



Office of Cannabis Management

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Acting Executive Director

No. 2024-123

December 10, 2024

RESOLUTION TO RENDER A DECISION FOR ADMINISTRATIVE APPEAL THE REZZ v. OCM, INSPECTION NO. 112202306130016

WHEREAS, pursuant to Article 2 of the New York State Cannabis Law (“Cannabis Law”) Sections 10 and 17, the Cannabis Control Board (“Board”) is charged with the responsibility of issuing a final determination when an administrative decision following a hearing is appealed.

WHEREAS, Appellant The Rezz (“Appellant”) was subject to a regulatory inspection and a resulting Notice of Violation and Order to Cease Unlicensed Activity, pursuant to Article 6 of the Cannabis Law Section 138-a and Section 133.25¹ Title 9 of the New York Codes, Rules, and Regulations (NYCRR).

WHEREAS, A hearing that was held before an Administrative Law Judge (“ALJ”) with the Office of Administrative Hearings (“OAH”), pursuant to Sections 133.16 and 133.25 of Title 9 NYCRR.

WHEREAS, the presiding ALJ issued a decision ordering Respondent to pay a civil penalty for offering cannabis and products marketed and labeled as cannabis without a license, registration, or permit pursuant to Sections 125 and 132 of the Cannabis Law and Sections 116.2-116.9 of Title 9 NYCRR.

WHEREAS, Appellant took exception to the ALJ’s decision and submitted an administrative appeal to the Board within thirty (30) calendar days of the determination pursuant to Section 133.25(k) of Title 9 NYCRR.

WHEREAS, the members of the Board have reviewed the record on appeal, including the memorandum filed by the parties, the hearing transcript, and the ALJ’s decision.

WHEREAS, the members of the Board have made a preliminary determination to affirm the ALJ’s decision and deny the Appellant’s requested relief.

RESOLVED, that the members of the Board affirm the ALJ’s decision. The Board’s determination shall constitute the final administrative decision.

[See Attachment A – Decision on Appeal]

¹ Formerly cited at § 133.23. Regulations amended after the submission of the appeal.