

**DOCKET NO. 506359**

**DEBORAH FLORES  
d/b/a Alcoholic Beverage Training  
SCHOOL PROGRAM NO. 210-218**

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**BEFORE THE TEXAS**

**ALCOHOLIC**

**DALLAS COUNTY, TEXAS  
(SOAH DOCKET NO. 458-07-0216)**

**BEVERAGE COMMISSION**

**ORDER**

**CAME ON FOR CONSIDERATION** this 30<sup>th</sup> day of March, 2007, the above-styled and numbered cause.

After proper notice was given, this case was heard by Administrative Law Judge Brenda Coleman. The hearing convened on November 29, 2006 and closed on the same day. The Administrative Law Judge made and filed a Proposal For Decision containing Findings of Fact and Conclusions of Law on January 29, 2007. This Proposal For Decision was properly served on all parties who were given an opportunity to file Exceptions and Replies as part of the record herein. Respondent filed Exceptions and ALJ ruled that Proposal should stand as written.

The Assistant Administrator of the Texas Alcoholic Beverage Commission, after review and due consideration of the Proposal for Decision, Transcripts, and Exhibits, adopts the Findings of Fact and Conclusions of Law of the Administrative Law Judge, which are contained in the Proposal For Decision and incorporates those Findings of Fact and Conclusions of Law into this Order, as if such were fully set out and separately stated herein. All Proposed Findings of Fact and Conclusions of Law, submitted by any party, which are not specifically adopted herein are denied.

**IT IS THEREFORE ORDERED**, by the Assistant Administrator of the Texas Alcoholic Beverage Commission, pursuant to Subchapter B of Chapter 5 of the Texas Alcoholic Beverage Code and 16 TAC §31.1, of the Commission Rules, that **Respondent's Seller Training Program/License be revoked.**

**This Order will become final and enforceable on April 20, 2007**, unless a Motion for Rehearing is filed **before** that date.

By copy of this Order, service shall be made upon all parties by facsimile and by mail as indicated below.

**SIGNED** on this 30<sup>th</sup> day of March, 2007, at Austin, Texas.

On Behalf of the Administrator,



Jeanne Fox, Assistant Administrator  
Texas Alcoholic Beverage Commission

JF/dn

The Honorable Brenda Coleman  
**ADMINISTRATIVE LAW JUDGE**  
State Office of Administrative Hearings  
**VIA FACSIMILE 214-956-8611**

DEBORAH FLORES  
d/b/a Alcoholic Beverage Training a/k/a ABT  
**RESPONDENT**  
P. O. Box 1949  
Coppell, TX 75019  
**VIA REGULAR MAIL**

Barbara Moore  
**ATTORNEY FOR PETITIONER**  
**VIA FACSIMILE 214-678-4050**

Licensing Division

Dallas District Office

**SOAH DOCKET NO. 458-07-0216**

**TEXAS ALCOHOLIC BEVERAGE  
COMMISSION,  
Petitioner**

**V.**

**DEBORAH FLORES D/B/A  
ALCOHOLIC BEVERAGE  
TRAINING A/K/A ABT,  
Respondent**

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**BEFORE THE STATE OFFICE**

**OF**

**ADMINISTRATIVE HEARINGS**

**PROPOSAL FOR DECISION**

The Staff of the Texas Alcoholic Beverage Commission (Petitioner) sought revocation of the seller training program approved for Deborah Flores d/b/a Alcoholic Beverage Training a/k/a ABT (Respondent). Petitioner alleged that (1) Ms. Flores failed to complete the required continuing education hours required for renewal of her trainer certification, and (2) Respondent failed to timely file reports of seller training on four occasions within a one-year period. Based on the above violations, Petitioner further alleged that the manner in which Respondent's seller training program was administered substantially impaired the effectiveness of the program. The Administrative Law Judge (ALJ) recommends revocation of Respondent's seller training program.

**I. JURISDICTION, NOTICE, AND PROCEDURAL HISTORY**

The Texas Alcoholic Beverage Commission (TABC) has jurisdiction over this matter under TEX. ALCO. BEV. CODE ANN. (the Code) ch. 5 and § 106.14, as well as 16 TEX. ADMIN. CODE (TAC) §§ 50.4, 50.5 and 50.6 of the TABC Rules (the Rules). The State Office of Administrative Hearings (SOAH) has jurisdiction over all matters related to conducting a hearing in this proceeding, including the preparation of a proposal for decision with proposed findings of fact and conclusions of law, pursuant to TEX. GOV'T CODE ANN. ch. 2003.

On October 11, 2006, Petitioner issued its notice of hearing to Respondent by certified mail, return receipt requested. A hearing was scheduled for October 26, 2006. On October 20, 2006, Petitioner filed a motion for continuance. The motion was granted, and the hearing was reset for November 29, 2006. On November 9, 2006, Petitioner issued its amended notice of hearing to Respondent by certified mail, return receipt requested.

On November 29, 2006, a hearing convened before SOAH ALJ Brenda Coleman. Petitioner was represented at the hearing by Diane Brown, TABC Staff Attorney. Respondent's owner and agent/trainer, Deborah Flores, appeared *pro se* on behalf of Respondent. Evidence was presented and the record closed that same day.

## II. DISCUSSION

### A. Background

Respondent is the holder of an approved seller training program issued by Petitioner on October 31, 1990. Respondent's school-program number is 210-218. On November 14, 2006, Petitioner renewed Respondent's school-program certification for three years, effective November 1, 2005, through October 31, 2008.<sup>1</sup> Petitioner issued trainer certification to Deborah Flores on November 1, 1990. Ms. Flores' trainer certification expired on October 31, 2005.<sup>2</sup> Ms. Flores filed a renewal application on January 26, 2006, but failed to provide proof of completion of 12 hours of continuing education courses required for renewal.<sup>3</sup>

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1 Petitioner's Exhibit Two.

2 Petitioner's Exhibit Two.

3 Petitioner's Exhibit Seven.

**B. Applicable Law**

The actions of an employee relating to the sales, service, dispensing, or delivery of alcoholic beverages to a minor, intoxicated person, or non-member of a private club on the club premises, or the consumption of alcoholic beverages by a minor, intoxicated person, or non-member of a private club on the club premises are not attributable to the employer if (1) the employer requires its employees to attend a commission-approved seller training program; (2) the employee has actually attended the training program; and (3) the employer has not directly or indirectly encouraged the employee to violate the law.<sup>4</sup>

The minimum substantive and procedural requirements for being an approved seller training program, as well as meeting Petitioner's eligibility, requirements, and procedures for conducting seller training programs and for certifying trainers are set forth in §§ 50.3, 50.4, 50.5, and 50.6 of the Rules. Approval is valid for three years unless revoked earlier.<sup>5</sup> Program discussion must be pertinent to responsible alcoholic beverage sale and service.<sup>6</sup>

The school must postmark or deliver reports of seller training upon approved forms to Petitioner within 30 calendar days of the date on which the session was held.<sup>7</sup> Each report must contain the certificate number, test score, name, social security number and date of birth of each student in the class who successfully completed the training program and passed the required test.<sup>8</sup> The certified trainer who actually conducted the training session must personally sign the report

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4 § 106.14(a) of the Code.

5 § 50.3(1) of the Rules.

6 § 50.4(h) of the Rules.

7 § 50.4(o) of the Rules.

8 § 50.4(p) of the Rules.

verifying that each designated student successfully completed the program on the date indicated.<sup>9</sup>

Only trainers holding currently valid certification are eligible to teach an approved seller training program.<sup>10</sup> Trainer certification approval is valid for three years unless revoked earlier, provided that the trainer has successfully completed a minimum of 12 clock hours of continuing education in related subject courses/seminars within the three years prior to renewal.<sup>11</sup> Renewal applications for trainer certification must include documentation of the required continuing education hours.<sup>12</sup>

Petitioner may, after notice and opportunity for hearing, revoke or suspend approval of any program upon a finding that: (1) the manner in which the program is being, or has been administered has substantially impaired the effectiveness of the program;<sup>13</sup> (2) the program has failed to timely file a report with Petitioner;<sup>14</sup> or (3) any agent of the program violates the Rules or Code § 106.14.<sup>15</sup>

### **C. Petitioner's Evidence**

Petitioner contends that Respondent has operated its school-program in violation of the Rules. First, Petitioner alleges that Respondent filed untimely reports of seller training on four occasions between August 22, 2005, and August 15, 2006, in violation of §§ 50.5(b)(4) and 50.4(o) of the Rules. Second, Petitioner alleges that the trainer certification of Respondent's agent/trainer.

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<sup>9</sup> § 50.4(q) of the Rules.

<sup>10</sup> § 50.6(a) of the Rules.

<sup>11</sup> § 50.6(h) of the Rules.

<sup>12</sup> § 50.6(c) of the Rules.

<sup>13</sup> § 50.5(b)(1) of the Rules.

<sup>14</sup> § 50.5(b)(4) of the Rules.

<sup>15</sup> § 50.5(b)(8) of the Rules.

Deborah Flores, expired on October 31, 2005, and Ms. Flores failed to complete 12 hours of continuing education in related subject courses within the three years prior to renewal of her trainer certification in violation of §§ 50.6(h) and 50.5(b)(8) of the Rules. Finally, based on the above violations, Petitioner alleges that the manner in which Respondent's program was administered substantially impaired the effectiveness of the program in violation of § 50.5(b)(1) of the Rules. Petitioner argues that revocation of Respondent's program is warranted.

Petitioner presented seven exhibits and the testimony of Deborah Dixon, TABC Director of the Education and Prevention Division. Ms. Dixon testified that the Education and Prevention Division certifies schools and trainers to provide the training, then certifies the trainees based on the reports of seller training filed by the schools. The division regulates the schools and trainers and maintains certification records. The purpose of seller training is to train those who serve, sell, deliver or dispense alcoholic beverages to be responsible servers and to obey the laws. Seller/server certification protects the employer if the employee violates the law.

### **1. Untimely Reports of Seller Training**

Ms. Dixon stated that she communicated with Ms. Flores on a number of occasions over the past few years regarding the lateness of Respondent's reports of seller training. Respondent filed the following untimely reports within a 12-month period:

- (1) Reports due no later than May 2, 2005, through June 24, 2005, for classes held on April 2, 2005, through May 28, 2005, were postmarked August 22, 2005.<sup>16</sup>
- (2) Reports due no later than July 1, 2005, through August 30, 2005, for classes held on June 1, 2005, through July 30, 2005, were postmarked September 8, 2005.<sup>17</sup>
- (3) Reports due no later than July 18, 2005, through September 13, 2005, for classes held on

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<sup>16</sup> Petitioner's Exhibit Three.

<sup>17</sup> Petitioner's Exhibit Four.

June 18, 2005, through August 13, 2005, were postmarked September 15, 2005.<sup>18</sup>

- (4) Reports due no later than March 2, 2006, through June 27, 2006, for classes held on February 2, 2006, through May 27, 2006, were postmarked August 15, 2006.<sup>19</sup>

According to Ms. Dixon, the standard procedure is to issue a warning for the first untimely report violation. A second violation results in the issuance of a citation and a civil penalty.<sup>20</sup> Typically, however, schools file the reports on time after the first violation, or elect to close. Ms. Dixon added that the Respondent's situation is unique, in that second and third violations are rare.<sup>21</sup> Ms. Dixon added that it is her experience that only one or two percent of schools file late reports. Most schools comply with the filing requirement after the first citation. This, however, is Respondent's third citation for the violation. Therefore, Ms. Dixon does not believe that Respondent will comply with the requirement.

## **2. Continuing Education Courses**

Ms. Dixon stated that trainers are required to complete four hours of continuing education hours per year over the three-year period prior to certification renewal. She said that although Petitioner does not prepare a state-wide list of available courses, trainers usually call to verify if a particular course is approved. Although Ms. Flores was required to have completed 12 hours by October 31, 2005, she was allowed additional time to meet the requirement. Petitioner sent five

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18 Petitioner's Exhibit Five.

19 Petitioner's Exhibit Six.

20 Pursuant to § 50.5(e) of the Rules, Petitioner may assess a civil penalty in lieu of suspension of the program.

21 *See* Petitioner's Exhibit Two, in which Petitioner alleged that on May 30, 2003, and June 18, 2004, Respondent failed to timely file Reports of Seller Training. On April 22, 2004, Respondent agreed to pay a civil penalty of \$750 for the violation. Also, Petitioner alleged that on June 18, 2004, Respondent failed to timely file Reports of Seller Training. On October 18, 2004, Respondent agreed to pay a civil penalty of \$1,350 for the violation.

letters notifying Ms. Flores that she lacked the necessary hours for renewal of her trainer certification. The letters were mailed on November 18, 2005, December 16, 2005, January 27, 2006, June 26, 2006, and November 14, 2006.<sup>22</sup> At the time of the hearing on November 29, 2006, Ms. Flores had recently acquired 10 hours within the last few weeks before the hearing. She still lacked two hours for compliance.

**3. Whether the Manner in Which Respondent's Program was Administered Substantially Impaired the Effectiveness of the Program**

Ms. Dixon stated that proof of seller training is very important. The reports of seller training filed with Petitioner are the official records of seller training and are to be timely filed within 30 days of class completion. Employers often call to verify if current employees are certified, or to inquire if prospective employees are seller trained before making a hiring decision. Certification is valid for two years. Trainees sometimes lose the certificates. Also, Petitioner relies on the official records in determining whether an employer should be afforded safe harbor under Code §106.14.

Ms. Dixon said the integrity of the schools and the reputation of the program are serious concerns. Therefore, compliance with the Rules are necessary to maintain high standards. She has worked closely with Respondent and Ms. Flores on many occasions over the last six or seven years to help Respondent meet the requirements of the Rules. She concluded that Respondent's repeated failure to timely file reports of seller training, along with Ms. Flores' failure to comply with the trainer certification requirement, substantially impairs the effectiveness of the program. Therefore, approval for Respondent's school-program should be revoked.

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<sup>22</sup> See Petitioner's Exhibit Seven. By letter dated June 26, 2006, TABC Seller Training Coordinator, Linda Ahren, instructed Ms. Flores to send the necessary continuing education documentation by July 10, 2006, or the matter would be sent to the legal department. Ms. Flores responded by letter dated November 9, 2006.

**D. Respondent's Evidence**

Deborah Flores testified on behalf of Respondent. She stated that she has almost 20 years of history with Petitioner because she has been a trainer since 1987. She admitted that she failed to obtain the necessary hours of continuing education for renewal of her trainer certification, and that Respondent's reports of seller training for the alleged classes were untimely. However, she disputed Petitioner's last allegation that the manner in which Respondent's program was administered substantially impaired the effectiveness of the program. Ms. Flores argued that she has never been ineffective in the classroom and that Respondent is not an ineffective school.

**1. Untimely Reports of Seller Training**

Ms. Flores stated that she is well aware that the rules require reports of seller training to be filed within 30 days of class. She admitted that Respondent has paid civil penalties for previous untimely reports violations. She added, however, that Petitioner has a lot of extremely laborious paperwork requirements that are very difficult to keep up with, and that she has tried to get Petitioner to make the paperwork easier and more streamlined. She also admitted that Ms. Dixon previously worked with her in trying to get Respondent's reports in compliance. Ms. Flores acknowledged that Petitioner's requirements for all schools are the same. She stated that she did not know why Respondent differed from the majority of schools which were able to file reports of seller training on time. She later suggested that perhaps it was because of her computer system.

According to Ms. Flores, Petitioner changed its certificate numbers on its training certificates in 2005 by eliminating the alpha character. Afterwards, Respondent's computer system would not accept the numeric certificate numbers. She said that Respondent is a small business and could not afford to redesign a new computer system to accommodate Petitioner's new certificate number. Respondent was unable to send some of its reports on time because of the problems with its computer system, which worked off and on. Ms. Flores admitted, however, that Respondent had late

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reports prior to the change in certificate numbers and that she could not remember why the other reports were late.

Ms. Flores stated that Respondent worked for several months, off and on, to fix its computer problems. Respondent only recently got its computer system to accept the new certificate numbers around the middle of October 2006. She added, however, that she now has to manually input the reports, and that the system will no longer troubleshoot for errors. Ms. Flores also stated that Respondent has conducted training sessions between June 2006 and November 2006, but she could not honestly state that the reports for those sessions have been timely filed with Petitioner as required by the Rules.

## **2. Continuing Education Courses**

Ms. Flores admitted that she did not complete the required 12 hours of continuing education courses by October 21, 2005. She also admitted that Petitioner allowed her extra time to meet the requirements. Ms. Flores stated that Petitioner is supposed to monitor training classes every two years, however, it has been over two years since her classes were last monitored. In her opinion, *what she teaches in the classroom is the most important part of what she does, but Petitioner is only concerned with the paperwork.* She also said that since Petitioner does not provide a list of training courses to choose from, she is not sure what Petitioner will accept. But, she added, she can certainly find a two-hour course if that is what Petitioner wants.

## **3. Whether the Manner in Which Respondent's Program was Administered Substantially Impaired the Effectiveness of the Program**

According to Ms. Flores, she is not fond of Petitioner's paperwork requirements and she has gone through every possible channel to change them. However, even though she does not agree with the Rules, Respondent does intend to comply with them. She added that Respondent has spent a lot of money trying to comply with the Rules and has always reported to Petitioner every person

Respondent has trained. She concluded that Petitioner's allegation that the effectiveness of Respondent's program has been impaired is harsh and that Petitioner presented no evidence that she is ineffective in the classroom or that Respondent is an ineffective school.

### III. ANALYSIS

Ms. Flores did not dispute that she, an agent of Respondent, failed to complete the required continuing education courses for renewal of her trainer certification, even though Petitioner allowed her additional time to do so.<sup>23</sup> Nor did she dispute that Respondent filed untimely reports of seller training.<sup>24</sup> The ALJ believes that the Rules regarding alcohol awareness and education are clear. The explanations offered by Ms. Flores do not justify or excuse the above violations. The only issues before the ALJ are whether the manner in which Respondent administered its program substantially impaired the program,<sup>25</sup> and whether revocation of Petitioner's approval for the program (rather than suspension/civil penalty) is warranted.

Ms. Flores' argument that her classroom instruction was not ineffective, therefore, Respondent's school-program is not ineffective is not a persuasive argument with regard to Petitioner's allegation. Petitioner acknowledged during the hearing that it was not alleging that Respondent's curriculum or classroom instruction was ineffectual, but that Respondent and Ms. Flores have not complied with the Rules as specifically contemplated by the TABC. Ms. Flores' trainer certification expired on October 31, 2005, yet she has continued to conduct training sessions without "currently valid certification," in violation of the Rules. The lateness of Respondent's reports ranged from six months to six weeks and could have negatively impacted those who rely on the timely filing of the reports, *i.e.*, retailers and TABC personnel. Pursuant to the Rules, "the school

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23 §§ 50.6(h) and 50.5(b)(8) of the Rules.

24 §§ 50.4(o) and 50.5(b)(4) of the Rules.

25 § 50.5(b)(1) of the Rules.

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is an inseparable part of the seller training program. The integrity and ability of the people directly engaged in the administration, supervision and training of the curriculum to seller trainees are an integral part of the program contemplated by Code § 106.14. Therefore, a curriculum, alone, is not eligible for approval.”<sup>26</sup>

Ms. Dixon stated that an effective school-program is made up of three very integral parts: the school, curriculum and trainers. The primary purpose of the program is to train those who serve, sell, deliver or dispense alcoholic beverages to be responsible—to avoid violations of the Code and the Rules. Compliance with the Code and the Rules is the very essence of Respondent’s business. The conduct of Ms. Flores and Respondent seems to be in direct contradiction to Respondent’s purpose. After considering the evidence, the ALJ concludes that Petitioner has met its burden and proved that Respondent committed the violations of the Rules as alleged by Petitioner.

#### IV. RECOMMENDATION

Petitioner requested that Respondent’s program be canceled. Petitioner may revoke or suspend a program for violations involving §§ 50.5(b)(1), 50.5(b)(4) or 50.5(b)(8) of the Rules. The standard penalty chart recommends cancellation for a first violation if the manner in which the program is being or has been administered has substantially impaired the effectiveness of the program in violation of § 50.5(b)(1); or if Respondent’s agent violates the Rules, or Code § 106.14, in violation of § 50.5(b)(8).<sup>27</sup>

In the instant case, Respondent committed four violations of § 50.5(b)(4), whereby Respondent failed to timely file reports of seller training. Respondent’s violation history was admitted into evidence. The record shows that Respondent committed two such violations in 2003

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<sup>26</sup> § 50.3(a) of the Rules.

<sup>27</sup> See 16 TEX. ADMIN. CODE § 37.60.

and 2004. Under the standard penalty chart, a violation of § 50.5(b)(4) calls for a three to five day suspension for a first violation, a seven to ten day suspension for a second violation, and cancellation for a third violation.<sup>28</sup>

The sanction recommended by Petitioner is within the authority of the penalty chart. The ALJ recommends that Respondent's approval for Respondent's seller training program be revoked.

### V. FINDINGS OF FACT

1. Deborah Flores d/b/a Alcoholic Beverage Training a/k/a ABT (Respondent) is the holder of an approved seller training program issued by TABC (Petitioner) on October 31, 1990.
2. Respondent's school-program number is 210-218.
3. On November 14, 2006, Petitioner renewed Respondent's school-program certification for three years, effective November 1, 2005, through October 31, 2008.
4. Petitioner issued trainer certification to Respondent's owner and agent, Deborah Flores, on November 1, 1990.
5. Ms. Flores' trainer certification expired on October 31, 2005.
6. Ms. Flores filed a renewal application on January 26, 2006.
7. Ms. Flores failed to complete 12 hours of continuing education in related subject courses within the three years prior to renewal of her trainer certification.
8. Ms. Flores has continued to conduct training sessions without currently valid trainer certification.
9. Between August 22, 2005, and August 15, 2006, Respondent filed four untimely reports of seller training with Petitioner.
10. Each report was more than 30 days of the date on which the training sessions were held.
11. In May 2003 and June 2004, Respondent committed two previous violations of failure to file

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<sup>28</sup> 16 TEX. ADMIN. CODE § 37.60.

timely reports of seller training.

12. On October 11, 2006, Petitioner issued a notice of hearing notifying Respondent that a hearing would be held concerning Petitioner's allegations and informing Respondent of the time, place, and nature of the hearing and of the legal authority and jurisdiction under which the hearing was to be held; giving reference to the particular sections of the statutes and rules involved; and including a short, plain statement of the matters asserted.
13. On November 9, 2006, Petitioner issued an amended notice of hearing notifying Respondent that a hearing would be held concerning Petitioner's allegations and informing Respondent of the time, place, and nature of the hearing and of the legal authority and jurisdiction under which the hearing was to be held; giving reference to the particular sections of the statutes and rules involved; and including a short, plain statement of the matters asserted.
14. The hearing was held on November 29, 2006, in Dallas, Dallas County, Texas, before Brenda Coleman, an Administrative Law Judge (ALJ) with the State Office of Administrative Hearings (SOAH). Petitioner appeared and was represented by Diane Brown, Staff Attorney. Respondent's owner and agent, Deborah Flores, appeared *pro se* on behalf of Respondent. After presentation of evidence and argument, the hearing concluded and the record closed on that date.

## VI. CONCLUSIONS OF LAW

1. TABC has jurisdiction over this matter pursuant to TEX. ALCO. BEV. CODE ANN. Chapter 5 and § 106.14, as well as 16 TEX. ADMIN. CODE §§ 50.4, 50.5 and 50.6 of the TABC Rules (the Rules).
  2. SOAH has jurisdiction over all matters related to conducting a hearing in this proceeding, including the preparation of a proposal for decision with findings of fact and conclusions of law, pursuant to TEX. GOV'T CODE ANN. Chapter 2003.
  3. Notice of the hearing was provided as required by the Administrative Procedure Act, TEX. GOV'T CODE ANN. §§ 2001.051 and 2001.052.
  4. Respondent failed to timely file reports of seller training with TABC in violation of § 50.4(o) of the Rules.
  5. Respondent, through its agent/trainer, Deborah Flores, failed to successfully complete 12 hours of continuing education courses within three years prior to renewal of her trainer's certification in violation of § 50.6(h) of the Rules.
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6. Approval of Respondent's school-program number 210-218 should be revoked pursuant to §§ 50.5(b)(1), 50.5(b)(4), and 50.5(b)(8) of the Rules.

**SIGNED January 29, 2007.**



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**BRENDA COLEMAN**  
**ADMINISTRATIVE LAW JUDGE**  
**STATE OFFICE OF ADMINISTRATIVE HEARINGS**

## SERVICE LIST

AGENCY: TEXAS ALCOHOLIC BEVERAGE COMMISSION

CASE: TABC vs. Deborah Flores d/b/a Alcoholic Beverage Training a/k/a ABT

DOCKET NUMBER: 458-07-0216

AGENCY CASE NO: 506359

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Diane Brown  
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8700 N. Stemmons Frwy. Ste. 460  
Dallas, TX 75247  
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**AGENCY COUNSEL**  
**VIA FAX (214) 678-4050**

Deborah Flores  
d/b/a Alcoholic Beverage Training  
a/k/a/ ABT  
PO Box 1949  
Coppell, TX 75019

**RESPONDENT**  
**VIA REGULAR MAIL**

AND

Deborah Flores  
d/b/a Alcoholic Beverage Training  
a/k/a ABT  
1440 Empire Central, Suite # 220  
Dallas, TX 75247

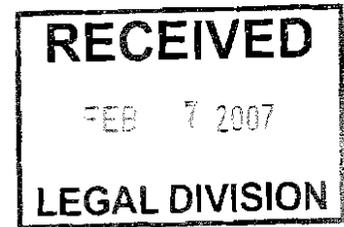
as of January 29, 2007

# State Office of Administrative Hearings

13



Shelia Bailey Taylor  
Chief Administrative Law Judge



January 29, 2007

Jeannene Fox, Assistant Administrator  
Texas Alcoholic Beverage Commission  
5806 Mesa, Suite 160  
Austin, Texas 78731

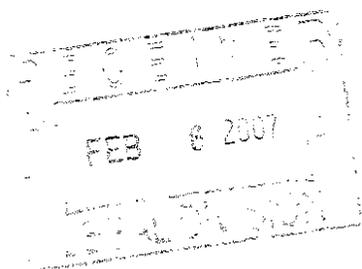
**RE:** Docket # 458-07-0216  
TABAC VS. DEBORAH FLORES  
D/B/A ALCOHOLIC BEVERAGE TRAINING  
A/K/A ABT *Docket # 506359*

Dear Ms. Fox:

Please find enclosed a PROPOSAL FOR DECISION in this case. It contains my recommendation and underlying rationale.

Exceptions and replies may be filed by any party in accordance with 1 TEX. ADMIN. CODE 155.59(c), a SOAH rule which may be found at [www.soah.state.tx.us](http://www.soah.state.tx.us).

Sincerely,



*Brenda Coleman*

Brenda Coleman  
Administrative Law Judge

BC/sr  
Enclosure

cc: Diane Brown, Staff Attorney for Texas Alcoholic Beverage Commission, **Via Fax**,  
Deborah Flores, Respondent, **Via Regular Mail**