614) 466-3132**

The notice of appeal should contain a statement of your reasons for appeal. Please attach a copy of this Order with your appeal.

If a notice of appeal is not filed with the Commission within 30 days of the effective date of this Order, the Order will become final.

Sincerely,



Bruce D. Stevenson  
Acting Superintendent

/gap

cc: **Certified and First Class Mail**  
Zeng Chun Huang  
1355 Andrews Avenue  
Lakewood, OH 44107

Yim Wah Kwok, President  
Fla Forever, Inc.  
1280 Bunts Road  
Lakewood, OH 44107

Mary Hagan, Clerk  
Lakewood Police Department  
12650 Detroit Avenue  
Lakewood, OH 44107

Andrea Rocco, Esq.  
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Lakewood, OH 44107

Timothy J. Malley, Chief  
Lakewood Police Department  
12650 Detroit Avenue  
Lakewood, OH 44107

RE: Transfer of Ownership Application  
Permit #3759195, Class C-1  
Heng and Zhu, Inc.  
dba China Garden  
14867 Detroit Avenue  
Lakewood, OH 44107

Hearing Date: September 24, 2010

Superintendent's Decision:

Sustain



*E. W. R.*

Overrule



Date:

9-30-10

Due to the continued presence of  
Angel Rossato at China Garden  
I'm sustaining the City's obj.  
The 9/07 arrest inside the permit  
premise and his (Rossato's) continued  
presence threatens the good order of  
the community - *E. W. R.*  
9/30/10