



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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**BURT LAZARIN**  
Chair

**Jesse Bodine**  
District Manager

January 10, 2020

Vincent G. Bradley  
Chairman  
New York State Liquor Authority  
80 S. Swan Street, 9<sup>th</sup> Floor  
Albany, New York 12210

**Re: Entity to be formed d/b/a Cara Mia  
693 Ninth Avenue (47/48 Streets)**

Dear Chairman Bradley:

Manhattan Community Board 4 (MCB4) recommends **denial** of the application for an OP license for an entity to be formed by Umar R. Malik d/b/a Cara Mia, 693 Ninth Avenue (47/48).<sup>1</sup> MCB4 has been unable to confirm that this applicant has no connection with Besim Kukaj -- whose four OP licenses (three in this district) were recently summarily suspended by the Liquor Authority. Mr. Kukaj had several connections to the establishment currently operating at this location (also named Cara Mia), and MCB4 is concerned about the possibility of Mr. Kukaj's involvement with the supposedly new establishment and the new OP license. If the Liquor Authority concludes that the current applicant has no connection to Mr. Kukaj, then MCB4 recommends denial unless the attached stipulations, proposed by the applicant, are made terms of the license.

The history of Cara Mia and Mr. Kukaj's involvement with it are somewhat complicated and are set out below.

**Cara Mia's Prior Location at 654 Ninth Avenue**

In 2013, Mr. Kukaj, as principal, filed with the SLA for a restaurant wine-and-beer license for a restaurant named Cara Mia at 654 Ninth Avenue. That license, No. 1273661, was issued and remained active into 2019.

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<sup>1</sup> MCB4's recommendation is based on a vote taken at its January 2, 2020 full board meeting, with \_37\_ members voting in favor of the recommendation, \_0\_ members opposed, \_0\_ members abstaining and \_0\_ present but not eligible.

In approximately March 2019, Cara Mia at 654 Ninth Avenue closed and posted signs at that location stating that “[w]e are now located at 693 9th Ave. between 47th & 48th Streets.” (See attached photo of re-location signage posted at 654 Ninth Avenue.) The establishment at 693 Ninth Avenue was then re-named Cara Mia and re-branded with Cara Mia’s distinctive red and yellow signage.

### **Cara Mia at 693 Ninth Avenue**

To the best of our knowledge, Mr. Kukaj has never held a liquor license for Cara Mia at 693 Ninth Avenue. In October 2018, a professional associate of Mr. Kukaj’s, Joseph Bellavia, filed an application with the Liquor Authority for an OP license at 693 Ninth Avenue; the Liquor Authority’s website lists the status of that license as “inactive,” with no effective date. Mr. Bellavia’s LinkedIn page describes him as the Chief Operations Officer at BKUK Group NYC, one of Mr. Kukaj’s companies.

Although MCB4 has been unable to determine the exact nature of Mr. Kukaj’s involvement with the relocated Cara Mia at 693 Ninth Avenue, MCB4 personnel regularly observed Mr. Kukaj on those premises. In addition, the Midtown North police precinct informed MCB4 that they had issued a ticket to Mr. Kukaj on June 19, 2019, for selling alcoholic beverages without a license at 693 Ninth Avenue. (See attached MCB4 letter dated June 25, 2019, to the Liquor Authority.)

### **The Current Application**

At the December 10, 2019 meeting of MCB4’s Business Licenses and Permits (BLP) Committee, Umar R. Malik presented his application for an OP license at 693 Ninth Avenue. Mr. Malik appeared noticeably quiet and uninterested at the meeting, but committee members were able to learn the following through their questioning. Mr. Malik intends to continue operating Cara Mia as it has been operating, with the same name, décor, and staff. He has never owned or managed a restaurant before. Mr. Malik’s professional background and current job are in hotel management. Were he to take over Cara Mia, he would continue his hotel day job and supervise the restaurant at night. He would be acquiring this establishment with his own assets and without partners or other business associates.

The bulk of the speaking with respect to this application was done by an individual named Elido Lizardo, who identified himself as the current operator at 693 Ninth Avenue. Mr. Lizardo stated that he had hired Besim Kukaj as a “consultant” at 693 Ninth Avenue, and, because he liked the concept, Mr. Lizardo decided to convert that establishment to Cara Mia. He had no idea why Cara Mia posted signs that it was relocating from 654 Ninth Avenue to 693 Ninth Avenue and also had no awareness of the OP application filed by Joseph Bellavia for 693 Ninth Avenue.

### **MCB4’s Recommendation re 693 Ninth Avenue**

Given Besim Kukaj's history in this district and with the Liquor Authority, MCB4 is concerned about Mr. Kukaj obtaining any new licenses or having any involvement with the sale of alcoholic beverages in this district. Although MCB4 has been unable to uncover any concrete connection between the current applicant Umar R. Malik and Mr. Kukaj, there are several red flags. Mr. Kukaj has been involved with the current Cara Mia at 693 Ninth Avenue (and was even ticketed for unlicensed alcohol sales there). Mr. Malik states that he intends simply to continue Cara Mia as it has been operating. And there is nothing in Mr. Malik's background or application to indicate that he, standing alone, would be a knowledgeable and effective owner of a restaurant. In addition, this establishment is in an area with a high concentration of liquor licenses -- **18 (eighteen)** OP liquor licenses within 500 feet of this address (per the SLA LAMP report) -- and granting another license under these circumstances would not be in the public interest.

Accordingly, MCB4 requests that the Liquor Authority investigate whether the applicant Mr. Malik has any connection to Mr. Kukaj and whether Mr. Kukaj will be involved in any way in the ownership or operation of the planned establishment. If no such connections were found, MCB4 would recommend denial unless the attached stipulations, submitted by Mr. Malik, are made terms of the license at 693 Ninth Avenue.

Based on the information currently available to it and for the reasons stated above, however, MCB4 requests that the present application be **denied**.

Thank you for your attention and cooperation with this application.

Sincerely,



Lowell D. Kern  
Chair



Yoni Bokser  
Co-Chair  
Business Licenses & Permits  
Committee



Frank Holozubiec  
Co-Chair  
Business Licenses & Permits  
Committee