

Northern Territory Licensing Commission

Reasons for Decision

Premises:	Caribbas Cafe
Licensee:	Ms Yasnay Tamayo
Licence Number:	80517755
Complaints:	Cancellation of Liquor Licence Pursuant to Section 72(5)(a) of the <i>Liquor Act</i>
Heard Before:	Mr Richard O'Sullivan (Chairman)
Date of Hearing:	7 February 2008
Appearances:	Mr Chris O'Brien for Director of Licensing

Background

- 1) Inspector O'Brien at hearing advised that the initial licence to Caribbas Café was granted on 27 June 2007. She stated evidence available to her indicated that the premises was vacated in mid August 2007 and that on contacting the Real Estate Agent managing the property, she was advised that rent had been paid up until 31 August 2007. No further rent has been paid since that time.
- 2) Evidence was also provided that the residential premises of the Licensee, Ms Yasnay Tamayo had also been vacated in early September 2007.
- 3) All attempts to contact the Licensee, both by letter and by phone elicited no response and letters were all returned to sender.

Decision

- 4) I find that the conditions laid out in Section 72(5)(a) of the *Liquor Act* have been met, that is that a licence may be cancelled where the Commission is satisfied that the premises has "not been used for the sale or supply of liquor for a period of ninety (90) days".
- 5) The Caribbas Café licence is therefore cancelled forthwith.

Richard O'Sullivan
Chairman

7 January 2008