

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE CENTER, BLDGS. 68-69
1511 PONTIAC AVENUE
CRANSTON, RI 02920

Department of Business Regulation
Director's Office

JUL 27 2020 Business Regulation
Office of Cannabis Regulation

RECEIVED JUL 27 2020

IN THE MATTER OF:

[Redacted Name] ON

DBR No.

20-MM-009

RECEIVED

RESPONDENT.

Grow Premises:

[Redacted Address] Westerly, RI 02891

CONSENT AGREEMENT

(Medical Marijuana Plant Tags – Patient and/or Caregiver)

The Department of Business Regulation (“Department”) and the above named respondent (“Respondent”) hereby consent and agree that:

1. Respondent, an individual, is:

- A registered patient growing medical marijuana at the Premises (Registration No. [Redacted])
- A registered caregiver growing medical marijuana at the Premises (Registration No. MMC _____)

2. On or about July 1, 2020 as a result of an inspection conducted by the Westerly Police Department of Respondent’s residence, the Department was informed of the following violation(s) of The Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act, R.I. Gen. Laws § 21-28.6-1 *et seq.* (the “Act”) and the Rules and Regulations Related to the Medical Marijuana Program Administered by the Department of Business Regulation 230-RICR-80-05-1 (the “Regulations”):

- Patient and/or caregiver possession of marijuana plants in excess of statutory limits in violation of Section 21-28.6-4 of the Act.
- Patient and/or caregiver possession of marijuana plants in excess of the number of medical marijuana plant sets displayed on the patient/caregiver’s plant tag certificate in violation of Section 1.12(D)(2) of the Regulations.
- Patient and/or caregiver possession and cultivation of twelve (12) marijuana plants without valid medical marijuana tag certificates in violation of Section 21-28.6-15(a) of the Act and Section 1.12(D)(1) of the Regulations.
- Plant tag certificate holder’s failure to update all application information in a timely manner in violation of Section 1.12(H)(1) of the Act.
- Patient and/or caregiver growth of medical marijuana at more than one location and/or at a location other than the address listed on the medical marijuana plant tag certificate in violation of Sections 1.12(A)(1)(c) and/or 1.12(D)(8) of the Regulations.
- Patient and/or caregiver use of medical marijuana plant tags for plants that are not stored in a “secure indoor structure” in violation of Section 1.12(D)(7)(a)-(c) of the Regulations.

- Patient and/or caregiver failure to take reasonable efforts to prevent marijuana plant odors from exiting the building at the Premises in violation of Section 1.12(D)(7)(d) of the Regulations.
- Use of medical marijuana plant tags by an individual and/or cooperative cultivation other than the individual or cooperative to whom they were issued, or at a location other than the one for which the tags were issued in violation of Section 1.12(D)(8) of the Regulations.
- Pursuit of any marijuana transaction that is in violation of the Act, including pursuing any transaction through online advertising, in violation of Section 1.12(D)(12) of the Regulations.
- Other: *[describe]* _____.

BASED ON THE FOREGOING, the Department has reason to believe that Respondent violated the Act and Regulations as described previously herein. Accordingly, the Department has sufficient cause to take enforcement action against Respondent pursuant to R.I. Gen. Laws §§ 21-28.6-9(e), 21-28.6-15(b), and Section 1.13 of the Regulations including imposition of administrative penalties under § 21-28.6-15(b)(3) and Regulations §§ 1.12(M)(1) and 1.13(D).

In an effort to effect a timely and amicable resolution of the issues raised in this Consent Agreement without administrative hearing and to allow Respondent to maintain its medical marijuana plant tags in good-standing, Respondent represents and agrees as follows:

- a. Respondent will take (or has already taken) all actions necessary to cure the above-cited violations including purchasing all required medical marijuana plant tag certificates and Respondent will pay to the Department an administrative penalty in the amount of \$300.00, payable to the Rhode Island General Treasurer, on or before July 24, 2020.
- b. Respondent shall hereafter comply in all respects with the medical marijuana plant tag and other requirements under the Act and the Regulations.

By agreeing to resolve this matter through the execution of this Consent Agreement Respondent voluntarily waives its right to the administrative hearing process, voluntarily waives its right to appeal any finding therefrom to the superior court, and agrees to take all necessary action as delineated in this Consent Agreement to maintain his/her registrations in good standing.

Respondent hereby acknowledges and agrees that failure to abide by any of the requirements of this Consent Agreement shall be grounds for the Department to initiate further administrative proceedings to impose penalties against Respondent including, but not limited to: (i) revocation and/or suspension, and (ii) such additional administrative penalties as provided for in the Regulations.

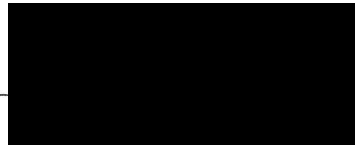
THE DEPARTMENT AND RESPONDENT HEREBY CONSENT AND AGREE TO THE FOREGOING AS TO FORM AND SUBSTANCE:

Department:

Respondent:

DEPARTMENT OF BUSINESS
REGULATION

By: *Erica Ferrelli*
Name: Erica Ferrelli
Title: Senior Economic & Policy Analyst



(Signature here)

DATE: 7/28/2020

DATE: 7/23/2020