

**DEPARTMENT OF EXCISE AND LICENSES
CITY AND COUNTY OF DENVER, COLORADO**

RECOMMENDED DECISION

**IN THE MATTER OF THE APPLICATION FOR A NEW BUSINESS LICENSE FILED BY
AYAN ENTERPRISES, LLC, DOING BUSINESS AS CIRRUS SOCIAL CLUB: CIRRUS, AT
3200 EAST COLFAX AVENUE, BUILDING 1, DENVER, COLORADO**

MARIJUANA HOSPITALITY LICENSE # 2022-BFN-0014455

Ayan Enterprises, LLC, doing business as Cirrus Social Club: Cirrus (Applicant), filed an application for a new Marijuana Hospitality License at 3200 East Colfax Avenue, Building 1, Denver, Colorado (Application.) On February 10, 2023, Hearing Officer Ryan H. Brand conducted a remote, public Needs and Desires Hearing on the Application.¹ David Wunderlich, Esq., represented Applicant; and Blake B. McCracken, Assistant City Attorney, represented the Denver Department of Excise and Licenses (Department). Arend Lenderink, Applicant’s Founder and Manager testified in person, as did Neighborhood Business Owners John Chapman IV and Brandon Stolz, while Neighborhood Witness Andrew Walsh Burnside, testified by affidavit², in support of the Application. [Ex. A-4]. Six Neighborhood Witnesses were counted as en masse witnesses in support of the Application³. [Exs. A-3, A-5 through A-8]. The Bluebird Business Improvement District, a Registered Neighborhood Organization (RNO) for the area, submitted two letters in support of the Application. [Exs. A-9 & A-10]. Ms. Emilie Helms, Neighborhood Resident, testified in opposition to the Application.

At issue is whether Applicant proved its qualifications for the License. This analysis includes: reasonable requirements of the neighborhood and the desires of the adult inhabitants therein, other marijuana businesses in the Designated Area, any potential undue concentration of marijuana businesses that would require additional law enforcement resources, Applicant’s compliance with the Marijuana Codes, and any adverse impact the license would have on the health, welfare, or public safety of the Designated Area. Upon a review of the evidence presented at hearing, the Hearing Officer makes the following Findings of Fact, Analysis, Conclusions of Law, and recommended decision to the Executive Director of the Department.

I. SUMMARY OF EVIDENCE

1. Pursuant to HPP 1.6.4.8, all relevant evidence is admissible at the hearing, including hearsay evidence that is offered with sufficient reliability. Exhibits C-1 through C-6, and A-1 through A-10 were admitted without objection. C.R.S. § 44-10-303, D.R.M.C. § 6 -217(f) referencing

¹ The Department’s Hearing Policies and Procedures (HPP) Section 1.6.3.1.1, as enacted 4/15/2021 (Executive Director’s Memorandum), permits remote hearings.

² HPP 3.5.1.1 authorizes Neighborhood Witness testimony through a pre-filed affidavit.

³ Ms. Kathleen Bole appeared live and examined Applicant’s owner about her concerns. Due to his testimony she chose to support the Application as an en masse witness at the conclusion of her testimony.

D.R.M.C. §6-209(d)(2), and HPP 14.2.2 require at least ten days' notice of the hearing by posting a sign in a conspicuous place on the premises. The admitted exhibits are:

C-1: The Department's January 9, 2023 email with notice of the public hearing to relevant Denver City Council Members, their staff, and Registered Neighborhood Organizations ("RNOs").

C-2: The Department's January 11, 2023 publication of the notice of hearing in The Daily Journal and the Publisher's Affidavit confirming the publication.

C-3: The Department's map of the Designated Area.

C-4: The Department's Marijuana Store/Center License Report, showing one other Marijuana Store in the Designated Area.

C-5: Applicant's vicinity map, location map, proposed floor plan, and distance study.

C-6: The Department's January 11, 2023 Inspection Report approving Applicant's compliant posted Notice, with attached photographs of the Notice.

A-1: Applicant's petitions including 20 business and 72 residential signatures in support of the Applicant.

A-2: Applicant's Pre-Hearing Statement.

A-3: Affidavit of Mr. Kalyan Pant, business owner, in support of the Application.

A-4: Affidavit of Mr. Andrew Walsh Burnside, resident, in support of the Application.

A-5: Affidavit of Mr. Adam Douglas Graham, resident, in support of the Application.

A-6: Affidavit of Ms. Kenzie Forney, resident, in support of the Application

A-7: Affidavit of Mr. John Robert Holmes, Jr., resident, in support of the Application

A-8: Affidavit of Ms. Judith Chen, resident, in support of the Application

A-9: Correspondence in support of Applicant from Dan Shah, Executive Director, Bluebird Business Improvement District, dated February 3, 2023.

A-10: Correspondence in support of Applicant from Tom Secrist, Treasurer, Bluebird Business Improvement District, dated February 3, 2023.

2. Mr. Lenderink testified to the following items. He Applicant's manager and co-founder. Applicant has an existing Marijuana Enforcement Division [MED] License provisional on his City's License, and through him Applicant qualifies as a Social Equity Application. He confirmed the posting for the hearing has been up since January 10, 2023 and the posting has remained continuously through the hearing date. Applicant has a lease for 3200 E Colfax, Building 1, and plans to perform extensive and costly modifications to the building if approved. Specifically, Applicant's building used to be a Tae Kwon Do studio and it has great bones including a beautiful barrel ceiling that has been covered for 40 years, while the building itself was built in 1938. The building is old, and parking on site is limited. To that end Mr. Lenderink anticipates advertising and highly encouraging ride share for its patrons, and may be able to work with the Bluebird Business Improvement District RNO to develop a community parking lot in the future. Mr. Lenderink chose this location largely because the businesses in the area are "hip" and "cool" businesses and he feels the community would benefit from his business. He anticipates spending around \$3 Million on the renovation of the building, and will do murals on the outside along with fresh vibrant paint. He anticipates the inside being a "feminine" space with a lot of bold colors along with crystal chandeliers. He will rebuild the sidewalks surrounding the building and plans to do gardening and beautification as well. He anticipates hiring between 30 and 50 employees, and he hopes to hire from within the community.

3. Mr. Lenderink confirmed Applicant will install a high-end odor control system which will reduce odors that emanate to the surrounding area. The building is quite old, and parking is limited in the neighborhood, so Mr. Lenderink intends to highly encourage patrons to ride share to avoid parking issues as well as impaired driving. Signage will be installed to ensure patrons know there is absolutely no parking permitted at the nearby condo parking area. He confirmed he is working with the Bluebird Business Improvement District to offer additional parking, but that process has not been finalized. He is also working closely with nearby businesses and residents, and will be responsive to any concerns. Applicant is going to partner with nearby Medical and Retail Marijuana Stores so future patrons can purchase the marijuana they intend to consume at Applicant at a possible discount and to ensure quality. He believes this type of business will attract tourists as well as locals to the business which will be unique in its décor, atmosphere, and offerings. The restaurant will have live piano and jazz music and patrons will be able to consume their marijuana in a variety of methods safely on its premises. Passersby will not be able to see into its premises because of decorative largely opaque stained-glass windows. He ensured the neighborhood was canvassed by the petition circulator and he personally spoke with many neighbors about their feelings and concerns about the business. Because of the large number of supporters, he believes there is both a need and desire in the designated area for this license to issue. He is doing his best to address any concerns and believes the issuance of this license will have a positive impact on community health, welfare, safety, and morals. He will also retain licensed security to protect the business and neighborhood to limit issues such as broken windows and graffiti that have been happening.
4. Mr. Chapman testified to the following items. He owns and manages Lawrence and Larimer Clothing and Supply Company in the Designated Area. He is over 21 years old and occasionally consumes an alcoholic beverage. He does not have a familial or financial interest in the Applicant, and has not been compensated for his testimony. He will be a neighbor to Applicant, and has spoken to with Mr. Lenderink about his business concept. He is very supportive, and believes the community would benefit from the license being issued because the vacant building is not good for the neighborhood. He personally feels there is a need for this unique type of business and desires that the license issue, and likewise believes the neighborhood feels the same. He does not believe the Applicant will have a negative impact on neighborhood health, safety, welfare, or morals.
5. Mr. Stolz testified to the following items. He owns and manages BC Barber Company in the Designated Area. He is over 21 years old and occasionally consumes an alcoholic beverage. He does not have a familial or financial interest in the Applicant, and has not been compensated for his testimony. He will also be a neighbor to Applicant, and has spoken to with Mr. Lenderink about his business concept. He is very supportive, and believes the community would benefit from the license being issued because the vacant building is an eyesore. He personally feels there is a need for this unique type of business and desires that the license issue because it will increase traffic to his own business, and the “more the merrier.” He does not believe the Applicant will have a negative impact on neighborhood health, safety, welfare, or morals.
6. Mr. Andrew Walsh Burnside testified to the following items through written affidavit. (Ex. A-4). He is a resident in the Designated Area. He has no present financial or familial interest in Applicant and is not being paid for his testimony. He is not a Colorado medical marijuana patient. He believes there is a need for and desires that the Department issue a marijuana hospitality license to Applicant, as there are many small apartments and other living spaces that are not marijuana friendly, and this provides a safe and accessible option for nearby residents. The current, similarly licensed premises

in the neighborhood do not meet the needs of the Designated Area. He believes the issuance of this marijuana license will not have an adverse impact on the health, welfare, and safety of the Designated Area, as after speaking with the involved parties and hearing their plan, he is confident that Applicant will operate a good service for the neighborhood.

7. Ms. Helms testified to the following items. She lives very close to Applicant's proposed location. Her concerns before hearing were primarily about odor emanating from the Applicant and increased demand for parking from its patrons. Mr. Lenderink alleviated her concerns about odor, but she is still very concerned about parking for Applicant due to the volume of patrons he expects to see. She acknowledged the building is older and there is limited parking. She does not believe his efforts to encourage ride shares or work with the Bluebird Business Improvement District will be enough to mitigate the increased parking demand, and believes patrons will likely attempt to park on the street or even in the area reserved for residents like herself.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

A. JURISDICTION, BURDEN OF PROOF, AND AUTHORITY

8. D.R.M.C. § 6-201 vests the Director with jurisdiction to administer the marijuana authorities. D.R.M.C. § 6 -217(f) referencing D.R.M.C. §6-209(d)(1) requires the Director to schedule a public hearing on the Application and places on Applicant the burden of proof, by a preponderance of the evidence, to prove its qualifications for the receipt of a License. *See also* C.R.S. §§ 13-25-127(1), 24-4-105(7); HPP 14.3.1.

Notice of Hearing

9. C.R.S. § 44-10-303, D.R.M.C. § 6-217(f) referencing D.R.M.C. §6-209(d)(2), and HPP 14.2.2 require at least 30 days' notice of the hearing by posting a sign in a conspicuous place on the premises. D.R.M.C. § 6 -217(f) referencing D.R.M.C. §6-209(d)(2) requires the sign to state, among other things, the: (1) license requested, (2) hearing date, and (3) names and addresses of the Applicant, and its principals or manager. C.R.S. § 44-10-302(1)(c) and D.R.M.C. § 6 -217(f) referencing D.R.M.C. §6-209(d)(2) require publication of the information required in the sign.
10. D.R.M.C. § 6-217(f) referencing D.R.M.C. §6-209(d)(3) and HPP 2.1.1.1 require the Department to create a map of the Designated Area for the Application. HPP 2.1.6.2 requires the posted notice to identify the Designated Area via an attached map, in which petitions may be circulated and from which witnesses may testify at hearing, and to state that petitions for evening hearings must be filed five days prehearing.

Factors in Determination of Application

11. D.R.M.C. § 6 -217(f) referencing D.R.M.C. §6-209(d)(6) allow the Director to consider:
 - a. The number and availability of licenses of the same type in or near the neighborhood;
 - b. Whether the issuance of the license would create a neighborhood of undue concentration of marijuana store locations;
 - c. The reasonable requirements of the neighborhood and the desires of the adult inhabitants therein as evidenced by petitions, remonstrances, or otherwise; and
 - d. The provisions of this article V and chapter 32 of this Code, or any rules and regulations adopted pursuant thereto.

12. In addition, D.R.M.C. § 6-223(a) mandates the denial of an Application if:

- (1) The issuances of a license or permit to the applicant or licensee would not comply with any applicable state or local law, including, but not limited to, the Colorado Marijuana Code, this article V⁴, and any rules and regulations adopted pursuant thereto;...
- (2) The applicant or licensee fails to prove by a preponderance of the evidence that the reasonable requirements of the neighborhood and the desires of the adult inhabitants therein support the issuance of a medical or retail marijuana store license, marijuana hospitality business license, or retail marijuana hospitality and sales business license;
- (3) The issuance of a license at the subject location would create a neighborhood of undue concentration;
- (4) A second or additional license to the same applicant would have the effect of restraining competition;
- (5) The applicant or licensee has previously operated a licensed premises in a manner that adversely affects the public health, welfare, or the safety of the immediate neighborhood in which the business is located;
- (6) The applicant or licensee has failed to comply with any terms or conditions that were placed on its license or permit pursuant to an order of the director or state licensing authority;
- (7) The applicant or licensee fails to provide a valid lease, rental agreement, or other documented arrangement for possession showing that the applicant or licensee is entitled to possession of the premises identified in the application;
- (8) The applicant or licensee fails to complete any required inspections or obtain any necessary permits for the proposed premises;
- (9) The applicant or licensee fails to obtain or maintain a corresponding state license or permit that is in full compliance with the Colorado Marijuana Code and any other applicable state law or regulation;
- (10) The applicant or licensee has violated or has failed to comply with any applicable regulatory or administrative provisions of state or local laws regulating marijuana, or rules and regulations adopted pursuant thereto; or
- (11) The applicant or licensee's criminal character or criminal record poses a threat to the regulation or control of marijuana, subject to the provisions of C.R.S. §44-10-307, as amended. In doing so, the director may incorporate any findings as to residency moral character, and criminal character or history, including marijuana convictions, previously made by the state licensing authority.

13. Accordingly, HPP 14.3.2 authorizes the hearing officer and/or Director to consider evidence and testimony presented on any of the following factors:

- i. The number and availability of licenses of the same type in or near the neighborhood;
- ii. Whether or not the issuance of the license would create a neighborhood of undue concentration;
- iii. The reasonable requirements of the neighborhood and the desires of the adult inhabitants therein as evidenced by petitions, remonstrances, or otherwise;

⁴ Reference given is to D.R.M.C. Chapter 6, Article V Denver Marijuana Code.

- iv. Whether or not the issuance of a license to the applicant would not comply with any applicable state or local law, including, but not limited to, the Colorado Marijuana Code, this article V, and any regulations adopted pursuant thereto;
- v. Whether or not a second or additional license to the same applicant would have the effect of restraining competition;
- vi. Whether or not the applicant has previously operated a licensed premises in a manner that adversely affects the public health, welfare, or the safety of the immediate neighborhood in which the business is located;
- vii. Whether or not the applicant has failed to comply with any terms or conditions that were placed on a license or permit pursuant to an order of the director or state licensing authority in the past;
- viii. Whether or not the applicant provides a valid lease, rental agreement, or other documented arrangement for possession showing that the applicant or licensee is entitled to possession of the premises identified in the application;
- ix. Whether or not the applicant's criminal character or criminal record poses a threat to the regulation or control of marijuana, subject to the provisions of C.R.S. § 44-10-307, as amended. In doing so, the director may incorporate any findings as to residency, moral character, and criminal character or history, including marijuana convictions, previously made by the state licensing authority.

B. FINDINGS, ANALYSIS, AND CONCLUSIONS

Designated Area and Posting Compliance

- 14. The Department generated the required map of the Designated Area, which complied with HPP 2.1.1. (Ex. C-3).
- 15. Applicant established its posting, required by C.R.S. § 44-10-303(1), D.R.M.C. § 6-209(d)(2) and HPP 14.2.2, through the testimony of Mr. Lenderink. The Department confirmed Applicant's posting at the premises. (Ex. C-6). The Department also published the required notice of hearing. (Ex. C-2).

Analysis

- 16. The Applicant must demonstrate by a preponderance of the evidence that the factors identified in HPP 14.3.2 have been established for the issuance of Marijuana Hospitality License. However, standards for issuance mirror the license denial factors. Because the denial factors are more expansive than the issuance factors, this analysis will follow the denial factors.
- 17. The analysis framework for license denial is set forth by D.R.M.C. § 6-223. Accordingly, each factor will be analyzed individually to determine if a denial is mandatory. The factors will be analyzed in aggregate to determine if granting a license meets the needs and requirements of the neighborhood under HPP 14.3.2.

18. D.R.M.C. § 6-223(a) (1):

“The issuances of a license or permit to the applicant or licensee would not comply with any applicable state or local law, including, but not limited to, the Colorado Marijuana Code, this article V,⁵ and any rules and regulations adopted pursuant thereto;”

No evidence was presented stating that issuance of a Marijuana Hospitality license to the Applicant would not comply with any applicable state or local law. Therefore, this hearing officer does not find evidence of noncompliance with any applicable state or local law, including, but not limited to, the Colorado Marijuana Code, the Denver Marijuana Code, and any rules and regulations adopted pursuant thereto.

19. D.R.M.C. § 6-223(a) (2):

“The applicant or licensee fails to prove by a preponderance of the evidence that the reasonable requirements of the neighborhood and the desires of the adult inhabitants therein support the issuance of a ... marijuana hospitality business license...;”

The Application was supported by 98 neighborhood witnesses who signed petitions or were considered en masse and three neighborhood witnesses who testified at length either live or via affidavit. The Bluebird Business Improvement District, an RNO that covers the Designated Area, also provided letters supporting the Application. One person opposed the issuance of the license on the grounds it may negatively impact parking in the designated area, but not on the grounds of need or desire for the specific license type at issue at this hearing. Weighing the evidence presented, the Applicant has proven by a preponderance of the evidence that the reasonable requirements of the neighborhood and the desires of the adult inhabitants therein support the Application.

20. D.R.M.C. § 6-223(a) (3):

“The issuance of a license at the subject location would create a neighborhood of undue concentration;”

The Application would be among the first of its kind; to this Hearing Officer’s knowledge the City and County of Denver has only issued a couple of other Marijuana Hospitality Licenses in the City, neither of which is in the Designated Area at issue in this Application. While there is one Marijuana Store License in the Designated Area, the Marijuana Hospitality License at issue here differs from it in functionality. Furthermore, because Applicant cannot sell marijuana products, all other licensed Marijuana Stores nearby actually complement its business by providing the products Applicant’s patrons will consume on its premises. [Ex. C-4]. As there are currently no other Marijuana Hospitality Licenses in the neighborhood, an undue concentration would not be created by granting this license.

21. D.R.M.C. § 6-223(a) (4):

“A second or additional license to the same applicant would have the effect of restraining competition;”

This will be Applicant’s first license of its kind; thus, this factor cannot count against Applicant.

⁵ Reference given is to D.R.M.C. Chapter 6, Article V Denver Marijuana Code.

22. D.R.M.C. § 6-223(a) (5):

“The applicant or licensee has previously operated a licensed premises in a manner that adversely affects the public health, welfare, or the safety of the immediate neighborhood in which the business is located;”

No evidence was presented suggesting the operation of the establishment would operate in a manner that negatively impacts public health, welfare, or safety.

23. D.R.M.C. § 6-223(a) (6):

“The applicant or licensee has failed to comply with any terms or conditions that were placed on its license or permit pursuant to an order of the director or state licensing authority;”

No evidence was presented suggesting that the Applicant failed to comply with any terms or conditions that were placed on a license or permit pursuant to an order of the director or state licensing authority in the past.

24. D.R.M.C. § 6-223(a) (7):

“The applicant or licensee fails to provide a valid lease, rental agreement, or other documented arrangement for possession showing that the applicant or licensee is entitled to possession of the premises identified in the application;”

Mr. Lenderink confirmed via testimony that he has a valid lease in effect that he has provided to the Marijuana Enforcement Division and the Department.

25. D.R.M.C. § 6-223(a) (8):

“The applicant or licensee fails to complete any required inspections or obtain any necessary permits for the proposed premises⁶;”

No evidence was presented suggesting that Applicant failed to complete any required inspections or obtain any necessary permits for the proposed premises.

26. D.R.M.C. § 6-223(a) (9):

“The applicant or licensee fails to obtain or maintain a corresponding state license or permit that is in full compliance with the Colorado Marijuana Code and any other applicable state law or regulation;”

Mr. Lenderink confirmed he has been approved for a corresponding state license, and will comply with all applicable state law or regulation.

27. D.R.M.C. § 6-223(a) (10):

“The applicant or licensee has violated or has failed to comply with any applicable regulatory or administrative provisions of state or local laws regulating marijuana, or rules and regulations adopted pursuant thereto;”

⁶ *Id.*

No evidence was presented suggesting that the Applicant has violated or failed to comply with any applicable regulatory or administrative provisions of state or local laws regulating marijuana.

28. D.R.M.C. § 6-223(a) (11):

“The applicant or licensee’s criminal character or criminal record poses a threat to the regulation or control of marijuana, subject to the provisions of C.R.S. §44-10-307, as amended. In doing so, the director may incorporate any findings as to residency moral character, and criminal character or history, including marijuana convictions, previously made by the state licensing authority.”

There was no evidence presented that Mr. Lenderink has any criminal record or history, and he qualifies as a Social Equity Applicant for this license. Thus, there was no evidence he poses a threat to the regulation or control of marijuana, he testified credibly he is moral, and he will operate the business lawfully.

29. This Hearing Officer finds that an analysis of the individual factors found in D.R.M.C. § 6-223 do not require a denial of the license. Considering the above evidence as a whole to determine if Applicant met the standards for issuance detailed in HPP 14.3.2, this Hearing Officer finds that the Applicant proved its burden by a preponderance of the evidence that the factors in HPP 14.3.2 have been established. This will be among the first Marijuana Hospitality licenses to be granted in the City and County of Denver, a fact that precludes any argument of undue concentration or excess licenses in the area. As this is among the first licenses of the kind and the only one in the Designated Area, the Applicant also showed that the needs of the Designated Area are not met by the current marijuana licenses located within the neighborhood. The Hearing Officer finds that the Department’s issuance of this license will have no adverse impact on the health, welfare, or public safety of the neighborhood due to the rules and regulations that apply to marijuana hospitality licensees; Applicant’s witnesses and Mr. Lenderink, also testified to this effect. Applicant showed that the reasonable requirements of the neighborhood and the desires of its adult resident and business inhabitants establish the need for the location of this Marijuana Hospitality License through the testimony presented.

30. Although there was one witness present who opposed the Application, she did so almost entirely because it could negatively impact the already-limited parking in the area. Applicant responded to her concerns by testifying without rebuttal it will highly encourage patrons to ride share in order to limit impact on parking and intoxicated driving. Mr. Lenderink also testified he was working with the Bluebird Business Improvement District on alleviating possible parking issues and would continue to work with the nearby residences. No other neighborhood resident or business owner appeared to have any other great concern about parking, so although her fears may be sincere, they do not outweigh the otherwise overwhelming public support for the Application and its good faith attempts to mitigate any parking impact. Furthermore, it has been previously held that the denial of a license because of speculation that resulting traffic and parking problems may occur would be without legal justification. In re Sistem Bonnie Brae, LLC, 2022-BFN-0000618/2022-BFN-0002457 (Final Decision 11/7/22); *see also* Mobell v. Meyer, 469 P.2d 414, 415 (Colo. 1970), *citing* Geer v. Presto, 135 Colo. 536 (1957).

Conclusion

31. The Hearing Officer concludes from the evidence that Applicant proved its qualifications for a Marijuana Hospitality License at its proposed location by a preponderance of the evidence and has established that the Department should issue said license to it.

III. RECOMMENDATION

Accordingly, the Hearing Officer RECOMMENDS that the Executive Director of the Denver Department of Excise and Licenses APPROVE the application of Ayan Enterprises, LLC, doing business as Cirrus Social Club: Cirrus, for a Marijuana Hospitality License at 3200 East Colfax Avenue, Building 1, Denver, Colorado, subject to the completion of all required inspections, cure of all findings of defects and continued compliance with applicable state or local law, including, but not limited to, the Colorado Marijuana Code, the Denver Marijuana Code, and any rules and regulations adopted pursuant thereto.

RECOMMENDED this 22nd day of February 2023.



Ryan H. Brand
Hearing Officer

Any Applicant, Licensee, Party in Interest or City Attorney may file Objections to this Recommended Decision within ten (10) business days from the date of this Recommended Decision. Any Applicant, Licensee, Party in Interest or City Attorney may file Responses to Objections within five (5) business days after receipt of the Objections. If the last day for filing either Objections or Responses falls on a weekend or holiday, those Objections or Responses are due on the following business day.

All filings shall be made by email to EXLRecordsManagement@denvergov.org, and CAOExciseandLicense@denvergov.org, copying the Assistant City Attorney, Blake.McCracken@denvergov.org and any additional parties listed below.

If a person or entity authorized to file an Objection or Response does not have access to email, that person or entity shall submit the written Objection or Response to: Director, Dept. of Excise and Licenses, 201 W. Colfax Ave., Dept. 206, Denver, CO 80202.

The Executive Director of the Denver Department of Excise and Licenses will issue a **FINAL DECISION** in this matter following review and consideration of the Recommended Decision, the entire record and any properly filed Objections and Responses.

CERTIFICATE OF SERVICE

The undersigned hereby states and certifies that one true copy of the foregoing Recommended Decision was sent via email, on the date stated above, to the following:

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