



**Office of Cannabis  
Management**

**Kathy Hochul**  
Governor  
**Jessica Garcia**  
Cannabis Control Board Chair  
**Felicia A.B. Reid**  
Acting Executive Director

**BOARD MEMBERS**  
Hope Knight  
Crystal Rodriguez-Dabney  
Brad Usher

No. 2025-64  
September 9, 2025

**RESOLUTION TO RENDER A DECISION FOR ADMINISTRATIVE APPEAL 5514 MYRTLE AVE  
CORP. v. OCM, INSPECTION 202 2024 1029 0045**

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, pursuant to Article 6 Sections 132, 138-a, and 138-b of the Cannabis Law and Section 133.25 of Title 9 of the New York Codes, Rules, and Regulations (“NYCRR”), Appellee Office of Cannabis Management (“OCM”) issued a Notice of Violation, an Order to Cease Unlicensed Activity, and an immediate Order to Seal (“OTS”) after conducting a regulatory inspection of Appellant 5514 Myrtle Ave Corp.’s business premises;

WHEREAS, Appellant requested a hearing that was held before an Administrative Law Judge (“ALJ”) with the Office of Administrative Hearings (“OAH”), pursuant to Cannabis Law Section 138-b(2) and Sections 133.10, 133.16, and 133.25(h)(1) of Title 9 NYCRR;

WHEREAS, following the hearing, the presiding ALJ issued a decision ordering the extension of the OTS for one-year and ordering Appellant to pay a civil penalty based upon a finding of unlicensed activity in violation of Cannabis Law Sections 125 and 132 and Title 9 NYCRR Section 133.25;

WHEREAS, Appellant submitted the instant administrative appeal, and the exceptions noted therein to the Board for review and for a final determination, pursuant to Title 9 NYCRR Section 133.25(k);

WHEREAS, the recommendation before the Board is to accept the proposed recommended decision, identified in Attachment A, denying Appellant’s appeal and confirming the ALJ’s decision and order;

WHEREAS, pursuant to Section 133.25(k) Title 9 NYCRR, the Board has reviewed the record on appeal and the recommended decision in Attachment A and have made a preliminary decision to adopt the recommended decision; now therefore be it

RESOLVED, that the Board, by vote and through this resolution, approves and adopts the recommended decision identified in Attachment A confirming the ALJ’s decision and denying Appellant’s appeal. The Board’s decision shall constitute the final determination on the matter in accordance with Cannabis Law Section 10(18).



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BE IT FURTHER RESOLVED that the Board directs the issuance of the decision identified in Attachment A to the parties.