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**BEFORE THE
DEPARTMENT OF CANNABIS CONTROL
OF THE STATE OF CALIFORNIA**

In the Matter of Accusation Against:)	CASE NO. DCC23-0001984-INV
)	
AMERICAN GREEN CAPITAL GROUP;)	ORDER ADOPTING STIPULATED
Kevin Wolf and Rami Tahhan, Owners)	SETTLEMENT AND ORDER AS FINAL
24124 Sunnymead Boulevard)	DECISION
Moreno Valley, CA 92553-3096)	
)	
Cannabis Microbusiness Adult-Use and)	
Medicinal-Use License No. C12-0000543-)	
LIC)	
)	
Respondent.)	
)	

Pursuant to Government Code section 11415.60, and Corporations Code 313, the Department of Cannabis Control (“Department”) hereby adopts the attached Stipulated Settlement and Order as its Final Decision in this matter. Pursuant to this Final Decision, it is ordered that:

1. Respondent’s appeal of Accusation No. DCC23-0001984-INV and request for administrative hearing is deemed withdrawn and any further appeal is waived.
2. Respondent’s Cannabis Microbusiness Adult-Use and Medicinal-Use License No. C12-0000543-LIC shall be suspended for fifteen (15) days beginning on November 30, 2024, the effective date of this Final Decision, through and including December 14, 2024. On December 15, 2024, the license suspension shall be rescinded.

1 3. Respondent shall pay an administrative fine in the amount of one-thousand dollars
2 (\$1,000.00).

3 A. Respondent shall make a first payment of \$500.00 for the administrative fine
4 to the Department on or before January 2, 2025.

5 B. Respondent shall make a second payment of \$500.00 for the administrative
6 fine to the Department on or before February 3, 2025.

7
8 4. In addition to the \$1,000.00 administrative fine, Respondent shall pay to the
9 Department costs associated with its investigation and enforcement pursuant to
10 Business and Professions Code section 26031 and California Code of Regulations,
11 title 4, section 17813, in the amount of two-thousand dollars (\$2,000.00).

12 A. Respondent shall make a first payment of \$500.00 for costs to the Department
13 on or before March 1, 2025.

14 B. Respondent shall make the second payment of \$500.00 for costs to the
15 Department on or before April 1, 2025.

16 C. Respondent shall make the third payment of \$500.00 for costs to the
17 Department on or before May 1, 2025.

18 C. Respondent shall make a fourth payment of \$500.00 for costs to the
19 Department on or before June 1, 2025. 2025.

20 5. Each of the above-referenced payments shall be made in the form of cashier's
21 check, money order, personal or business check, via either the Department's cash
22 payment procedures, or through the mail to:

23 By U.S. Postal Service: Department of Cannabis Control
24 Attn: Cashiers
25 P.O. Box 419106
26 Rancho Cordova, CA 95741-9106
27
28

1 ROB BONTA
Attorney General of California
2 HARINDER K. KAPUR
Senior Assistant Attorney General
3 GREGORY M. CRIBBS
Deputy Attorney General
4 State Bar No. 175642
300 S. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6259
6 Facsimile: (916) 731-2125
Attorneys for Complainant
7

8 **BEFORE THE**
9 **DEPARTMENT OF CANNABIS CONTROL**
10 **STATE OF CALIFORNIA**

11
12 In the Matter of the Accusation Against:
13 **AMERICAN GREEN CAPITAL GROUP;**
Kevin Wolf and Rami Tahhan, Owners
14 **24124 Sunnymead Boulevard**
Moreno Valley, CA 92553-3096
15
16 **Cannabis Microbusiness Adult-Use and**
Medicinal-Use License No. C12-0000543-
LIC
17
18 Respondent.

Case No. DCC23-0001984-INV
STIPULATED SETTLEMENT AND
ORDER

19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. Jeff Merriman (Complainant) was the Deputy Director of the Compliance Division of
23 the Department of Cannabis Control (Department). He brought the above-referenced action solely
24 in his official capacity but has since left the Department. Evelyn Schaeffer is now the Deputy
25 Director of the Compliance Division of the Department and now the Complainant in this matter,
26 and is represented in this matter by Rob Bonta, Attorney General of the State of California, by
27 Gregory M. Cribbs, Deputy Attorney General.
28

ORDER

1
2 1. Respondent's appeal of Accusation No. DCC23-0001984-INV and request for
3 administrative hearing is deemed withdrawn and any further appeal is waived.

4 2. Respondent's Cannabis Microbusiness Adult-Use and Medicinal-Use License
5 Number C12-0000543-LIC shall be suspended for fifteen (15) days beginning on the effective
6 date of the Decision and Order and ending on the fifteenth consecutive calendar day thereafter.

7 3. Respondent shall pay an administrative fine in the amount of one-thousand dollars
8 (\$1,000.00). Respondent shall make a first payment of \$500.00 to the Department of Cannabis
9 Control on or before January 1, 2025, and a second payment of \$500.00 to the Department of
10 Cannabis Control on or before February 1, 2025.

11 4. Respondent shall pay to the Department costs associated with its investigation and
12 enforcement pursuant to Business and Professions Code section 26031 and California Code of
13 Regulations, title 4, section 17813, in the amount of two-thousand dollars (\$2,000.00).
14 Respondent shall make a payment of \$500.00 to the Department of Cannabis Control on or before
15 March 1, 2025. On the first day of each month thereafter, Respondent shall make a payment of
16 \$500.00 to the Department of Cannabis Control for three (3) consecutive months, until payments
17 totaling two-thousand dollars (\$2,000.00) are paid in full.

18 The above referenced payments, in the form of cashier's check, money order, personal or
19 business check, shall be remitted by either of the following methods: (1) the Department of
20 Cannabis Control's cash payment procedures; or , (2) mailed to:

21 By U.S. Postal Service:

Department of Cannabis Control
Attn: Cashiers
P.O. Box 419106
Ranch Cordova, CA 95741-9106

22
23
24
25 By FedEx or UPS:

Department of Cannabis Control
Attn: Cashiers
2920 Kilgore Road
Rancho Cordova, CA 95670-9106

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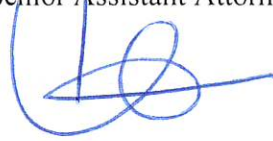
ENDORSEMENT

The foregoing Stipulated Settlement and Order is hereby respectfully submitted for consideration by the Department of Cannabis Control.

DATED: 10/30/24

Respectfully submitted,

ROB BONTA
Attorney General of California
HARINDER K. KAPUR
Senior Assistant Attorney General



GREGORY M. CRIBBS
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. DCC23-0001984-INV

1 ROB BONTA
Attorney General of California
2 JOSHUA B. EISENBERG
Supervising Deputy Attorney General
3 GREGORY M. CRIBBS
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300 S. Spring Street
5 Los Angeles, CA 90013
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6 Email: Gregory.Cribbs@doj.ca.gov
Attorneys for Complainant
7

8 **BEFORE THE**
9 **DEPARTMENT OF CANNABIS CONTROL**
10 **OF THE STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. DCC23-0001984-INV
NO. OAH Case No.

12 **AMERICAN GREEN CAPITAL GROUP**

13 **Kevin Wolf, Owner**

14 **24124 Sunnymead Boulevard**

Moreno Valley, CA 92553-3096

ACCUSATION

15 **License Number C12-0000543-LIC**

16 Respondent.

17
18 **PARTIES**

19 1. Jeff Merriman (Complainant) brings this Accusation solely in his official capacity as
20 the Deputy Director of the Compliance Division of the Department of Cannabis Control
21 (Department).

22 2. On or about July 10, 2023, the Department issued Cannabis Microbusiness Adult-Use
23 and Medicinal License Number C12-0000543-LIC to American Green Capital Group
24 (Respondent) with Kevin Wolf as Owner. The Cannabis Microbusiness Adult-Use and Medicinal
25 License was in full force and effect at all times relevant to the charges brought herein and will
26 expire on July 9, 2024, unless renewed.

27 ///

28

JURISDICTION

3. This Accusation is brought before the Director (Director) for the Department, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 26010 of the Code states:

There is in the Business, Consumer Services, and Housing Agency, the Department of Cannabis Control under the supervision and control of a director. The director shall administer and enforce the provisions of this division related to the department.

5. Section 26010.5, subdivision (d), of the Code states:

The department has the power, duty, purpose, responsibility, and jurisdiction to regulate commercial cannabis activity as provided in this division.

6. Section 26012, subdivision (a), of the Code states:

It being a matter of statewide concern, except as otherwise authorized in this division, the department shall have the sole authority to create, issue, deny, renew, discipline, condition, suspend, or revoke licenses for commercial cannabis activity.

7. Section 26013, subdivision (a), of the Code states:

The department shall make and prescribe reasonable rules and regulations as may be necessary to implement, administer, and enforce its duties under this division in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. . . .

8. Section 26031 of the Code states, in part:

(a) The department may suspend, revoke, place on probation with terms and conditions, or otherwise discipline licenses issued by the department and fine a licensee, after proper notice and hearing to the licensee, except as provided in Section 26031.01, if the licensee is found to have committed any of the acts or omissions constituting grounds for disciplinary action. The disciplinary proceedings under this chapter shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the director shall have all the powers granted therein.

...

(c) The department may take disciplinary action against a licensee for any violation of this division when the violation was committed by the licensee's officers, directors, owners, agents, or employees while acting on behalf of the licensee or engaged in commercial cannabis activity....

///

1 9. Section 26034 of the Code states:

2 All accusations against licensees shall be filed by the department within five
3 years after the performance of the act or omission alleged as the ground for
4 disciplinary action; provided, however, that the foregoing provision shall not
5 constitute a defense to an accusation alleging fraud or misrepresentation as a ground
6 for disciplinary action. The cause for disciplinary action in that case shall not be
7 deemed to have accrued until discovery, by the department, of the facts constituting
8 the fraud or misrepresentation, and, in that case, the accusation shall be filed within
9 five years after that discovery.

10 **STATUTORY PROVISIONS**

11 10. Section 26030 of the Code states:

12 Grounds for disciplinary action include, but are not limited to, all of the
13 following:

14 (a) Failure to comply with the provisions of this division or any rule or
15 regulation adopted pursuant to this division.

16 ...

17 (c) Any other grounds contained in regulations adopted by a licensing authority
18 pursuant to this division.

19 (d) Failure to comply with any state law including, but not limited to, the
20 payment of taxes as required under the Revenue and Taxation Code, except as
21 provided for in this division or other California law....

22 **REGULATORY PROVISIONS**

23 11. Title 4 of the California Code of Regulations, section 15000.5 states:

24 In construing and enforcing the provisions of the Act and the regulations in this
25 division, the act, omission, or failure of an agent, officer, representative, or other
26 person acting for or employed by a licensee, within the scope of their employment or
27 office, shall in every case be deemed the act, omission, or failure of the licensee.

28 12. Title 4 of the California Code of Regulations, section 15048, states, in pertinent
part:

(a) Each applicant or licensee shall identify an owner of the commercial
cannabis business as the track and trace system account manager. A licensee may
change the account manager by submitting a written request to the Department.

(b) No later than 10 calendar days after license issuance, the designated account
manager shall:

...

(3) Complete the credentialing process to establish a login....

1 13. Title 4 of the California Code of Regulations, section 17801 states:

2 (a) The Department may issue a Notice to Comply to a licensee for violation(s)
3 of the Act or this division discovered during an investigation or audit or observed
4 during an inspection.

5 (b) The Notice to Comply shall be in writing and describe the nature and facts of
6 each violation, including a reference to the statute or regulation violated, and may
7 indicate the manner in which the licensee must correct the violation(s) to achieve
8 compliance.

9 (c) The Department may serve the Notice to Comply personally, by email, or by
10 mail to the licensee or an employee, agent, or person delegated by the licensee to
11 accept notice.

12 (d) The licensee shall sign and return the Notice to Comply and describe how
13 compliance was achieved within 30 calendar days after the date of personal service
14 or the date of emailing or mailing of the notice or a different date specified by the
15 Department. The Department may also require the licensee to provide a plan for
16 review and approval by the Department on a case-by-case basis.

17 (e) Failure to correct the violation(s) in the Notice to Comply may result in
18 disciplinary action.

19 14. Title 4 of the California Code of Regulations, section 17809 states:

20 (a) When an accusation recommending disciplinary action against a licensee
21 has been filed pursuant to Business and Professions Code section 26031, the
22 accusation shall be served on the licensee in accordance with Government Code
23 section 11505.

24 (b) A hearing shall be conducted in accordance with the provisions of chapter 5
25 (commencing with section 11500) of part 1 of division 3 of title 2 of the Government
26 Code to determine if cause exists to take action against the licensee. At the hearing,
27 the Department shall have all of the powers granted by the statutes cited above and by
28 the Business and Professions Code.

(c) If a hearing on an accusation against a licensee results in a finding that the
licensee has committed any of the acts or omissions constituting grounds for
disciplinary action, the Department may order the license revoked, suspended outright
for a specified period of time, or suspended on probationary restriction for a specified
period of time, including terms and conditions of probation the Department considers
appropriate on the basis of its findings, impose a fine, or any combination thereof.
The Department may also issue other lawful orders it considers appropriate on the
basis of its findings.

COST RECOVERY

15. Section 26031.1 of the Code states that:

(a) Except as otherwise provided by law, in an order issued in resolution of a
disciplinary proceeding before the department, the administrative law judge, upon
request, may direct a licensee found to have committed a violation to pay a sum not to
exceed the reasonable costs of the investigation and enforcement of the case.

1 (b) A certified copy of the actual costs, or a good faith estimate of costs where
2 actual costs are not available, signed by the department or its designated
3 representative shall be prima facie evidence of reasonable costs of investigation and
4 prosecution of the case. The costs shall include the amount of investigative and
5 enforcement costs up to the date of the hearing, including, but not limited to, charges
6 imposed by the Attorney General.

7 (c) The administrative law judge shall make a proposed finding of the amount
8 of reasonable costs of investigation and prosecution of the case when requested
9 pursuant to subdivision (a). The finding of the administrative law judge with regard to
10 costs shall not be reviewable by the department to increase the cost award. The
11 department may reduce or eliminate the cost award, or remand to the administrative
12 law judge if the proposed decision fails to make a finding on costs requested pursuant
13 to subdivision (a).

14 (d) If an order for recovery of costs is made and timely payment is not made as
15 directed in the department's decision, the department may enforce the order for
16 repayment in any appropriate court. This right of enforcement shall be in addition to
17 any other rights the department may have as to any licensee to pay costs.

18 (e) In any action for recovery of costs, proof of the department's decision shall
19 be conclusive proof of the validity of the order of payment and the terms for payment.

20 (f)(1) Except as provided in paragraph (2), the department shall not renew or
21 reinstate the license of any licensee who has failed to pay all of the costs ordered
22 under this section.

23 (2) Notwithstanding paragraph (1), the department may, in its discretion,
24 conditionally renew or reinstate for a maximum of one year the license of any
25 licensee who demonstrates financial hardship and who enters into a formal agreement
26 with the department to reimburse the department within that one-year period for the
27 unpaid costs.

28 (g) All costs recovered under this section shall be considered a reimbursement
for costs incurred and shall be deposited into the Cannabis Control Fund to be
available upon appropriation by the Legislature.

(h) Nothing in this section shall preclude the department from including the
recovery of the costs of investigation and enforcement of a case in any stipulated
settlement.

FACTUAL ALLEGATIONS

16. On or about July 10, 2023, the Department issued Cannabis Microbusiness Adult-Use
and Medicinal License Number C12-0000543-LIC to American Green Capital Group
(Respondent) with Kevin Wolf as Owner. Respondent was required to identify and designate an
owner of its commercial cannabis business as the track and trace system account manager. The
designated account manager was required to complete the credentialing process to establish a
login within ten (10) calendar days of the license issue date, or by July 20, 2023.

1 17. On August 4, 2023, a Department representative emailed a California Cannabis Track
2 and Trace System (CCTT) Reminder to Owner Kevin Wolf's designated email account. In that
3 email, Owner Wolf was identified as the account manager for Respondent's Microbusiness Adult-
4 Use Distributor License and was given notice to immediately complete the mandatory
5 credentialing process, complete new user training, and email METRC to request access to the
6 CCTT system.

7 18. On September 1, 2023, Respondent and Owner Wolf were served electronically and
8 via U.S. Certified Mail with a Notice to Comply for failure to complete the credentialing process
9 to establish a login for the CCTT System.

10 19. As of the date of filing, Respondent has failed to respond to the Department and/or
11 complete the required credentialing process.

12 **CAUSE FOR DISCIPLINE**

13 (Failure to Complete the Credentialing Process – CCTT System)

14 20. Respondent is subject to disciplinary action under Code section 26030, subdivisions
15 (a) and (c), in that it failed to comply with the provisions of Title 4 of the California Code of
16 Regulations, section 15048, subdivision (b)(3), which requires the designated account manager to
17 complete the credentialing process within ten (10) calendar days after license issuance.
18 Respondent's noncompliance is more particularly alleged in paragraphs 16 through 19, above,
19 which are hereby incorporated by reference and realleged as if fully set forth herein.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Director issue a decision:

1. Revoking or suspending outright or suspending with terms and conditions or fining or any combination thereof, the Cannabis Microbusiness Adult-Use and Medicinal License Number C12-0000543-LIC to American Green Capital Group (Respondent) with Kevin Wolf as Owner;

2. Ordering Respondent American Green Capital Group (Respondent) with Kevin Wolf as Owner, to pay the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 26031.1; and

3. Taking such other and further action as deemed necessary and proper.

DATED: February 15, 2024



JEFF MERRIMAN
Deputy Director, Compliance Division
Department of Cannabis Control
State of California
Complainant

PROOF OF SERVICE

Case Name: In the Matter of Citation Against: AMERICAN GREEN CAPITAL GROUP
DCC Case No. DCC23-0001984-INV
License Number: C12-0000543-LIC

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Department of Cannabis Control, 2920 Kilgore Road, Rancho Cordova, CA 95670. On October 31, 2024, I served the within documents:

ORDER ADOPTING STIPULATED SETTLEMENT OF CITATION AND ORDER AS FINAL DECISION

- VIA ELECTRONIC TRANSMISSION. Pursuant to CCP § 1010.6, I caused the document(s) to be sent to the person(s) at the Email address(es) listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.
- VIA CERTIFIED MAIL by placing the envelope for collection and mailing following our ordinary business practices for collecting and transmitting mail through the United States Postal Service to the Respondent listed below.
- Service via certified mail to be completed upon the following business day.

Kevin Wolf, CEO
AMERICAN GREEN CAPITAL GROUP
7095 Indiana Ave., Suite 120
Riverside, CA 92506
wolf@thecannabis.group
Greenlifecultures@gmail.com

Harinder Kapur
Assistant Attorney General
Cannabis Control Section
Office of Attorney General
Harinder.Kapur@doj.ca.gov

I am familiar with the Department's business practices for collecting and transmitting mail through the United States Postal Service. In accordance with those practices, correspondence placed in the Department's internal mail collection system is, in the ordinary course of business, deposited in the United States Postal Service, with postage paid, on the same day I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California, and the United States of America, that the above is true and correct.

Executed on October 31, 2024, at Rancho Cordova, California.



Lillian Quynn