



Department of
Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

August 13, 2025

VIA EMAIL AND CERTIFIED MAIL

Ron Bensimon
CEO, MBM Kosher
10245 1/2 Glenoaks Blvd.
Pacoima, CA 91331
ronbensimon13@gmail.com

Alice C. Lin, Esq.
Lin Legal Services
2261 Market St., Ste. 312
San Francisco, CA 94114
alice@linlegalservices.com

Re: MBM Kosher - Case No. C11-23-0000030-APP
OAH Case No. 2025050521
Order Adopting Proposed Decision as Final Decision

Dear Mr. Bensimon and Ms. Lin:

Attached please find a copy of the Department of Cannabis Control's Order Adopting the Proposed Decision of Administrative Law Judge Cindy F. Forman in its entirety as the Final Decision in the above-referenced matter.

Pursuant to the Final Decision, upon Respondent's successful completion of all licensing requirements, a cannabis distributor license shall be issued to Respondent. That license shall immediately be revoked, the order of revocation stayed, and the license shall be placed on probation for three years, subject to terms and conditions 1 through 8, inclusive, listed on pages 18-21 of the Decision.

The Department's Order and Final Decision is effective immediately.

Sincerely,

Marc LeForestier
General Counsel

Enclosure

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

In the Matter of the Statement of Issues Against:

MBM KOSHER,

Respondent.

Agency Case No. C11-23-0000030-APP

OAH No. 2025050521

ORDER AND FINAL DECISION

Pursuant to Government Code section 11517, subdivision (c)(A), the attached Proposed Decision of the Administrative Law Judge Cindy F. Forman is hereby adopted in its entirety by the Department of Cannabis Control as its Final Decision in the above-entitled matter.

This Decision is effective immediately.

IT IS SO ORDERED this 13th day of August 2025.



Marc LeForestier
General Counsel
FOR THE DEPARTMENT OF
CANNABIS CONTROL

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

In the Matter of the Statement of Issues Against:

MBM KOSHER,

Respondent.

Agency Case No. C11-23-0000030-APP

OAH No. 2025050521

PROPOSED DECISION

Cindy F. Forman, Administrative Law Judge, Office of Administrative Hearings (OAH), State of California, heard this matter by videoconference on June 9, 2025.

Janice Lu, Attorney III, appeared on behalf of complainant Michael Cheng, Deputy Director of the Licensing Division of the Department of Cannabis Control (Department).

Alice Lin, Esq., appeared on behalf of respondent MBM Kosher. Ron Bensimon (Bensimon), respondent's Chief Executive Officer, was present during the entirety of the hearing.

Testimony and documentary evidence were received. The record was kept open until June 18, 2025, to allow respondent to file an additional exhibit and for complainant to file a response. On June 16, 2025, respondent uploaded to Case Center

a document titled "Stock Purchase Agreement," which was marked for identification as Exhibit S. The Stock Purchase Agreement was not signed by all parties and contained handwritten markings. Additionally, respondent uploaded a "Letter to Department of Cannabis Control," which was marked as Exhibit T. On June 18, 2025, complainant filed an objection to Exhibit S; the objection was marked for identification as Exhibit 29. On June 25, 2025, respondent uploaded to Case Center an objection to Exhibit 29. That objection was marked as Exhibit U.

Exhibit S was admitted over objection as administrative hearsay. Exhibit T and Exhibit U were excluded as untimely and beyond the scope of the ALJ's order regarding post-hearing submissions.

The record closed, and the matter was submitted for decision on June 18, 2025.

SUMMARY

Complainant requests that the Department deny a cannabis distributor license to respondent due to regulatory violations found during a November 2023 inspection, as well as respondent's failure to timely pay a \$7,000 citation fine the Department assessed for the violations. At the time of the inspection, respondent was operating as a provisional distributor licensee. Respondent has since paid the fine and changed its business practices to conform to the Department's requirements. Considering those changes and the lack of any evidence of other citations or disciplinary action against respondent, complainant's request for denial of respondent's application for a cannabis distributor license is unduly punitive. The public will be adequately protected by granting respondent a probationary license for three years, subject to the Department's standard terms and conditions.

FACTUAL FINDINGS

Jurisdictional Matters

1. On March 27, 2023, the Department received an application from respondent for a license to operate as a commercial cannabis distributor. At the time, respondent was a corporation with four shareholder officers. (Exhibit 27, pp. A160-A161.) On June 6, 2023, the Department issued respondent provisional distributor license number C11-0001840-LIC. On June 5, 2024, the Department renewed respondent's provisional distributor license. The provisional license was scheduled to expire on June 5, 2025.

2. By letter dated March 19, 2025, the Department denied respondent's application for an annual license to operate as a commercial cannabis distributor, application number C11-23-0000030-APP, for failure to comply with the Medicinal and Adult-Use Cannabis Regulation and Safety Act (Business and Professions Code (Code) section 26000 et seq.) (MAUCRSA) and its implementing regulations, Code of California Regulations, title 4 (CCR), section 15000 et seq. By denying respondent's commercial cannabis distributor license application, the Department cancelled respondent's provisional license C11-23-0001840-LIC as of March 19, 2025. The Department's denial letter also informed respondent of its right to request an administrative hearing to contest the denial.

3. On April 1, 2025, respondent requested a hearing to appeal the Department's denial.

4. In a Statement of Issues dated May 23, 2025, complainant, in his official capacity, requested a decision denying respondent's application for an annual

commercial cannabis distributor license based on violations of Code section 26031.5, subdivision (f), and CCR sections 15027, subdivision (a), 15047.2, subdivision (b), and 15048.5, subdivision (c).

5. All jurisdictional requirements are met for this hearing to proceed.

Inspection on November 8, 2023

6. On November 8, 2023, in response to a complaint, the Department conducted an in-person inspection of respondent's premises at 10245½ Glenoaks Boulevard in Pacoima, California.

7. Department Special Investigator Alex Pitz (SI Pitz), who testified at hearing, led the inspection of respondent's premises. SI Pitz and his team found multiple violations at the premises, including the following: (a) respondent was conducting cannabis activity in a suite next to the licensed premises, and the suite was not included in the premises diagram respondent originally filed with the Department for its license; (b) in its California Cannabis Track and Trace (CCTT) account, respondent reported having 10 Dolce Melon cannabis pre-rolls and 1,298 Zskittles pre-rolls, but it possessed 70 Dolce Melon cannabis pre-rolls and only 61 Zskittles pre-rolls; (c) SI Pitz observed respondent to be actively conducting ethanol extraction of cannabis, and detected approximately 36 kilograms of unmarked distillate produced by respondent on site, although none was recorded by respondent in its CCTT manufacturing license account; and (d) SI Pitz observed unmarked and untagged cannabis products throughout respondent's premises, including 43.5 kg of mixed pre-rolls, blunts, hash, vape cartridges, and packaged flower associated with respondent's distribution license and 36.53 kg of unmarked distillate, 39.54 kg of mixed flower/pre-rolls, 16 kg of unmarked concentrates, 24.66 kg of mixed vape crts/concentrates/pre-rolls, and

180.79 kg of unmarked biomass associated with respondent's manufacturing license, none of which could be accounted for or sourced by respondent.

8. Photographs taken by SI Pitz's investigative team revealed sloppy, careless, and unhealthful business practices. Department staff observed ethanol containers, buckets of cannabis distillate, trash bags of cannabis flower and trim, and equipment used for cannabis processing in the unlicensed suite. Additionally, respondent's employees were unable to account for the discrepant reporting of cannabis products in respondent's CCTT account.

9. After SI Spitz spoke with respondent's counsel regarding his inspection findings, respondent agreed to the voluntary condemnation and destruction of all the unsourced cannabis and cannabis products found at respondent's premises. Respondent paid the costs associated with the destruction of the cannabis material and later removed all manufacturing equipment from the premises.

10. On October 2, 2024, the Department issued a citation to respondent for the violations found during the November 8, 2023 inspection (Citation). The Department sent the Citation to respondent on October 2, 2024, by certified mail. The Citation imposed total fines of \$7,000 against respondent, broken down as follows: \$5,000 for conducting cannabis activity, without Department approval, in an area greater and different than the physical size of the premises depicted in respondent's original premises diagram, in violation of CCR section 15027, subdivision (a); \$1,000 for failing to accurately record commercial cannabis activity into the CCTT, in violation of CCR section 15047.2, subdivision (b); and (c) \$1,000 for failing to properly tag its cannabis products as required by law, in violation of CCR section 15048.5, subdivision (c). The Citation required payment of the total \$7,000 fine within 30 days of the date of

service, unless the Citation was contested. The Citation did not include an order of abatement.

11. Respondent did not contest the Citation or pay the Citation within the 30-day required payment period.

12. On February 28, 2025, SI Spitz attempted an unannounced inspection of respondent's premises in response to a new complaint. Respondent's business was closed the day of the unannounced inspection, and no one was present at respondent's premises to admit SI Spitz. In his attempt to contact respondent's owners to allow him access to the premises, SI Spitz became aware that Bensimon was in San Francisco for the day. When Bensimon could not locate anyone to open the premises, the Department placed a hold on respondent's license, preventing the distribution of respondent's products. Although there was testimony at the hearing regarding the February 2025 aborted inspection and the resulting product hold, the Statement of Issues makes no mention of the incident or the status of respondent's products. Consequently, respondent's conduct in connection with the February 2025 inspection has not been considered as a basis for the denial of respondent's license. There is no evidence showing the Department attempted another inspection of respondent's premises.

13. As a result of respondent's communications with SI Spitz in connection with the February 2025 investigation, respondent learned that it had not paid the Citation. Consequently, on March 6, 2025, respondent sent by overnight mail a cashier's check for \$7,000, the full amount of the fine, payable to the Department. A Federal Express receipt shows the Department received the check on March 7, 2025. (Exhibit M.)

Respondent's Evidence

14. Bensimon, respondent's Chief Executive Officer, testified at the hearing and submitted a declaration in support of respondent. Bensimon has been in the cannabis business for more than 20 years. He was a cultivator and manufacturer for more than 10 years, and he has held cannabis retail, manufacturer, and distributor licenses. Except for the Citation, Bensimon has never been cited for any violation of the cannabis laws or regulations. Bensimon presented as a knowledgeable and candid witness.

15. At the time of the inspection in November 2023, Bensimon was not actively involved in respondent's operations and management. Bensimon's position at the time was respondent's social equity partner and marketing coordinator; he was not acting as Chief Executive Officer. According to Bensimon, respondent shareholder Greg Faiman and respondent manager Boris Davydovich were primarily responsible for respondent's management and operations in November 2023.

16. Bensimon admitted respondent committed the statutory and regulatory violations stated in the Citation. Bensimon explained that at the time of the Department's November 3, 2023 inspection, respondent had only been in operation for two months, and its management and employees were new to the cannabis trade and Department requirements. He asserted respondent initially implemented bad procedures, had bad management, and employed poor oversight. Respondent's management did not realize the importance of the premises diagram filed with the Department. Respondent's staff was new and untrained, and the other owners were learning the business. He attributed the sloppy and unsafe handling of product control to lax business practices.

17. Bensimon testified respondent's delinquent payment of the Citation was due to a bookkeeping error. However, he and Tom Kinan, respondent's counsel in 2023 and 2024, who also testified at hearing, both maintained that neither respondent nor Mr. Kinan had ever received any delinquency notices from the Department regarding respondent's failure to pay the assessed fine. Once Bensimon learned of the outstanding fine from conversations with SI Spitz, Bensimon made sure respondent immediately paid the fine.

18. According to Bensimon, respondent has received no additional citations from the Department. An investigation by the City of Los Angeles Department of Cannabis Regulation in February 2024 found no problems with respondent's operations.

19. Since January 1, 2025, Bensimon has managed respondent's day-to-day operations. Bensimon asserted respondent has made significant changes after he became more involved with respondent's business operations. The company now has a compliance officer and a production manager. He has retrained the staff. Bensimon now supervises the bookkeeper's operations closely. Respondent operates within the confines of the premises diagram filed with the Department; respondent has no equipment or goods in the adjacent suite, which is now occupied by a body shop. According to Bensimon, during his active involvement, respondent has never operated outside of the licensed market.

20. Bensimon is intent on operating respondent effectively and lawfully. He provided a reasonable explanation for why he was not present during the February 2025 unannounced inspection, and he asserted that he requested the Department to repeat the inspection so the hold on respondent's products could be lifted. Respondent also maintained that his partners are intent on exiting from respondent,

and he is in the process of buying his partners out. However, because of the hold placed by the Department on respondent's products, respondent has been unable to enter any cannabis products in CCTT or distribute any products and has suffered tremendous economic loss as a result.

21. Michael Faiman, the father of Greg Faiman, also testified at hearing. Michael Faiman was involved with respondent's business as his son's advisor. His testimony confirmed respondent destroyed the untagged merchandise found during the November 2023 inspection and paid more than \$3,000 in disposal fees. He also confirmed that at the time of the inspection, "we were new people in business."

LEGAL CONCLUSIONS

1. Respondent, as the license applicant, bears the burden of proving entitlement to a cannabis distributor license. (*Breakzone Billiards v. City of Torrance* (2000) 81 Cal.App.4th 1205; *Coffin v. Alcoholic Beverage Control Appeals Bd.* (2006) 139 Cal.App.4th 471, 476.) The standard of proof is a preponderance of the evidence. (Evid. Code, § 115; *Mann v. Department of Motor Vehicles* (1999) 76 Cal.App.4th 312, 322-323.) Under this standard, respondent must present evidence that has more convincing force than that opposed to it. (*People ex rel. Brown v. Tri-Union Seafoods, LLC* (2009) 171 Cal.App.4th 1549, 1567.)

Applicable Law

2. The Department has the power, duty, purpose, responsibility, and jurisdiction to regulate commercial cannabis activity. (Code, § 26010.5, subd. (d).) Thus, unless otherwise authorized, the Department has the sole authority to create, issue,

deny, renew, discipline, condition, suspend, or revoke licenses for commercial cannabis activity. (Code, § 26012, subd. (a).)

3. Under the regulatory scheme, a provisional licensee is required to comply with all laws applicable to a licensee holding an annual license of the same type. A provisional license does not create a vested right in the holder to renewal of the provisional license or issuance of an annual license. Once an annual license is either granted or denied, the provisional license is no longer valid. (CCR, § 15001, subds. (a)–(c); Code, § 26050.2, subd. (j).)

4. A provisional license is valid for no more than 12 months from the date it was issued or renewed. If the Department renews a provisional license, it should include the outstanding items needed to qualify for an annual license specific to the licensee. (Code, § 26050.2, subd. (b).) Until January 1, 2025, the Department could renew a provisional license until it issued or denied the provisional licensee’s annual license application. (*Id.*, subd. (c).) After January 1, 2025, the Department may not renew a provisional license, and no provisional licenses are effective after January 1, 2026. (*Id.*, subd. (o).)

5. Hearings regarding denial of a cannabis license are conducted in accordance with the provisions of the Administrative Procedure Act pertaining to formal hearings, found at Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. (Code, § 26058.)

6. Code section 26057 provides as follows:

(a) The department shall deny an application if either the applicant, or the premises for which a state license is applied, do not qualify for licensure under this division.

(b) The department may deny the application for licensure or renewal of a state license if any of the following conditions apply:

(1) Failure or inability to comply with the provisions of this division, any rule or regulation adopted pursuant to this division, or any requirement imposed to protect natural resources, including, but not limited to, protections for instream flow, water quality, and fish and wildlife.

(2) Conduct that constitutes grounds for denial of licensure under Chapter 2 (commencing with section 480) of Division 1.5, except as otherwise specified in this section and Section 26059.

(3) Failure to provide information required by the department.

First Cause for Denial of Application

7. The Statement of Issues alleges respondent's application is subject to denial under CCR section 15027, subdivision (a), because respondent failed to seek a premises modification from the Department before using the neighboring suite for commercial cannabis activity.

8. CCR section 15027, subdivision (a), provides that a licensee cannot make a physical change, alteration, or modification of the licensed premises that materially or substantially alters the license premises or the use of the licensed premises from the premises diagram originally filed with the licensee's license application unless the

licensee obtain the prior written approval from the Department. The licensee is responsible for filing a request for such premises modification with the Department.

9. Complainant proved that respondent used a suite next to the licensed premises for commercial cannabis processing, and the suite was not included in the premises diagram respondent originally filed for its license. Respondent did not seek modification of its premises diagram to incorporate the suite before conducting commercial cannabis activity in the area. (Factual Findings 6–8, 16.) Cause therefore exists to deny respondent’s license application under Code section 26057, subdivision (b)(1), based on respondent’s failure to comply with CCR section 15027, subdivision (a).

Second Cause for Denial of Application

10. The Statement of Issues alleges respondent’s application is subject to denial under CCR section 15047.2, subdivision (b), because respondent failed to accurately record all commercial cannabis activity in the track and trace system.

11. CCR section 15047.2, subdivision (b), provides that all commercial cannabis activity be accurately recorded in the track and trace system.

12. Complainant proved respondent failed to accurately record the licensee’s commercial cannabis activities in its CCTT account. (Factual Findings 6–8, 16.) Cause therefore exists to deny respondent’s license application under Code section 26057, subdivision (b)(1), based on respondent’s failure to comply with CCR section 15027, subdivision (a).

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Third Cause for Denial of Application

13. The Statement of Issues alleges respondent's application is subject to denial under CCR section 15048.5, subdivision (c), for failing to properly tag its cannabis products as required by law.

14. CCR section 15048.5, subdivision (c), requires a package tag to be affixed to the container holding cannabis or cannabis products. If cannabis or cannabis products are held in multiple containers, the package tag should be affixed to one of the containers, and the other containers shall be labeled with the applicable unit identification (UID) number. Each unit within the container shall be labeled with the applicable UID number. All containers with the same UID number are to be placed contiguous to one another to facilitate identification by the Department.

15. Complainant proved respondent possessed unmarked and untagged products on its premises. (Factual Findings 6–8, 16.) Cause therefore exists to deny respondent's license application under Code section 26057, subdivision (b)(1), based on respondent's violation of CCR section 15048.5, subdivision (c).

Fourth Cause for Denial of Application

16. The Statement of Issues alleges respondent's application is subject to denial under Code section 26031.5, subdivision (f), because respondent failed to pay the full amount of the administrative fine within 30 days of service of the Citation.

17. Code section 26031.5, subdivision (f), of the Code provides that fines are to be paid within 30 days of service of a citation by the Department. According to the statute, failure to pay the citation amount within the required 30 days in the absence

of an appeal of the citation constitutes a “separate violation” subject to additional action by the Department.

18. Complainant proved respondent failed to pay the fine imposed by the Citation within 30 days after it was issued. Complainant levied the fine on October 2, 2024, but respondent did not pay the fine until March 6, 2025, five months later. (Factual Findings 10, 11, 13.) Cause therefore exists to deny respondent’s application under Code section 26057, subdivision (b)(1), based on respondent’s violation of section 26031.5, subdivision (f).

Disposition

19. At hearing, the Department contended the only relevant issue in this proceeding was whether respondent committed the violations alleged in the Statement of Issues, and the good faith of the licensee and the severity of the licensee’s violations therefore should not be considered. Respondent disagreed, contending that its lack of experience, good faith cooperation, and other factors should be considered in deciding whether respondent should be issued a license.

20. Code section 26057 provides that denial of a cannabis license is either mandatory (the Department “shall deny the application”) when the applicant, or the premises for which a license is applied, do not qualify for licensure (subdivision (a)) or discretionary (“the Department may deny the application”) when the applicant is found, among other things, to have violated MAUCRSA or its accompanying regulations (subdivision (b)(1)). Complainant offered no evidence that the circumstances of this case fall within subdivision (a), i.e., there was no evidence regarding the qualifications of the applicant or the premises.

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21. Thus, complainant's request to deny respondent's license application is based on subdivision (b) of Code section 26057. The discretionary language of the subsection makes clear that other factors, in addition to whether the licensee committed statutory or regulatory violations, may be considered in determining whether denial of a license is appropriate. Thus, contrary to the Department's contentions, respondent's good faith, the severity of the violations, and other pertinent evidence are relevant to determining whether respondent's application should be denied.

22. The Department has promulgated "Disciplinary Guidelines For All Commercial Cannabis Licenses," amended July 2022 (Guidelines), to promote consistency in disciplinary orders for similar offenses on a statewide basis. The applicability of the Guidelines to this proceeding is unclear. The Guidelines state they only apply to formal administrative disciplinary processes, and whether a Statement of Issues proceeding is a disciplinary proceeding is debatable. A provisional license, however, is a commercial cannabis license, and the Guidelines also appear to acknowledge that license applicants may be subject to the probation conditions included in the Guidelines by noting that cost recovery conditions do not apply to applicants. (Guidelines, p. 33.)

23. Regardless of their applicability to Statement of Issues cases, the Guidelines are useful here because complainant seeks to deny respondent a license based on violations identified in the Guidelines. The Guidelines categorize these violations by severity: Tier 1 violations are potentially harmful; Tier 2 violations have a serious potential for harm and involve greater risk and disregard of public safety; and Tier 3 violations involve the knowing or willful violation of laws or regulations pertaining to commercial cannabis activity and fraudulent acts relating to the

licensee's commercial cannabis business. Thus, under the Guidelines, respondent's violation of CCR section 15027, subdivision (a), is a Tier 1 violation, respondent's violation of CCR section 15047.2 and section 15048.5 is a Tier 2 violation, and respondent's violation of Code section 26031.5, subdivision (f), is a Tier 3 violation.

24. The Guidelines also list factors to be considered in determining the penalties assessed for these violations. These factors help evaluate the severity of respondent's violations and thus are relevant to determining whether the denial of respondent's application is warranted. The factors are as follows: the nature and gravity of the acts or violations; the actual or potential harm to the public; actual or potential harm to any consumer; the prior disciplinary and/or administrative record; the number and/or variety of current violations; mitigating evidence; rehabilitation evidence, including but not limited to, a statement of rehabilitation containing any evidence that demonstrates fitness for licensure, or a certificate of rehabilitation under Penal Code section 4852.01; in case of criminal conviction, compliance with conditions of sentence and/or court-ordered probation; overall criminal record; and time passed since the act(s) or offense(s) occurred.

25. Application of the factors to the evidence presented demonstrates the following: Respondent's violations are recent, occurring less than two years ago. The violations ranged in seriousness as they consisted of Tier 1, Tier 2, and Tier 3 offenses; however, the fines imposed for the violations were relatively moderate, ranging from \$1,000 to \$5,000. There was no evidence respondent's conduct caused actual harm to the public or any consumer, although the distribution of untagged and unaccounted for cannabis could cause serious harm to both consumers and the public. Other than the Citation, which forms the basis of the Department's denial, respondent's license has not incurred Department fines or discipline. The Statement of Issues includes four

violations; however, three of those violations relate to a single inspection, and the fourth violation, based on respondent's delinquent payment, has been cured.

26. Additionally, respondent provided persuasive mitigation and rehabilitation evidence showing that the November 2023 inspection occurred during respondent's initial months of operation, while respondent's personnel were still learning the business. Respondent also cooperated with the Department during the inspection and afterward, and respondent voluntarily destroyed the contested cannabis product. Upon learning the Citation had not been timely paid, respondent immediately paid the fine. Respondent also no longer operates outside the premises diagram filed with the Department and is now actively managed by an individual with more than a decade of experience in the cannabis business. Since the inspection, respondent has limited the scope of its business, trained its employees, and is committed to acting within the Department's laws and regulations. Respondent is also in the process of changing ownership. An inspection by the Los Angeles Department of Cannabis Resources did not find any violations. There is no evidence respondent or any of its owners committed any crime.

27. Based on the foregoing, the application of the factors to the circumstances presented here yields mixed results. While seemingly unintentional, respondent's violations reflect negligent and incompetent conduct that potentially endangered consumers and the public. However, the violations occurred while respondent was a new provisional licensee, respondent voluntarily destroyed the offending products, respondent has accepted responsibility for and cured the violations once they were made known, and respondent has willingly changed its practices to comply with the Department's regulations. (See, *Seide v. Committee of Bar Examiners* (1989) 49 Cal.3d 933, 940, ["[f]ully acknowledging the wrongfulness of

[one's] actions is an essential step towards rehabilitation"].) Bensimon credibly explained the significant changes he has made to respondent's business and his commitment to keep the business running lawfully.

28. Under these circumstances, denial of respondent's license is not necessary for public protection. Placing respondent's license on probation for three years under the standard terms and conditions set forth in the Guidelines will protect consumers and the public as well as establish a mechanism to monitor respondent's rehabilitation progress.

ORDER

The application of respondent MBM Kosher for a cannabis distributor license is granted. Upon respondent's successful completion of all licensing requirements, a cannabis distributor license shall be issued to respondent. That license shall immediately be revoked, the order of revocation stayed, and the license shall be placed on probation for three years, subject to the following terms and conditions:

SEVERABILITY CLAUSE – Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

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1. OBEY LAWS

Respondent shall obey all state and local laws. A full and detailed account of any and all violations of law shall be reported by respondent to the Department in writing within 72 hours of occurrence. To permit monitoring of compliance with this condition, respondent shall submit completed fingerprint forms and fingerprint fees within 45 days of the effective date of the decision, unless previously submitted as part of the licensure application process.

CRIMINAL COURT ORDERS: If respondent, or an owner of respondent, is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

2. SUBMIT WRITTEN REPORTS

Respondent, during the period of probation, shall submit or cause to be submitted such written reports/declarations and verification of actions under penalty of perjury, as required by the Department, but no more frequently than once each calendar quarter. These reports/declarations shall contain statements relative to respondent's compliance with all the conditions of the Department's Probation Program. Respondent shall immediately execute all release of information forms as may be required by the Department or its representatives.

3. REPORT IN PERSON

Respondent, during the period of probation, through its designated owner or owners, shall appear in person at interviews/meetings as directed by the Department or its representatives.

4. COMPLY WITH CONDITIONS OF PROBATION

Respondent shall fully comply with the conditions of probation established by the Department and cooperate with representatives of the Department in its monitoring and investigation of respondent's compliance with the Department's Probation Program. Respondent shall inform the Department in writing within no more than 14 calendar days of any address change. Upon successful completion of probation, respondent's license shall be fully restored.

5. NOTICE OF PROBATION CONDITIONS

Respondent shall circulate a notice of the conditions of probation to all employees and post the notice in a conspicuous place where notices to employees are posted or available to employees. New employees shall also be provided a copy of the notice of the conditions of probation.

6. MAINTAIN VALID LICENSE

Respondent shall, at all times while on probation, maintain a current and valid license with the Department, including any period during which suspension or probation is tolled.

7. LICENSE SURRENDER

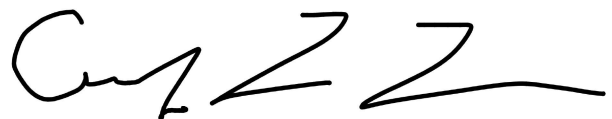
During respondent's term of probation, if it ceases business or is otherwise unable to satisfy the conditions of probation, respondent may surrender its license to the Department. The Department reserves the right to evaluate respondent's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered license, respondent will no longer be subject

to the conditions of probation. Surrender of respondent's license shall be considered a disciplinary action and shall become a part of respondent's license history with the Department.

8. VIOLATION OF PROBATION

If a respondent violates the conditions of probation, the Department, after giving the respondent notice and an opportunity to be heard, may set aside the stay order and impose the stayed discipline (revocation/suspension) of the respondent's license. If during the period of probation, an accusation or petition to revoke probation is filed against respondent's license, or the Department has served respondent a notice of intent to set aside the stay, the Department shall have continuing jurisdiction, and the probationary period shall automatically be extended and shall not expire until final resolution of the matter.

DATE: 07/18/2025

A handwritten signature in black ink, appearing to read 'Cindy F. Forman', with a stylized, flowing script.

CINDY F. FORMAN

Administrative Law Judge

Office of Administrative Hearings

PROOF OF SERVICE

Case Name: In the Matter of the Statement of Issues Against: MBM Kosher
DCC Case No. C11-23-0000030-APP
License Number: N/A

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 August 13, 2025, I served the within documents:

ORDER ADOPTING PROPOSED DECISION 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 individual(s) or entity(ies) listed below.
 - ☒ Service via certified mail to be completed upon the following business day.

Ron Bensimon
CEO, MBM Kosher
10245 1/2 Glenoaks Blvd.
Pacoima, CA 91331
Certified Mail No. 7022 1670 0001 3411 3578
ronbensimon13@gmail.com

Alice C. Lin, Esq.
Lin Legal Services
2261 Market St., Ste. 312
San Francisco, CA 94114
Certified Mail No. 7022 1670 0001 3411 3608
alice@linlegalservices.com

Michael Cheng (email only)
Deputy Director
Licensing Division
Department of Cannabis Control
Michael.Cheng@cannabis.ca.gov

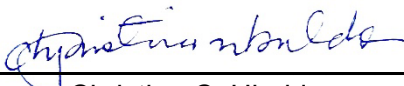
Janice Lu (email only)
Attorney III
Legal Affairs Division
Department of Cannabis Control
Janice.Lu@cannabis.ca.gov

Honorable Cindy F. Forman (secure e-File only)
Administrative Law Judge
General Jurisdiction Division
Office of Administrative Hearings
Department of General Services

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 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 August 13, 2025, at Rancho Cordova, California.


Christina C. Ubaldo