

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE AND CANNABIS BOARD
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MEETING

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IN THE MATTER OF: :
:
Noah Limited :
Liability Company, LLC :
t/a Boulevard Lounge :
6233 Georgia Ave NW : Show Cause
Retailer CT - ANC 4B : Hearing
License No. 115385 :
Case #23-CMP-00017 :
:
(Operating After Hours, :
Substantial Change - :
Increase in Occupancy, :
Allowed a Patron to leave:
the Establishment with :
an Alcoholic Beverage :
in an Open Container, :
Interfered with an ABCA :
Investigation, Failed to :
Conspicuously Post ABC :
Window Lettering) :
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Wednesday
March 27, 2024

The Alcoholic Beverage and Cannabis
Board met via WebEx videoconference, Chairperson
Donovan W. Anderson presiding.

PRESENT:
DONOVAN W. ANDERSON, Chairperson
SILAS GRANT, Member
JAMES SHORT, JR., Member

ALSO PRESENT:
CHARLES JAMESON, DC ABCA Staff
THEODROS GIRMA, Applicant
INVESTIGATOR RHODA GLASGOW, DC ABCA
COLLIN CENCI, DC OAG

1 P-R-O-C-E-E-D-I-N-G-S

2 (10:50 a.m.)

3 CHAIRPERSON ANDERSON: And we now move
4 to our show cause hearing's calendar. So, we
5 have a show cause hearing for our case Number
6 23-CMP-00017, Boulevard Lounge. And I assume
7 that it's the same two attorneys for this case?

8 MR. CENCI: To my knowledge, the
9 licensee is our representative in this case.

10 CHAIRPERSON ANDERSON: I'm sorry, I
11 apologize. All right, so Mr. -- all right, I
12 apologize. So, Mister, okay, this is not your
13 case Mr. Mixon, is that correct?

14 MR. MIXON: That's correct. I can
15 tell you that it's not ours.

16 CHAIRPERSON ANDERSON: All right.
17 Thank you, have a great day, sir.

18 MR. MIXON: Thank you.

19 CHAIRPERSON ANDERSON: All right, so
20 we can, Mr. Girma, do you have a camera you can
21 turn on, sir?

22 MR. GIRMA: Yes, sir.

23 CHAIRPERSON ANDERSON: Good morning,
24 sir.

25 MR. GIRMA: Good morning, sir.

1 CHAIRPERSON ANDERSON: All right. Mr.
2 Cenci, can you please identify yourself for the
3 record?

4 MR. CENCI: Good morning, Members of
5 the Board, Collin Cenci, C-O-L-L-I-N C-E-N-C-I,
6 Assistant Attorney General with the Office of the
7 Attorney General for the District of Columbia
8 representing the District today.

9 CHAIRPERSON ANDERSON: Mr. Girma, can
10 you identify yourself for the record by spelling
11 and stating your name?

12 MR. GIRMA: My name is T-H-E-O-D-R-O-
13 S, last name is G-I-R-M-A. I'm owner of
14 Boulevard Lounge.

15 CHAIRPERSON ANDERSON: Good morning,
16 hold on one minute, please. I'm trying to do too
17 many things, so. Okay. Hold on, hold on.

18 All right, Mr. Cenci, are there any
19 preliminary matters in this case?

20 MR. CENCI: No, Chairperson. The
21 Government is ready to proceed.

22 CHAIRPERSON ANDERSON: All right.
23 Hold on, please.

24 All right, this is for a show cause
25 hearing. And how the sharing goes, is that the

1 burden is on the Government to prove its case.
2 So, the Government will have, will go first, in
3 the sense that the Government will have an
4 opportunity to do an opening statement. Mr.
5 Girma, you'll also have an opportunity to do an
6 opening statement.

7 Once, the Government and upon their
8 licensee has done an opening statement, then the
9 Government will call its first witness. The
10 Government will call its first witness, question
11 the witness. And Mr. Girma, you'll have an
12 opportunity to cross examine the witness. And
13 once you've cross examined the witness, then the
14 Board will have an opportunity to ask questions
15 of the witness.

16 After the Government has rested its
17 case, then Mr. Girma, if you do have witnesses
18 you wish to call, I will swear them in. And you
19 can call the witness, or if you're -- do you plan
20 to call any witnesses today, sir, or are you the
21 only witness?

22 MR. GIRMA: I'm the only witness right
23 now.

24 CHAIRPERSON ANDERSON: All right. And
25 so, I will swear you in, and then you can present

1 your case. So, you can -- the Government is
2 going to do an opening statement. And you can
3 offer to do an opening statement, or you can
4 reserve the right to do the opening statement
5 until the Government has presented its case.

6 And so, an opening statement is not
7 testimony. It's you just telling us, giving us
8 an overview of the case. and what it is that you
9 plan to, when it's time for you to put your case
10 on, what it is that you -- how you will defend
11 yourself. And what the witness that you are
12 going to call, which is yourself, just to give an
13 overview of the testimony that witness will
14 provide.

15 Are there any questions prior to us
16 starting this hearing?

17 MR. GIRMA: No, not so far.

18 CHAIRPERSON ANDERSON: All right,
19 fine. Does the Government wish to do an opening
20 statement?

21 MR. CENCI: Yes.

22 CHAIRPERSON ANDERSON: Go ahead, sir.

23 OPENING STATEMENT

24 MR. CENCI: May it please the Board,
25 good morning. We're here today in the show cause

1 matter of Noah Limited Liability Company, trading
2 as, Boulevard Lounge, located at 6233 Georgia
3 Avenue NW, Washington DC 20011.

4 This case is about an establishment
5 that egregiously ignored the terms of its ABC
6 license. And failed to maintain the
7 establishment in a way that conforms with its
8 license responsibilities. Today you're going to
9 hear that on the morning of February 5th, 2023,
10 ABCA responded to reports the Boulevard Lounge
11 was operating over capacity.

12 You'll hear how ABCA's investigation
13 revealed that the establishment was operating,
14 selling alcohol, and providing entertainment
15 after its licensed hours, and the establishment
16 was operating over capacity. And that the
17 establishment allowed a patron to exit the
18 establishment with an open container of alcohol.

19 You'll also hear a follow-up
20 inspection by ABCA revealed that the
21 establishment did not have its required window
22 lettering, and the establishment was unable to
23 provide its invoices to ABCA upon request.

24 The show cause notice issued in this
25 matter concerns charges that the licensee, one,

1 interfered with an ABCA investigation -- my
2 apologies -- operated, sold alcohol, and provided
3 entertainment outside of Board approved hours in
4 violation of D.C. Code Section 25-762(a) and
5 (b)(13).

6 Two, made a substantial change in
7 operations without Board approval, exceeding the
8 establishment's approved occupancy limit in
9 violation of D.C. Code Section 25-762(a) and
10 (b)(1).

11 Three, knowingly allowed a patron to
12 exit the establishment with an alcoholic beverage
13 in an open container in violation of D.C. Code
14 Section 25-113(a)(2).

15 Four, interfered in an ABCA
16 investigation by failing to produce documents
17 requested by an ABCA investigator within 48 hours
18 of the request, in violation of D.C. Code Section
19 25-823(a)(5)(e).

20 And five, failed to conspicuously post
21 required lettering in violation of D.C. Code
22 Section 25-711(b).

23 The District bears the burden of proof
24 in this case. We must show you that the
25 Respondent is liable for each of these five

1 charges by a substantial evidence in the record.
2 We accept that burden, and we're going to be able
3 to meet it with the testimony of our witness,
4 former ABCA Investigator, Rhoda Glasgow.

5 Ms. Glasgow is going to testify that
6 she responded to a call for an ABCA investigator
7 at Boulevard Lounge on February 5th, 2023. The
8 evidence will show that when ABCA arrived, after
9 the establishment's licensed hours of sale had
10 ended, over 130 patrons were crammed inside of
11 the establishment, whose license capacity was
12 only 24.

13 She's going to tell you that while she
14 was there, she was able to order an alcoholic
15 drink, was served one, and then exited the
16 establishment with that drink still in her hand.
17 And you'll hear, how she returned to the
18 establishment a week later, where she observed
19 that the establishment did not have its required
20 window lettering, and it failed to produce
21 invoices for its alcohol purchases within 48
22 hours of her making a request for those
23 documents.

24 At the end of this hearing, it's going
25 to be clear that the licensee violated the terms

1 of its license, and then interfered at the
2 subsequent investigation. The establishment
3 cannot be permitted to repeatedly ignore the
4 rules of its license with ABCA. That's why at
5 the end of this hearing, I'm going to ask that
6 you find in favor of the District of Columbia.
7 And apply the maximum penalty consistent with
8 D.C. Code Section 25-830. Thank you.

9 CHAIRPERSON ANDERSON: Thank you.

10 Mr. Girma, do you wish to make an
11 opening statement now, or do you want to reserve
12 until you present your case?

13 MR. GIRMA: I can open it. I can go
14 right now.

15 CHAIRPERSON ANDERSON: You want to
16 give an opening statement now, sir?

17 MR. GIRMA: Yes, sir.

18 CHAIRPERSON ANDERSON: Okay. Go
19 ahead, sir.

20 MR. GIRMA: So, what I'm trying to
21 tell you guys is like on that date, first of all,
22 that the capacity we had at the time, it was 88.
23 I been doing the businesses over a year and a
24 half. No, investigators didn't say anything
25 about it until after a year and a half. They

1 find out that the application was wrong. And
2 then they came back that day, and that's what
3 happened.

4 And the second thing is I have until
5 6:00 from Wednesday to Sundays, I have a license
6 that the hours, you guys have allowed me to open
7 until ten minutes until 6:00 in the morning. It
8 said on the record, you guys can check it.

9 And then our capacity is, ours stayed
10 the whole time. I make sure just 88, because
11 since I have that on my license. That 138, I
12 never seen nobody counted. It's nobody counted
13 at all. But the alcohol, they say they did it.
14 I never seen it.

15 And my knowledge is, the only thing we
16 do is the entertainment after that certain hours,
17 which is the hours you guys allow me to sell it
18 and drink. But I have the right to stay until
19 6:00 in the morning on Wednesday to Sunday. So,
20 that's what I just want to say, sir. That's all.

21 CHAIRPERSON ANDERSON: All right, so,
22 that's your opening and then once the Government
23 has presented its case, then I will swear you in,
24 and you can further elaborate on how you're going
25 to -- and then, yes.

1 MR. GIRMA: Okay.

2 CHAIRPERSON ANDERSON: All right, so,
3 does the Government have a witness that it wishes
4 to call?

5 MR. CENCI: Yes, Mr. Chairperson, at
6 this time, the Government calls Rhoda Glasgow.

7 CHAIRPERSON ANDERSON: Ms. Glasgow,
8 can you raise your right hand, please?
9 WHEREUPON,

10 RHODA GLASGOW
11 was called for examination by Counsel for the
12 District, having been first duly sworn, assumed
13 the witness stand, was examined and testified as
14 follows:

15 THE WITNESS: I do.

16 CHAIRPERSON ANDERSON: All right,
17 thank you. Your witness.

18 DIRECT EXAMINATION

19 MR. CENCI: Good morning, Ms. Glasgow.
20 Could you please state and spell your first and
21 last name for the record?

22 THE WITNESS: Rhoda Glasgow, R-H-O-D-A
23 G-L-A-S-G-O-W.

24 BY MR. CENCI:

25 Q Ms. Glasgow, on February 5th, 2023,

1 where did you work?

2 A The Alcoholic Beverage Cannabis
3 Administration.

4 Q What was your position with ABCA at
5 that time?

6 A I was an investigator.

7 Q How long were you an investigator, at
8 the time, on February 5th, 2023?

9 A Approximately five years.

10 Q What are some of your duties and
11 responsibilities when you were serving in that
12 role?

13 A I conducted inspections and
14 investigations of licensed ABC establishments in
15 the District of Columbia.

16 Q Are you familiar with an establishment
17 located at 6233 Georgia Avenue NW, Washington DC,
18 called the Boulevard Lounge?

19 A I am.

20 Q How are you familiar with that
21 establishment?

22 A I visited the establishment on
23 February 5th of 2023.

24 Q Why did you visit the establishment
25 that day?

1 A We received a call from MPD, stating
2 that the establishment was operating outside of
3 its occupancy, over its occupancy.

4 Q So, you said you went to the
5 establishment that morning. What did you do once
6 you arrived?

7 A I approached the establishment from
8 the front entrance, and the door was locked. So,
9 I went around to the back area at the alleyway
10 entrance. And there was a long line of people
11 waiting to get in the establishment. I joined
12 the line and waited until I was allowed to enter.

13 And I entered the establishment. I
14 was told I had to pay \$20 for a cover charge.
15 And I paid that. And I entered the establishment
16 after being searched.

17 Q About what time was it on February
18 5th, 2023 when you entered the establishment?

19 A Approximately 3:45 a.m. in the
20 morning, Sunday morning.

21 Q When you got inside, of Boulevard
22 Lounge, at 3:45 a.m., what did you see?

23 A There was a lot of people in there.
24 The place was really packed. Yes, there was a
25 lot of people in there and loud music from a DJ,

1 speakers.

2 Q Were you able to see that DJ
3 performing?

4 A Yes.

5 Q And you said there were a lot of
6 patrons inside the establishment. Were you able
7 to determine approximately how many patrons were
8 inside the establishment?

9 A Yes. So, after I entered the
10 establishment, after being searched, I proceeded
11 to the bar. I ordered an alcoholic beverage.
12 And then I started walking through the
13 establishment, getting a head count of the amount
14 of patrons that was in there.

15 Q What was that head count you arrived
16 at, when you counted up all the patrons you saw
17 inside the establishment?

18 A So, at the time, while I was counting,
19 I counted about 130.

20 Q And you say, at the time you were
21 counting, was that number changing?

22 A Yes. It was a clue, because a lot of,
23 there were letting more people in the
24 establishment at the time. So, I was counting
25 while I was walking through the establishment.

1 But at the time, there were still letting more
2 people in.

3 Q Did it appear to you that more people
4 were entering the establishment, than were
5 leaving the establishment while you were
6 counting?

7 A That's correct.

8 Q You also said that you went to the bar
9 to order an alcoholic drink. What did you go to
10 the bar and order?

11 A It was a mixture of orange juice and
12 vodka.

13 Q Did you see the bartender pour this
14 drink for you?

15 A Yes. Did you see the bartender pour
16 alcohol into this drink?

17 A Yes.

18 Q Once you were served this drink, were
19 you able to determine if there was any alcohol in
20 the beverage?

21 A Yes, because I tasted it.

22 Q And did you taste alcohol?

23 A Yes.

24 Q Investigator, is it part of your
25 responsibility when you were an ABCA

1 Investigator, to draft case reports for your
2 investigations?

3 A Yes.

4 Q And would you recognize a copy of the
5 case report for this case, if I were to show it
6 to you?

7 A Yes.

8 MR. CENCI: Permission to share my
9 screen with what should be in evidence as the
10 Case Report for Case No. 23-CMP-00017.

11 CHAIRPERSON ANDERSON: Mr. Jameson,
12 can you allow Mr. Cenci to share his screen,
13 please?

14 CHAIRPERSON ANDERSON: Go ahead, sir.
15 Thank you.

16 MR. CENCI: Great, Investigator
17 Glasgow, I'm just going to scroll through this
18 slowly --

19 CHAIRPERSON ANDERSON: You're not, Mr.
20 Cenci, you're not sharing your screen, sir.

21 MR. CENCI: I'm sorry. I thought that
22 it went through. All right.

23 CHAIRPERSON ANDERSON: Now, you are,
24 yes.

25 MR. CENCI: Can you see my screen now?

1 CHAIRPERSON ANDERSON: Yes, sir.

2 THE WITNESS: Yes.

3 MR. CENCI: All right, I'm going to
4 scroll through this slowly, please review it
5 silently to yourself.

6 (Pause.)

7 MR. CENCI: All right, Investigator
8 Glasgow, is this the report that you drafted for
9 your investigation?

10 THE WITNESS: Yes.

11 MR. GIRMA: Can I ask a question?

12 CHAIRPERSON ANDERSON: I'm sorry. No,
13 sir, you cannot ask a question at this juncture.
14 Once he is done asking questions. You can then,
15 you'll have an opportunity to ask the
16 investigator questions. If the only thing you
17 can do if he asks her a question, you could
18 object to the question that he's asking. And
19 then you can tell me why you want to object. But
20 you will have an opportunity once he's done, to
21 question her about the contents of the report.
22 Okay.

23 MR. GIRMA: Yes.

24 MR. CENCI: All right. Ms. Glasgow,
25 I'm just going to re-ask my question. Is this

1 the report that you drafted for this
2 investigation?

3 THE WITNESS: Yes.

4 MR. CENCI: Mr. Chairperson, the
5 District would just like to confirm for the
6 record, that the Government's Exhibits, the Case
7 Report for Boulevard Lounge is already in
8 evidence pursuant to 23 DCMR Section 1713.10.

9 CHAIRPERSON ANDERSON: Yes, sir. That
10 is so.

11 BY MR. CENCI:

12 Q All right, Ms. Glasgow. I'm going to
13 direct your attention to what's marked within
14 this report as Exhibits 1 and 2. All right,
15 Investigator Glasgow, are you able to see those
16 pictures?

17 A Yes.

18 Q All right. What are those pictures
19 of?

20 A The alcoholic beverage I purchased.

21 Q All right, Investigator, when you had
22 this alcoholic beverage in your hands, what did
23 you do next? You said you counted the patrons
24 inside the establishment. So, what did you do
25 after that?

1 A I'm sorry, repeat that?

2 Q You said, you had this alcoholic
3 beverage, you counted up the patrons inside the
4 establishment. What did you do after that?

5 A Well, I tasted the alcoholic, the
6 drink of course to make sure, to determine that
7 it was alcohol. And then, I made contact with my
8 team that was waiting outside, which was
9 Investigator Brashears (phonetic), SI
10 Investigator Brashears and Investigator Puente.

11 And Investigator Brashears advised
12 that since I had everything that I needed, I
13 could exit the establishment, which I did, with
14 the drink in my hand.

15 Q When you exited the establishment,
16 with that drink in your hand, was that drink, did
17 that drink still have alcohol in it?

18 A Yes.

19 Q Did you have to walk by any security
20 guards or bar staff, in order to exit the
21 establishment?

22 A Security guards.

23 Q And did you attempt to conceal this
24 alcoholic beverage as you walked out of the
25 establishment?

1 A No.

2 Q Did anyone attempt to stop you from
3 exiting the establishment with the alcoholic
4 beverage in your hand?

5 A No.

6 MR. CENCI: All right, I'm going to
7 stop sharing my screen.

8 BY MR. CENCI:

9 Q Ms. Glasgow, did you conduct any
10 further investigation that evening, or was your
11 part of the investigation done on February 5th,
12 2023?

13 A For that moment, it was completed,
14 for, in my undercover capacity, yes, that night.

15 Q Did you have any reason to go back to
16 Boulevard Lounge at a later date?

17 A Yes, I was advised by my supervisor, I
18 should return to the establishment to conduct a
19 regulatory inspection.

20 Q And when did you conduct that
21 regulatory inspection?

22 A Approximately, about a week later. I
23 want to say, February the 11th.

24 Q Okay. When you visited the
25 establishment on February 11th, 2023, did you

1 speak to anybody from the establishment?

2 A I spoke to the owner, Mr. Girma.

3 Q Is that the person who is also on the
4 screen with us now?

5 A That is, yes.

6 Q All right. What did you speak with
7 him about when you conducted this regulatory
8 inspection?

9 A So, I entered the establishment, I
10 introduced myself as an ABRA Investigator, and I
11 advised him that I was there to conduct a
12 regulatory inspection. He allowed me to do so.
13 I asked him a series of questions. I asked him
14 for his alcohol invoices and purchases. He said
15 he does not have that.

16 I asked him who does he order
17 alcoholic beverages from? He said he orders
18 alcoholic beverages from Breakthru Beverage. And
19 he also said that he buys alcohol from liquor
20 stores. I also told him while I was doing my
21 inspection, I observed that there was no window
22 lettering. And he didn't respond to that.

23 I told him that this is something that
24 he needed for his establishment. And I completed
25 the inspection and I advised him of the

1 violations. And then I exited the establishment.

2 Q Okay. And you say, you advised him of
3 the violations. What violations did you advise
4 him of?

5 A The fact that he did not have invoices
6 available for me at the moment. The fact that he
7 did not have window lettering displayed on the
8 exterior of his establishment.

9 Q Well, I'd just go a little bit further
10 into those invoices, All right, within 48 hours
11 of you making that request for those invoices,
12 did Mr. Girma follow up with you to provide those
13 invoices you requested?

14 A No.

15 Q Ms. Glasgow as part of your
16 investigation into Boulevard Lounge, were you
17 able to review the terms of its ABC license?

18 A Yes.

19 Q All right. Were you able to determine
20 what was the capacity was said on that license
21 for Boulevard Lounge?

22 A I believe it's 24, at the time, on the
23 alcohol license, was 24.

24 Q And turning to his hours of operation,
25 do you know when the hours of sale, service and

1 consumption of alcoholic beverages were supposed
2 to end for Boulevard Lounge, on Saturdays like
3 February 5th, 2023?

4 A At 3:00 a.m.

5 Q At the time of the violations, as part
6 of your investigation, were you able to determine
7 what the hours of operation for the establishment
8 were?

9 A Yes, so though the hours of operation
10 was 10:00 a.m. to 6:00 a.m., Thursday through
11 Sunday. And Monday through Wednesday was 10:00
12 a.m. to 2:00 a.m.

13 The hours of sales were 10:00 a.m. to
14 2:00 a.m. that would be from Sunday through
15 Wednesday. And 10:00 a.m. to 3:00 a.m. for
16 Friday and Saturday. And your entertainment
17 hours was 10:00 a.m. to 2:00 a.m., Sunday through
18 Wednesday. And 10:00 a.m. to 3:00 a.m., Friday
19 and Saturdays.

20 MR. CENCI: So, Investigator Glasgow -

21 -

22 MR. GIRMA: Objection, objection.

23 CHAIRPERSON ANDERSON: Yes, sir.

24 What's the nature of your objection? Well, hold
25 on -- all right. When you object, Mr. Girma, you

1 have to object to the question that's been asked
2 by the attorney. You cannot object to the answer
3 that was given.

4 MR. GIRMA: Okay.

5 CHAIRPERSON ANDERSON: You have to
6 object, so, if the attorney asks a question. You
7 can object to the question, but you can't object
8 to the answer she gave. What I'd suggest that
9 you do, write a note, so therefore when you have
10 an opportunity to question her, you can ask, you
11 can question her about her answer.

12 MR. GIRMA: Okay. I would like to
13 repeat the question he asked. Because I want to
14 make sure I got to understand it, what time he
15 need.

16 CHAIRPERSON ANDERSON: I think he
17 asked her about the hours of operation, if that
18 was the hour -- the hours of operation, the hours
19 of sales and service?

20 MR. GIRMA: But he asked her what she
21 see on the license, on my license?

22 CHAIRPERSON ANDERSON: I think that's
23 what she was just testifying to. Can we, Mr.
24 Cenci, can you ask the witness again, the
25 question that you asked about the hours of

1 operation, and the hours of sales and service,
2 and entertainment, please?

3 MR. CENCI: Yes, Ms. Glasgow, I'll
4 make it simpler. Do you recall at the time of
5 your investigation, what were the various hours
6 that the license allowed the establishment to
7 operate, provide entertainment, and allow sale of
8 alcohol?

9 THE WITNESS: So, according to the
10 ABCA license, their entertainment hours were
11 10:00 a.m. to 2:00 a.m. and 10:00 a.m. to 3:00
12 a.m. The 10:00 a.m. to 3:00 a.m. would be
13 Fridays and Saturdays.

14 The hours of sales would be 10:00 a.m.
15 to 2:00 a.m., 10:00 a.m. to 3:00 a.m. on Fridays
16 and Saturdays. And the hours of operation would
17 be 10:00 a.m. to 6:00 a.m. on Sundays. 10:00
18 a.m. to 2:00 a.m. Monday, Tuesdays. And 10:00
19 a.m. to 6:00 a.m. Wednesday through Saturday.

20 MR. CENCI: And Mr. Chairperson, I
21 would just like the Board to take administrative
22 notice that February 5th, 2023, was a Sunday
23 morning. Therefore, the licensing hours for
24 Saturdays would apply.

25 BY MR. CENCI:

1 Q All right, now, Ms. Glasgow, with
2 those terms in mind, when you conducted your
3 investigation of Boulevard Lounge, were they
4 operating over capacity?

5 A Yes.

6 Q When you conducted your investigation,
7 were they selling, servicing and allowing the
8 consumption of alcohol after their license hours?

9 A Yes.

10 Q And during your investigation, did
11 they provide entertainment, outside of their
12 licensed hours?

13 A Yes.

14 MR. CENCI: Thank you very much, Ms.
15 Glasgow. I have no further questions at this
16 time.

17 CHAIRPERSON ANDERSON: All right, Mr.
18 Girma, do you have any questions of Ms. Glasgow?

19 MR. GIRMA: Yes, yes.

20 CHAIRPERSON ANDERSON: You can ask
21 her, sir. Go ahead.

22 CROSS EXAMINATION

23 MR. GIRMA: Okay. And Ms. when you
24 came, when you investigated, when you asked me
25 the license, what did you see that entertainment

1 hours you guys allow me to do?

2 THE WITNESS: The entertainment hours
3 was 10:00 a.m. to 2:00 a.m. Sunday through
4 Thursday. And 10:00 a.m. to 3:00 a.m. Friday to
5 Saturday.

6 BY MR. GIRMA:

7 Q You never seen any 6:00 a.m.,
8 Wednesday through Sunday?

9 A Entertainment hours are not --
10 entertainment hours were from 10:00 a.m. to 2:00
11 a.m. and 10:00 a.m. to 3:00 a.m.

12 Q Yes, but when you see my license, when
13 you asked me, when you came into the Boulevard,
14 you asked me my license. And I provided to you.
15 It was on the wall. So, when you see it on my
16 license, it says from Wednesday to Sunday, and
17 then Monday to Tuesday, what did you see on my
18 license what the ABC's allow to do, the hours, to
19 3:00?

20 A You're, are you asking me for hours of
21 operation, or your entertainment hours?

22 Q Operation hours, and then the
23 entertainment hours?

24 A So, your licensed hours --

25 Q Go ahead.

1 A Your licensed hours are 10:00 a.m. to
2 6:00 a.m. on Sunday. 10:00 a.m. to 2:00 a.m.
3 Monday through Tuesday. 10:00 a.m. to 6:00 a.m.
4 Wednesday through Saturday. That's, those are
5 your operation hours.

6 Your entertainment hours are 10:00
7 a.m. to 2:00 a.m. Sunday through Thursday. And
8 10:00 a.m. to 3:00 a.m. Friday and Saturday.

9 Q Oh, okay. So, the other question is
10 like, you know, what you said it is, you know,
11 you count 130. So, how did you like counting
12 them all?

13 A I walked through the establishment and
14 did a head count.

15 Q So, you were able to count every one
16 of them, or did you have any things on your hand
17 just to count it out?

18 A I counted it.

19 Q Okay. The other question is when you
20 order the drink, did you receive any receipt from
21 them? Because we allow to the people, every
22 customer, did you receive any receipt?

23 A I --

24 Q Or would you provide it for us?

25 A I don't recall.

1 Q Because I'm like, my operation is
2 every one of our customers, I make sure they have
3 that because if anything happened is I don't
4 want to, you know, blame by employees, or I don't
5 want to blame the customer. So, that's our
6 number one rule I have is in my establishment.

7 MR. CENCI: Objection. Testimony and
8 not cross --

9 CHAIRPERSON ANDERSON: All right.
10 Sustained. Mr. Girma, you need to ask her a
11 question, sir. When you testify, you can
12 explain, but now you're asking her questions.
13 So, you can frame that in the form of a question,
14 sir.

15 MR. GIRMA: Okay. I can ask, that's
16 all.

17 CHAIRPERSON ANDERSON: You're sure.
18 You don't have any other questions you want to
19 ask her, sir?

20 MR. GIRMA: Yes, that's all.

21 CHAIRPERSON ANDERSON: All right,
22 thanks. Ms. Glasgow, can you explain their hours
23 of operation are from 10:00 a.m. to 6:00 a.m.
24 Can you tell us, what does that mean to you as an
25 investigator?

1 THE WITNESS: That means they can
2 operate, they can be open for operation, but they
3 can't have entertainment past your entertainment
4 hours. So, they can be open, and operating to
5 that time, that timeframe.

6 CHAIRPERSON ANDERSON: Can they sell
7 alcohol from 10:00 a.m. to 6:00 a.m.?

8 THE WITNESS: So, their hours of sale,
9 let me see if I can pull this up. So, that is
10 there for the hours of sale. Their hours of sale
11 is from 10:00 a.m. to 2:00 a.m. and 10:00 a.m. to
12 3:00 a.m. So, they can sell alcohol within the
13 time of sales, but they can operate until 6:00
14 a.m. Basically, they can be open, doing business
15 function between that time. But the hours of
16 sale -- I'm sorry.

17 CHAIRPERSON ANDERSON: Go ahead, I'm
18 sorry, ma'am.

19 THE WITNESS: But the hours of sale is
20 limited to their sale hours. So, they can't sell
21 alcohol past the time that they're allowed to.

22 CHAIRPERSON ANDERSON: Oh, fine. Now,
23 did you, you also stated that you counted. Did
24 you, did you use a clicker to count the folks in
25 the establishment?

1 THE WITNESS: No, I did not have a
2 clicker.

3 CHAIRPERSON ANDERSON: So, you're
4 saying that you counted 138 people and, I'm
5 sorry, you said 130 persons and more were coming
6 in. So, did you, how did you document that in,
7 was that documented in your report?

8 THE WITNESS: I counted from counting
9 the individuals in the room, yes. And I
10 documented that that's what I counted. I did not
11 have a clicker, so. I walked through the
12 establishment and counted.

13 CHAIRPERSON ANDERSON: And you're
14 saying that their license stated that their
15 occupancy was 24? Is that what you're -- was
16 that what you testified to?

17 THE WITNESS: So, at the time, their
18 alcohol license is 24, but their CFO was 88.

19 CHAIRPERSON ANDERSON: So, what's the
20 difference? If their CFO had 88 and their
21 alcohol license have 24, why could they not have
22 88 people in their establishment? I can't hear
23 you, ma'am.

24 THE WITNESS: I'm not sure why the
25 numbers conflict. I'm not sure.

1 CHAIRPERSON ANDERSON: No, I'm going
2 to ask you a question. No, I'm not asking you
3 why they conflict, I'm saying if their alcohol
4 license says 24 and if their CFO says 88, how
5 many people can they legally have in the
6 establishment based on -- how many people can
7 they have in their establishment based on ABRA's
8 regulation?

9 THE WITNESS: Well, I believe that the
10 CFO allows them to have 88 in total occupancy.
11 So, they probably could have 88 as a total
12 occupancy. That's as much as I know. Maybe they
13 can have 88 as total occupancy, but I'm not sure
14 why they were only allowed 24 on the alcohol
15 license.

16 CHAIRPERSON ANDERSON: All right. I
17 don't have any other questions. Any questions by
18 any of the Board Members? Go ahead, Mr. Short.

19 MEMBER SHORT: Good afternoon, or no,
20 it's still good morning, Investigator Glasgow.

21 THE WITNESS: Good morning.

22 MEMBER SHORT: Investigator Glasgow,
23 on the day that you did your inspection, which
24 was February 5th, was it? Yes, February the 5th?

25 THE WITNESS: Uh-huh.

1 MEMBER SHORT: Which was the, you said
2 when you got to the establishment, that the front
3 door was locked?

4 THE WITNESS: That is correct, yes.

5 MEMBER SHORT: No matter the hours of
6 operation, sales or service of alcohol or CFO,
7 are owners allowed, licensees allowed to lock the
8 door with people in the building?

9 THE WITNESS: I don't think that is
10 appropriate. I think it's a fire hazard. Can
11 you hear me?

12 MEMBER SHORT: So -- I hear you, yes.
13 So, the door was locked in the front, and you
14 went to the rear. So, while you were in the
15 establishment, during your inspection, undercover
16 as it was, was there anyway that you could tell,
17 if you could get out of the front door or not?

18 THE WITNESS: No, there was not. I
19 actually walked up to the front door to see if I
20 can push it open, but I was not able to.

21 MEMBER SHORT: So, in case of an
22 emergency, with those numbers of people in there,
23 regardless of the number 24 or 88, no one could
24 have escaped had there been an incident in the
25 rear of that building. Is that correct?

1 THE WITNESS: That is my assumption,
2 yes.

3 MEMBER SHORT: Did you know when you
4 went out for the inspection, did you have all the
5 credentials for this establishment as an
6 operating business to sell alcohol in the
7 District of Columbia?

8 THE WITNESS: Yes.

9 MEMBER SHORT: Okay, when you
10 returned, what date was that on your second
11 inspection?

12 THE WITNESS: It was a week later on
13 the 11th.

14 MEMBER SHORT: What hour was that,
15 what hour was that, ma'am?

16 THE WITNESS: Approximately 2:45 p.m.
17 in the afternoon.

18 MEMBER SHORT: Was anyone inside of
19 the, was there any business going on at that
20 time?

21 THE WITNESS: No.

22 MEMBER SHORT: And how many persons
23 were in the building besides you and the owner?

24 THE WITNESS: It was just the both of
25 us.

1 MEMBER SHORT: And when you questioned
2 him about the operations, and you buying alcohol
3 there at 3:00 o'clock in the morning, or 3:45
4 a.m., what was his answer to you? How did he
5 explain that?

6 THE WITNESS: So, on my visit, the
7 week later, I did not disclose that I was there
8 for, in an undercover capacity the week before.
9 I did not let him, I did not disclose that
10 information to him.

11 MEMBER SHORT: To your knowledge, has
12 he ever denied selling alcohol after hours, ever?

13 THE WITNESS: No. He did not deny it.

14 MEMBER SHORT: When you were showing
15 your beverage of alcohol, which you testified
16 about, and you tasted it. You consumed part of
17 it to find out the evidence, how many other
18 people were buying, purchasing and did you
19 observe, drinking alcohol?

20 THE WITNESS: Yes, there was a lot of
21 people buying and drinking alcohol at the time I
22 was there, which I noticed.

23 MEMBER SHORT: That was at 3:45 a.m.?

24 THE WITNESS: Yes.

25 MEMBER SHORT: Way past the time he

1 was legally allowed to serve alcohol?

2 THE WITNESS: Yes.

3 MEMBER SHORT: And the exit door on
4 the front was locked?

5 THE WITNESS: Yes.

6 MEMBER SHORT: Thank you for your
7 testimony. Thank you for your report. That's
8 all that I have, Mr. Chairman.

9 CHAIRPERSON ANDERSON: Thank you, Mr.
10 Short. Any other questions by any Board Members?
11 Yes, Mr. Grant.

12 MEMBER GRANT: Ms. Glasgow, how are
13 you?

14 MR. SLOAN: Good morning, how are you?
15 I'm well, thank you.

16 MEMBER GRANT: Good. How long were
17 you employed with ABCA as an investigator?

18 THE WITNESS: Approximately, five
19 years.

20 MEMBER GRANT: In that five-year
21 period, did you ever intentionally go to an
22 investigation to make a purchase and receive a
23 receipt in response to making that request for a
24 purchase?

25 THE WITNESS: In an undercover

1 capacity?

2 MEMBER GRANT: Yes.

3 THE WITNESS: In this particular
4 establishment, I don't recall getting a receipt.
5 But in undercover -- but in other investigations
6 I did receive receipts, yes.

7 MEMBER GRANT: Have you ever asked for
8 it, or you just received it?

9 THE WITNESS: It's both.

10 MEMBER GRANT: Okay. Just a question
11 for my clarification, when you were discussing
12 the difference between the serving hours and the
13 operation hours, in that window, post 2:00 a.m.
14 but prior to 6:00 a.m., that 2:01 to 5:59 a.m.
15 period where they can operate, but not serve
16 alcohol. are they allowed to have any alcoholic
17 drinks out in the main area? I.e., if I had a
18 bottle of champagne at my table, but it wasn't
19 totally consumed, but I purchased it before 2:00
20 a.m.?

21 THE WITNESS: I believe, that if the
22 purchase was already made, but not sure.

23 MEMBER GRANT: Okay. Those are my
24 only questions. Thank you.

25 CHAIRPERSON ANDERSON: All right,

1 thank you, Mr. Grant.

2 Mr. Girma, do you have any questions
3 of the Investigator, based on the questions that
4 were asked by the Board Members? Just on the
5 questions that the Board Members asked her, you
6 can ask questions of her.

7 MR. GIRMA: Question, yes, okay, when
8 you find out about the 24, did you ever
9 investigate that when you go back to that office?
10 Did you check any applications I submitted?

11 THE WITNESS: Regarding?

12 MR. GIRMA: Regarding to the
13 occupancy?

14 THE WITNESS: At the time my report
15 was drafted, your license remained -- the rules
16 of your license remained the same.

17 MR. GIRMA: No one investigated about
18 that occupancy?

19 MR. CENCI: Objection.

20 CHAIRPERSON ANDERSON: I'm going to
21 overrule the objection. I think there's an
22 issue. So, I, there might be some confusion.
23 So, I'll allow him to ask the question. What
24 about, capacity, sir?

25 MR. GIRMA: So, what she investigate

1 the next week she came, is she check that it was
2 24. And then she talk, capacity. So, if ever
3 she, you know, report that to the office or to
4 investigate or check my applications to resolve
5 that confusion, you know we have between the
6 office and the Boulevard? Because it's been --

7 CHAIRPERSON ANDERSON: All right,
8 remember you're asking her questions, sir. So,
9 if there are questions that you're asking her, if
10 not, remember you'll have an opportunity later on
11 to make a statement.

12 MR. GIRMA: That's all, that's all I
13 have.

14 CHAIRPERSON ANDERSON: All right. Mr.
15 Cenci, do you have any redirect?

16 REDIRECT EXAMINATION

17 BY MR. CENCI:

18 Q Ms. Glasgow, first, you received a
19 couple of questions from the Board Members about
20 interpretation of different ABCA rules and
21 regulations. Ms. Glasgow, do you still work for
22 ABCA?

23 A I do not.

24 Q Where do you work now?

25 A Board of Ethics in Government

1 Accountability.

2 Q In the District of Columbia?

3 A Yes.

4 Q How long have you been working in that
5 role?

6 A Since August of 2023.

7 Q Did you leave ABCA at that same time,
8 August of 2023?

9 A I did.

10 Q So, according to what, the question
11 you received from the Board Members, as you're no
12 longer an investigator of ABCA, is this just
13 based on your best recollection of the ABCA rules
14 and regulations?

15 A Yes.

16 MR. CENCI: All right. I want to turn
17 our attention to something that Mr. Girma asked
18 you about, his licensed hours. I'm going to
19 share my screen with what is in evidence in
20 Government's Exhibit 1. This is marked within
21 that Exhibit, as Exhibit 21. Investigator, do
22 you see this document?

23 THE WITNESS: I do.

24 BY MR. CENCI:

25 Q What is this document?

1 A It's a regulatory inspection.

2 Q When, did you complete this regulatory
3 inspection document?

4 A Yes.

5 Q And when did you complete that
6 document?

7 A February 11th, 2023.

8 Q As part of this document, did you
9 record the operation hours, hours of sales, and
10 entertainment hours for the establishment?

11 A Yes.

12 Q Ms. Glasgow, how did you get the hours
13 that I'm highlighting here, those hours of
14 operation, sales, and entertainment?

15 A From his posted alcohol license.

16 Q Just so I'm clear for the record, you
17 recorded these numbers directly from the posted
18 license in the establishment?

19 A Yes.

20 Q All right. I'm going to -- and I'm
21 sorry. And what do these numbers say under hours
22 of sales and entertainment hours, that you
23 recorded directly from the license in the
24 establishment?

25 A Sunday 10:00 a.m. to 6:00 a.m. Monday

1 10:00 a.m. to 2:00 a.m. Tuesday 10:00 a.m. to
2 2:00 a.m. Wednesday through Saturday 10:00 a.m.
3 to 6:00 a.m., operation hours.

4 Hours of sale, Sunday through Thursday
5 10:00 a.m. to 2:00 a.m. Friday through Saturday
6 10:00 a.m. to 3:00 a.m. That is hours of sale.

7 Entertainment hours 10:00 a.m. to 2:00
8 a.m. through Thursday. And Fridays and Saturdays
9 10:00 a.m. to 3:00 a.m.

10 MR. CENCI: All right. Investigator,
11 I'm going to scroll up to a different part of
12 your report. Stop right here. Let's just scroll
13 through a few photographs contained in your
14 report.

15 (Pause.)

16 BY MR. CENCI:

17 Q Investigator, do you recognize those
18 four photographs that I just showed you?

19 A Yes.

20 Q Who took those photographs?

21 A Can you scroll through again? So, I
22 took that photograph, that one, that photograph
23 as well.

24 Q So, let's go through one at a time, so
25 the record is clear, all right. Did you take the

1 photograph in Exhibit 5?

2 A Yes.

3 Q Did you take the photograph in Exhibit
4 6?

5 A Yes.

6 Q Did you take the photograph in Exhibit
7 7?

8 A That photograph was taken by SI
9 Brashears.

10 Q Okay. Now, let's just focus on the
11 ones you took, 5 and 6. When did you take these
12 photographs?

13 A I was at the bar area, after I ordered
14 the alcoholic beverage.

15 Q This was during your investigation on
16 February 5th, 2023?

17 A Yes.

18 Q And all right. Based on what you saw
19 in this photograph, the picture that you took,
20 does the establishment appear crowded or not
21 crowded?

22 A Crowded.

23 Q Based on your recollection of what you
24 saw throughout the rest of the establishment, was
25 the entire establishment crowded to this degree?

1 A Yes.

2 Q You got quite a few questions about --
3 I stopped sharing my screen. You have quite a
4 few questions about how you counted up the
5 patrons in the establishment. Ms. Glasgow, are
6 you able to tell the difference between 90 people
7 and 130 people?

8 A Yes, walking through, yes.

9 Q Ms. Glasgow, is there any question in
10 your mind, that there were at least 90 people in
11 the establishment during your investigation?

12 A Yes.

13 MR. CENCI: Thank you very much, Ms.
14 Glasgow. No further questions.

15 CHAIRPERSON ANDERSON: Thank you very
16 much, Ms. Glasgow for your testimony. You're
17 free to go. Have a great day, ma'am.

18 THE WITNESS: Thank you.

19 CHAIRPERSON ANDERSON: Does the
20 Government have another witness it wishes to
21 call?

22 MR. CENCI: No, we do not,
23 Chairperson. And the District rests its
24 case-in-chief.

25 CHAIRPERSON ANDERSON: Okay, fine.

1 Mr. Girma, are you ready to present your case,
2 sir?

3 MR. GIRMA: Yes, sir.

4 CHAIRPERSON ANDERSON: All right, you
5 said that you're the only witness, sir?

6 MR. GIRMA: So far, yes.

7 CHAIRPERSON ANDERSON: What do you
8 mean, so far. You're the only witness. Are you
9 planning --

10 (Simultaneous speaking.)

11 MR. GIRMA: Yes, yes. I'm the only
12 one right now, yes.

13 CHAIRPERSON ANDERSON: Can you raise
14 your right hand, sir?

15 WHEREUPON,

16 THEODROS GIRMA

17 was called for examination as the Applicant,
18 having been first duly sworn, assumed the witness
19 stand, was examined and testified as follows:

20 THE WITNESS: I do.

21 CHAIRPERSON ANDERSON: Go ahead, sir.

22 DIRECT EXAMINATION

23 THE WITNESS: Yes, so, first of all,
24 the drink they're talking about is, she took the
25 drink with her outside, is what she's like. But

1 we never sell any drink, that's why we do not
2 allow it, not stopping anybody to coming in and
3 out really. Because most of them just like
4 sodas, juices and water. And then other ones are
5 hookahs, what we sell.

6 The employees have clickers, the
7 security have clickers and the promoter has a
8 clickers, and then my partner, she has a clicker.
9 So, what we do is like we don't, a shift is like
10 whenever, like, you know -- understand about a
11 door. Open it and then right after the door is
12 like, understanding there is a click-in. And
13 then we have a radio to let them know, just close
14 it. That's another thing.

15 So, there is no ways she can count
16 those people without a clickers. And then 130
17 that's exaggerated. The other thing is, that our
18 occupancy this has been to the Boulevard, and in
19 the offices, there was so much confusion. This
20 is not the first cases of being asked it for.

21 Please understand, is I talked to
22 them, there is no solution for me. And I went
23 there and asked for to -- one of the employee
24 there, she pull it up the documents and she
25 showed me it was there so, we found out that

1 there was mistakes.

2 But even though we found out a
3 mistake, I guess there is nobody to fix it. And
4 then finally, they asked me to do that. They
5 gave me the placard also. So, when I post that,
6 it I had the case but the neighbors, and then so
7 on.

8 About the pictures, if you see it,
9 like you never seen any bottles, any clickers,
10 people, one, two people they have the pictures.
11 I don't know how she got into behind the bar.
12 So, she just, some of them is that the
13 investigators I think, Mr. Mark or one of them,
14 his colleague. You know, they came inside a lot
15 of times and then they went inside. I saw them
16 impression, they took a pictures.

17 I don't think, you know, she's behind
18 the bar, because we not allowed anybody to come,
19 any lounges or restaurant, any cafes, nobody
20 allow you to stand behind the bar. So, it has to
21 be the investigators, Mr. Mark, or is the
22 colleague because they came and then they taking
23 pictures and they walk around behind the bars.
24 So, I believe that pictures is taken by them.

25 So, I think that's the last thing that

1 she said, is when she came back in and I provided
2 all the documents. And then I think, Mr. Collin
3 asked her, and then, she asking me if I said her
4 drink is after hours? And then I never, she
5 never asked me about that. I never answer
6 anything.

7 When she came, I let her leave, opened
8 the door, because I don't have a business at all.
9 So, on the daytime, it was closed. I open
10 sometimes 9:00 p.m. or 10:00 p.m. Probably, I
11 have all of the investigators that witness, the
12 max customers I have probably like ten or nine
13 every day.

14 And then that the reason is I do that
15 entertainment is the after hours, because of that
16 coverage, the cover charge and then because
17 that's the only things I can make money out of
18 it. That's why I allow everybody to do, to get
19 the drinks, they can walk, but if they smoke, I'm
20 not allowed them to smoke a cigarette inside.
21 So, they went outside. So, that's why she's free
22 to walk out of, to the car.

23 As far as selling liquors, it would be
24 restricted, because I have enough securities to
25 do that. But I was honest doing the right thing,

1 that's why I allow everybody to leave free. The
2 only thing is I'm not allowed them to go and
3 standing outside. And that's all I have to say.

4 CHAIRPERSON ANDERSON: All right, Mr.
5 Cenci, do you have any questions of the, of Mr.
6 Girma?

7 MR. CENCI: No cross examination.

8 CHAIRPERSON ANDERSON: Mr. Girma, I
9 guess one of the charges, operate outside of
10 approved hours. And your hours of operation are
11 until 6:00 a.m. Tell me, as a businessperson,
12 what time can you serve alcohol to?

13 THE WITNESS: Sunday through
14 Thursdays, 10 to 2:00 a.m. And Friday and
15 Saturday until 3:00 a.m.

16 CHAIRPERSON ANDERSON: So, what
17 happens between, since you're open until 6:00
18 a.m., so, are you able to serve alcohol until
19 6:00 a.m. during that, between 3:00 a.m. and 6:00
20 a.m., sir?

21 THE WITNESS: No.

22 CHAIRPERSON ANDERSON: You stated,
23 that -- I didn't understand when you said that,
24 why folks can leave the establishment with
25 alcohol. Can you explain that to me, again, sir?

1 THE WITNESS: Well, I said is, it's
2 not alcohol we're selling. We're selling, like
3 most of them they're already done, but most
4 people are still just want to stay late. So,
5 they come in, so, the promoter that I have,
6 that's what I had him to do.

7 So, when they have it, they have a
8 water with ice, if they want. A juice with ice
9 or without it, or soda. But that's why they
10 don't have any liquors in it. That's why it's
11 just like, if someone is like, they need a water
12 with a cup. It's, you know, we can give it to
13 them.

14 CHAIRPERSON ANDERSON: No, I thought
15 you said, folks could leave with a cup. I'm
16 just, that's what I was just trying to get some
17 clarification --

18 THE WITNESS: What I'm trying is like
19 they can leave, let's say they can leave with a
20 cup, which is, that's the juice, nothing else to
21 my knowledge. And in my establishment, I'll make
22 sure I'm not selling liquors after 2:00 or 3:00
23 a.m. So, what I do is I just serve them, if they
24 need any drinks, I can, a beverage like juices,
25 orange, soda, water, all kind of stuff. That's

1 why there is a liquors, it's not liquor in it,
2 most of them.

3 CHAIRPERSON ANDERSON: No, I, but how
4 do we -- if someone is allowed that, and explain
5 to me, because how, if someone is leaving your
6 establishment with, it doesn't matter what time.

7 THE WITNESS: Uh-huh.

8 CHAIRPERSON ANDERSON: With a cup that
9 you say contains juice. How do we know that it's
10 juice? So, I guess what I'm trying to find --
11 do you allow people to leave --

12 (Simultaneous speaking.)

13 THE WITNESS: Because --

14 CHAIRPERSON ANDERSON: -- your
15 establishment with -- go ahead, sir.

16 THE WITNESS: That shows all my
17 employees is, they know that, that's and hours,
18 which is the legal hours is at 3:00 for example.
19 So, all my employees watching just so they know
20 is after that is, you know, we close it, even the
21 registers, they close.

22 And then after that, it was, it was
23 the, whatever we sell it, the hookah or
24 everything. So, I'm not allowing any employees,
25 my employees is to sell any liquors, because I

1 don't want to take that risk for that matter.

2 CHAIRPERSON ANDERSON: All right.

3 Now, Ms. Glasgow testified that your ABRA license
4 says, that you could have 24. That it's, your
5 occupancy is 24, however you're saying your
6 certificate of occupancy says 88. So, what does
7 it mean, to you, that your ABRA license only said
8 you could have 24? What does that mean to you,
9 sir?

10 THE WITNESS: So, what happened was,
11 you know, when I submitted the application, it's
12 through my agent, you know, the old capacities
13 that I have is 88. And then I already send it,
14 all the application to the ABRA. But when I got
15 approved and then got the license, I didn't check
16 the occupancy on the license. And then, I think
17 they didn't check the old capacity, a copy of the
18 old capacity. I send it to them.

19 There was, they gave to me, I was
20 accredited at least, like a year and a half.
21 Every investigator that came through that lounge
22 is, they checked. They asked me, the first thing
23 they asked me, my IDs, my license, and those two,
24 or three things, or our capacity. They checked
25 it. I checked it. We never notice it for a year

1 and a half.

2 So, after the year and a half is, this
3 thing is, just for some reason, it's just they
4 realize it. My license says 24. And then they
5 tell me it says, like you got to, you know, let
6 the people go. I'm like, why? You know, my old
7 capacity is 88. So, that's the moment after a
8 year and a half later, me and then those
9 investigators, they came and said that it is my
10 license says 24.

11 So, that's why I went to the ABRA
12 office the next day. I talked to this lady. She
13 helped me out. She pulled all the documents. We
14 went through it. And then finally, the
15 application, the one we had it, it was the agent
16 made a mistake. So, that's why the license says
17 24. My old capacity says 88.

18 And then they said just to me, to fix
19 that, so, I can -- they can't fix it. So, they
20 have to give me the placard. I just have to post
21 it for 45 days. And then that's what I did.

22 CHAIRPERSON ANDERSON: So, what's the
23 occupancy today, on your ABRA license?

24 THE WITNESS: The ABRA license now is
25 the, it was the other cases I had. They reduce

1 it. They gave me 50.

2 CHAIRPERSON ANDERSON: So, you're
3 saying -- I'm sorry.

4 (Simultaneous speaking.)

5 CHAIRPERSON ANDERSON: So, the license
6 that you have, today. What does, what's the
7 occupancy on that license? What does it, what
8 number is on that license, sir?

9 THE WITNESS: 50. But still, like the
10 one that I have it is 24. Still on ours, it says
11 24, but I got approved because I had another
12 case. And then, you know, I won that case. And
13 then, they gave me the minimum occupancy for now.
14 It was, it's supposed to be 50. But that, I went
15 there. I'm still struggling to get the license,
16 but I don't know what's going on, on the other
17 side. So, I can't tell you that.

18 CHAIRPERSON ANDERSON: So, are you --
19 I'm confused. So, you're saying that they gave
20 you, ABRA gave you 50, but you don't have the
21 license in your hand, that says 50? Is that what
22 you're saying? They never sent the license?

23 THE WITNESS: The Board approved me
24 50, and then, if I got to prove it, then 50. So,
25 when I went to the offices, I should have that

1 license to replace the 24 one. But I never got
2 it. I keep going back and forth with them.

3 CHAIRPERSON ANDERSON: All right. Ms.
4 Glasgow said that, let's see. So, Ms. Glasgow
5 first testified that she had asked you for
6 receipts, and you did not provide her with the
7 requested receipts, either that day or within 24
8 hours. So, can you explain that?

9 THE WITNESS: Yes. First, at the
10 time, our orders, all the liquors, it was like
11 probably eight months or probably a year, because
12 I don't have any business at all, like I told you
13 guys. It's just like maybe every day, I have
14 like five, six people. So, there is, all the
15 drinks that I have is, you know, I couldn't sell
16 it at the time. That's why I didn't have
17 anything.

18 But she asked me that, like okay, all
19 right, so, what else you do besides the
20 distributions? Like, I finally did, I don't
21 like, most of the people that I have is they
22 drinking beers. Like all the beer, and still
23 like I have it. But sometimes the people they
24 ask me after, you know, like late nights. Or it
25 can be, like the drink that I don't have. So,

1 our drinks are beers.

2 That's what I told her, but that
3 answer just doesn't make her -- but after the
4 hours, like 8:00, 9:00 o'clock because people are
5 asking me, but a drink that I don't have, so I
6 can go out and buy it. Just one case of
7 something.

8 CHAIRPERSON ANDERSON: All right. I
9 don't have any other questions. Any other
10 questions by any other Board Members? Go ahead,
11 Mr. Short. You're on mute, Mr. Short.

12 MEMBER SHORT: Mr. Girma, how long
13 have you been in business in the District?

14 THE WITNESS: I've been, I think four
15 and a half years.

16 MEMBER SHORT: The business that
17 you're at now, is that the only one you've ever
18 had?

19 THE WITNESS: Yes, sir.

20 MEMBER SHORT: Is it possible that Mr.
21 Cenci, could you put the report from Investigator
22 Glasgow back up, and take us to the history of
23 this licensee, investigative history?

24 MR. CENCI: Yes, Mr. Short. One
25 moment, please.

1 MEMBER SHORT: Thank you. Mr. Girma.

2 THE WITNESS: Yes, sir.

3 MEMBER SHORT: Of the four charges
4 that you're charged with, are you guilty of any
5 of those charges?

6 THE WITNESS: Four charges.

7 MEMBER SHORT: The four charges that
8 you are before this Board, for today. Should I
9 read them to you?

10 THE WITNESS: What was this one, I
11 mean, could you be --

12 CHAIRPERSON ANDERSON: Mr. -- are you
13 asking him, Mr. Short, about his investigative
14 history, or --

15 MEMBER SHORT: Mr. Chairman, I'll take
16 those, I will, I just wanted to talk about this
17 investigative history, if that's okay.

18 CHAIRPERSON ANDERSON: I was just
19 asking, what were you asking here? Because I
20 think he's confused. That's why I'm asking you.

21 MEMBER SHORT: I want to take the
22 confusion out. And I understand he's confused.
23 He's been in business for four or five years, as
24 he's testified. And now, we're looking at his
25 investigative history. Can we go there, Mr.

1 Chair?

2 Now, go back down, please to Number 1,
3 on that -- actually, Number 5. Really, Number 5.
4 So, on CMP, Case 22-CMP-00047, you were charged,
5 sir. Is that correct?

6 THE WITNESS: What year is this, what
7 day?

8 MEMBER SHORT: You were charged with
9 this one on 6-29-22.

10 THE WITNESS: Okay. Can you give me a
11 moment, let me read it through? See what it is.

12 MEMBER SHORT: Yes, read it through.

13 THE WITNESS: Okay.

14 (Pause.)

15 THE WITNESS: There is like a certain
16 -- the thing is I just talked to Mr. Collin
17 through emails. I believe, you know, there's
18 like two cases, like are settled, without knowing
19 or talked to the lawyers, because there was like
20 my new cases. I never got having the hearing
21 before.

22 So, some of them is like, I shouldn't
23 stand for it.

24 MEMBER SHORT: I understand that's the

25 --

1 THE WITNESS: I believe I'm telling
2 you off the top, I don't remember. It's just too
3 long. But in my knowledge is I think I did,
4 without like knowing what I have to do.

5 MEMBER SHORT: Well --

6 THE WITNESS: Because that's, thinking
7 that, I make a mistake making a deal with that
8 Mr. Collin at the time. But it could be.

9 MEMBER SHORT: Okay. Let's go to
10 Number 4, which was Case Number 22-CMP-0079. Are
11 you familiar with that particular case?

12 THE WITNESS: Let's see, this is the
13 interference like. I don't understand. Because
14 I never interfered with an investigations. This
15 is the, they keep telling me that because I
16 provided everything. You know, they, I did
17 everything they asked me. I don't know what it
18 means, when they say, it's like that I interfere.

19 MEMBER SHORT: Okay. I understand.
20 So, now, you're saying you've been in business
21 now for five years, and this, these were just
22 two. So, let's go to Number 3. Case Number 22-
23 251-00032. So, by now, you've been in business
24 for a couple of years, and you know, you've asked
25 a lot of questions. And you know, that you have

1 to come before this Board when you are found in
2 violation.

3 So, what happened on Case Number 3,
4 with 00032?

5 THE WITNESS: Like I said, earlier is
6 Number 3, that's what you're asking me, right?
7 Number 3?

8 MEMBER SHORT: Yes.

9 THE WITNESS: Yes, so, like I told
10 you, it was a lot of confusions between the
11 Boulevard and then the investigation of the
12 hours, because I never did any operation outside
13 of approval hours. Like I have that, like until
14 6:00 in the morning.

15 This is like been going on every case
16 that I have, is some of them, I make a mistake.
17 I settled. I was either going to the hearing
18 because I didn't understand it at the time. I'm
19 new to the business. But now, I'm telling you,
20 this is like they keep saying that, but I have
21 the hours until 6:00 o'clock.

22 MEMBER SHORT: Okay, I --

23 THE WITNESS: Huh?

24 MEMBER SHORT: Go ahead, no, you can
25 finish.

1 THE WITNESS: Yes, so like, I never
2 worked over the approval hours. They approved me
3 until 6:00 in the morning. So, you can check
4 what day. I don't know the days, but like a
5 front door to us, like I have hours until 6:00
6 o'clock. Six in the morning.

7 MEMBER SHORT: Okay. Let's go to
8 January 22nd, 2023.

9 CHAIRPERSON ANDERSON: Mr. Short, that
10 case is has not been adjudicated yet. So, we
11 can't talk about that case, sir.

12 MEMBER SHORT: I'll leave it alone.
13 But at any rate, when you're operating, even to
14 6:00 o'clock in the morning, do you normally lock
15 the door with people inside of your
16 establishment?

17 THE WITNESS: No. I'm not lock --
18 (Simultaneous speaking.)

19 MEMBER SHORT: Why would the door --

20 THE WITNESS: Because, go ahead.

21 MEMBER SHORT: Do you normally lock
22 the door, the front door?

23 THE WITNESS: Sometimes, like I lock
24 it and then I let the security to stand by the
25 door, to make sure. Sometimes, you know, like we

1 -- it's supposed to be open. Office opens, and
2 security is there. And sometimes people, they
3 keep, you know, trying to open it and leave it
4 open. They, because it's a mirror, I don't know
5 if they are taking a picture. IF they see it as,
6 just like a whole mirror, like people they fell
7 on it, stuff like that.

8 That's why trying to protect the
9 people, but just what I, for emergency purposes,
10 I always have securities by the door, or close by
11 the doors. That's why we lock it because I don't
12 want anybody to, you know, hurt themselves.

13 MEMBER SHORT: Would you be shocked to
14 know that's it's illegal for you to lock the
15 door, with security persons notwithstanding?
16 It's illegal to lock the door while you have
17 patrons inside.

18 THE WITNESS: Like now, I know, but
19 just a lot of laws I didn't know about then, sir.

20 MEMBER SHORT: So, what have you
21 learned from all of these instances of you coming
22 before this Board, about doing business in the
23 District of Columbia, selling alcohol, when you
24 have hours to sell alcohol and hours that you
25 can't?

1 THE WITNESS: I, I --

2 (Simultaneous speaking.)

3 MEMBER SHORT: You notice you can't
4 sell alcohol -- what -- go ahead. I was trying
5 to ask a question, but go ahead.

6 THE WITNESS: Well, go ahead, sorry.

7 MEMBER SHORT: All right, thank you.
8 The question I was going to ask you is, between
9 your alcohol selling hours and the hours of 6:00
10 a.m. in the morning, did you know that you could
11 not sell alcohol?

12 THE WITNESS: Yes, sir.

13 MEMBER SHORT: Well, what would you be
14 doing in business between the hours of 3:00 and
15 6:00?

16 MEMBER SHORT: So, that's like the
17 biggest things I do, like the money selling
18 makers, a lot of money for hookahs, and then the
19 cover charge. Because the cover charge is \$20.
20 The hookah is \$60. And then all the juice and
21 waters, like \$5 to \$7.

22 MEMBER SHORT: Okay. So, when you're,
23 when persons are smoking hookah pipes, and hookah
24 pipes are quite hot aren't they?

25 THE WITNESS: No.

1 MEMBER SHORT: Aren't they, don't they
2 require heat to burn tobacco or whatever product
3 that they're smoking?

4 THE WITNESS: Yes, charcoal. How many
5 charcoal pipes do you have in your establishment?

6 THE WITNESS: Well, what do you mean?

7 MEMBER SHORT: How many hookah pipes,
8 one, two, how many?

9 THE WITNESS: Like the bottle, it can
10 be like 20, or 25.

11 MEMBER SHORT: And each one of them
12 has charcoal in it, correct?

13 THE WITNESS: It depends on the days.
14 Sometimes, the people, they don't smoke. They
15 just want to come and relax, dance, listen to
16 music, drink water. Sometimes, you know, 10, 15.
17 Sometimes, five, just depends on the day. Just,
18 that's how the business goes, sir.

19 MEMBER SHORT: I understand. So,
20 again, I'll just ask, while people are inside of
21 your establishment, and you have the door locked,
22 even with a security guard, you realize that,
23 that is not legal?

24 THE WITNESS: Yes, like I said, I've
25 didn't know a lot of the rules back then. Now, I

1 do. But I thought like, I did the right thing to
2 protect the people. It's like some people when
3 they dance, and like they trip and so, that's the
4 glass inside, I don't want them to get hurt.
5 Like there's a lot of rules I didn't know,
6 because I was new to the business. I should
7 understand the law before I open. You know, I
8 should read a lot or have advisors to me. So,
9 that's the biggest mistake I made.

10 MEMBER SHORT: Have you learned, tell
11 me what you've have learned since, in the five
12 years. Tell me what you have learned that you
13 won't do anymore?

14 THE WITNESS: I learned I have to know
15 every rules that ABRA has. And then, just doing
16 the business by the rule, the law they have. I
17 should do that, yes.

18 MEMBER SHORT: So, all good
19 businessmen should do that. Correct?

20 THE WITNESS: Yes, sir.

21 MEMBER SHORT: Okay, thank you very
22 much for your honesty. That's all the I have,
23 Mr. Chair.

24 THE WITNESS: Thank you.

25 CHAIRPERSON ANDERSON: Thank you, Mr.

1 Short. Any other questions by any other Board
2 Members?

3 All right, Mr. Cenci, any questions of
4 the witness based on the questions that were
5 asked by the Board?

6 CROSS EXAMINATION

7 MR. CENCI: Yes, briefly. Mr. Girma,
8 with Mr. Short, you just discussed the prices of
9 several expensive beverages you sell at Boulevard
10 Lounge. What is the price for a regular mixed
11 alcoholic beverage, at Boulevard?

12 THE WITNESS: Like \$7, it's depending
13 on what drink it is you want. Like a regular,
14 like \$7, \$10. Beer is \$4. On the, like on the
15 regular times, a beer is \$4. Some drink is \$7,
16 some almost \$10.

17 MR. CENCI: Okay. No further
18 questions.

19 CHAIRPERSON ANDERSON: Mr. Girma, is
20 there any, I know that the Board asked you
21 questions. Mr. Cenci asked you questions. So,
22 do you need to explain any of your answers at
23 this juncture?

24 THE WITNESS: Yes, one thing is like,
25 they're asking me about, I think a 2022, which is

1 like I don't know, but I'm not prepared for that.
2 I should have reviewed, but I didn't know they
3 can bring that up.

4 Like I said, is, you know, I made
5 mistakes, a lot of mistakes. And then I settle a
6 lot of cases, which I should have won. I should
7 have fought for it. Same ones, I made a mistake
8 about, you know, some (unintelligible) so I just,
9 I hope you know that and understand that.

10 CHAIRPERSON ANDERSON: All right. do
11 you rest, meaning that you don't have anything
12 else you want to say regarding this case?

13 MR. GIRMA: Yes.

14 CHAIRPERSON ANDERSON: Okay. So, what
15 we're going to do. The Government is going to do
16 a closing statement. And the Government will
17 state to us what it is that they approve and what
18 it is that they want the Board to do. Once the
19 Government has done that, then you can also wrap
20 up your case, and you can also be specific in
21 what is it that you want the Board to do
22 regarding the charges that you have in front of
23 you. Okay.

24 MR. GIRMA: Okay.

25 CHAIRPERSON ANDERSON: All right, so

1 Government can move forward with its closing
2 statement.

3 CLOSING STATEMENT

4 MR. CENCI: Thank you, Mr. Chair and
5 may it please the Board. We happen to have a
6 case of a licensee following the terms, that it
7 wanted, and not the terms that it had. The
8 Government has met its burden today of proving
9 five charges to you, Members of the Board. Each
10 of those charges were met by testimony of Rhoda
11 Glasgow. Now, what were those charges?

12 Well, there is some ones that are very
13 easy for us to get settled on right now. Charge
14 Number 5. Failure to conspicuously post the
15 required lettering for the establishment in
16 violation of D.C. Code Section 25-711(b).

17 Ms. Glasgow told you that when she got
18 there for regulatory inspection on February 11th,
19 2023, there was no window lettering present.
20 There's been no testimony to contradict that.
21 There's no evidence to contradict that. There's
22 nothing to go against the testimony of Ms.
23 Glasgow in this instance. The Government has
24 proven that the licensee is liable for this
25 charge.

1 And similarly, Charge Number 4. That
2 the licensee interfered with an ABCA
3 investigation by failing to produce documents
4 requested by an ABCA Investigator within 48 hours
5 of the request, in violation of D.C. Code Section
6 25-823(a)(5)(e).

7 Now, the licensee on questions from
8 Chairperson Anderson, claimed that those
9 receipts, those documents were asked for, though
10 he didn't have a track. He had them for a couple
11 of months ago, but not for the entire time. But
12 ABCA licensees have record keeping obligations.
13 The licensee should have had its receipts and its
14 invoices for work purchases that it made from
15 wholesale distributors.

16 And, as Ms. Glasgow indicated, in her
17 direct testimony, that the establishment was
18 purchasing alcohol from liquor stores, non-
19 wholesale licensees. Well, you need to retain
20 those records as well. And that's important
21 because licensees are not allowed to purchase
22 from non-wholesale distributors. They're not
23 allowed to supplement that, with the exception of
24 specific circumstances, when the wholesalers are
25 not open.

1 How is that determined, how is that
2 proven? It's by the establishment retaining its
3 records, showing that on this day, that the
4 wholesaler was closed. That it was required to
5 purchase from a liquor store because that was the
6 only option it had available to it. The Board
7 has decided other cases, of establishments that
8 deal with purchasing from liquor stores, when
9 they're not supposed to. It's well settled.

10 The licensee had purchasing
11 obligations and it didn't follow those
12 obligations. But most importantly, when Ms.
13 Glasgow asked the licensee for documents it was
14 supposed to have, the licensee did not provide
15 them.

16 And so, then we get to the charges
17 that Mr. Girma did provide his testimony to
18 attempt to contest. Charge Number 3. Knowingly
19 allowing a patron to exit the establishment with
20 an alcoholic beverage in an open container in
21 violation of D.C. Code Section
22 25-113(h)(2)(a)(2).

23 Well, Ms. Glasgow testified today, and
24 here is what she told you. She told you that she
25 purchased an alcoholic beverage. She walked

1 right up to the bar at Boulevard Lounge. She
2 asked for an alcoholic beverage, orange juice and
3 vodka. And she paid for that beverage.

4 She was given that beverage. She
5 tasted that beverage to ensure that it had
6 alcohol in it. She saw the beverage being
7 poured, and saw alcohol being poured into the
8 cup. She could tell she had an alcoholic
9 beverage in her hands.

10 And what did she do? She turned
11 around and she walked, holding that cup. And she
12 told you, she didn't attempt to conceal it. She
13 told you the cup still had alcohol in it. Clear
14 as day, she walked to that back door of the
15 establishment. The only unlocked door in the
16 establishment, past the security guard, walked
17 right out.

18 Mr. Girma has offered his testimony,
19 to say, well, his establishment just doesn't sell
20 alcohol after hours. So, there's no need to
21 check. But there was a lack of clarity from Mr.
22 Girma, on if someone had purchased an alcoholic
23 beverage, before the hours of sale had ended for
24 the establishment.

25 Well, what would happen then, they

1 didn't finish the alcoholic beverage? Do we
2 still permit her to walk out of the
3 establishment? How can the establishment tell if
4 the beverage does or doesn't have alcohol in it?
5 The establishment should not be allowing patrons
6 to walk out of the establishment with open
7 containers of alcohol.

8 It was clear that there was no attempt
9 by that security to ask Ms. Glasgow if that was
10 an alcoholic drink, to try to stop Ms. Glasgow in
11 any capacity. She was just allowed to walk right
12 outside with it. That is a violation under
13 Charge 3.

14 Now we come to Charge 2. If the
15 establishment exceeded the approved occupancy
16 limit? Now, there's been some dispute back and
17 forth. What was the establishment license then?
18 The certificate of occupancy says 88. Ms.
19 Glasgow said, at the time of the investigation,
20 the licenses that she looked at to copy the
21 information down into her regulatory inspection,
22 it said 24. Mr. Girma, now says, that it's 50.
23 Doesn't have that document from ABCA yet, but he
24 has approval from ABCA to operate at 50.

25 But all these numbers throwing around,

1 avoid the main point of it. Ms. Glasgow
2 testified that she, she could tell the difference
3 between the highest possible number -- and there
4 are two more -- 90, two over 88. She could tell
5 the difference between 90 and 130 people. She
6 walked through the establishment. She did a head
7 count. She counted a 130 people, and said more
8 people were coming in. She said, more people
9 were coming in, than leaving the establishment,
10 while she was doing that count, 130.

11 Well over the licensed capacity on the
12 license. Well over the licensed capacity on the
13 revised license, Mr. Girma is claiming. And over
14 the certificate of occupancy. There is no
15 question, the licensee was over his capacity.
16 There's been no testimony and no evidence that
17 suggests that Ms. Glasgow was incorrect, that
18 there was a way that she made a mistake. She
19 knows the difference between 90 and 130. And she
20 told you what she saw.

21 And so, we come to the last charge.
22 Operating, selling alcohol, providing
23 entertainment, outside of the Board approved
24 hours. Now, operating, the establishment's
25 licensed hours are until 6:00 a.m. That's

1 understood. But we looked with Ms. Glasgow at
2 her regulatory inspection. She told you that she
3 pulled the hours on that inspection form that she
4 filled out, from the license in the
5 establishment, one week, after she had conducted
6 her undercover investigation. Where she saw
7 those 130 people, at 3:45 in the morning. Forty-
8 five minutes after the end of the licensed hours
9 of sale. After the licensed hours of sale, for
10 any alcoholic beverage selling establishment in
11 the District of Columbia on a Saturday.

12 And what did Ms. Glasgow check off?
13 She showed you that at that time, the hours of
14 sale on Saturday, 10:00 a.m. to 3:00 a.m. Yet,
15 she bought an alcoholic beverage herself. Tasted
16 it, and walked out the door with it. That right
17 there, immediate, is the licensee selling alcohol
18 after hours. Serving alcohol after hours and
19 allowing the consumption of alcohol after hours.
20 And the entertainment hours.

21 Now, if Mr. Girma had changed the
22 hours after the fact, it may avoid the potential
23 of infractions in the future. But what we have
24 to look at is what the license said at the time
25 of the investigation. And what does the license

1 say? She copied right from that document, 10:00
2 a.m. to 3:00 a.m. on a Saturday. Again, there is
3 not a question here. It's not something that's
4 up for debate.

5 You look in the case report, that is
6 part of the record, you'll see a photograph of
7 the DJ she saw performing. She told you she saw
8 that the DJ performing herself. She heard the DJ
9 performing. The DJ was providing entertainment
10 after the licensed hours of 3:00 a.m. Ms.
11 Glasgow didn't even enter until 3:45.

12 Members of the Board, this
13 establishment violated the terms of its license.
14 Now, it can say that it doesn't conduct business
15 way. That it doesn't sell alcohol after hours.
16 It only serves horseshoes and sodas. That is
17 contradicted, not by a generalization, but by a
18 person who exchanged money for a beverage
19 herself.

20 We have no reasons to doubt Ms.
21 Glasgow's testimony. But we can say, this is
22 what she saw. This is what she documented. And
23 this is what she testified to, with consistency.
24 The establishment is liable for all five of the
25 charges in the District's notes. And it is for

1 that reason, that we're going to ask you to find
2 the establishment liable for all five and impose
3 the maximum possible penalty under D.C. Code 25-
4 830. Thank you.

5 CHAIRPERSON ANDERSON: Thank you, sir.
6 Mr. Girma, on each of the charges, what is it you
7 want to the Board to do?

8 MR. GIRMA: Okay. First of all, I
9 want to just clarify what Mr. Collin has cited.
10 The first is that the receipts of other
11 distributions that I ordered, I think I open this
12 establishment, I had the places like, for so
13 long, but like I opened that in 2021. Since
14 then, it's like for two years, since I never had
15 any customers. I couldn't plan any more. So,
16 the first time I bought the invoices that I had
17 is, so long, and I put it somewhere, at the time
18 she asked me, I couldn't find it.

19 Since then is, I never have anything.
20 Every investigators that require me to have a
21 record of this, but every time they come here,
22 it's like I'm by myself, or like the bartender,
23 that's it. We never have any customers for so
24 long. I've been struggling, that's why I was
25 doing an extra dance. So, I couldn't provide

1 anything first.

2 I didn't have any customers at all.
3 The daytime is closed. Sometimes we're open 9:00
4 p.m., 10:00 p.m. or 8:00 p.m. because there's
5 nothing going on. I was on the edge at the time,
6 when she asked me that.

7 The other thing is the alcohol, why is
8 she buying if she's the only one, and she tasted
9 it, then she's the one she cited. And to me, is
10 as a professional investigators, to back up her
11 stories, even though like I allowed a new receipt
12 for every one of our customers. They pay cash,
13 even like when they order it, and then we give a
14 receipt that amounts how much that the prices is.
15 And then based on that is the customers, they can
16 see how much we charge. And then they just pay
17 with a card or cash.

18 She should have had that receipt with
19 her. Or even if they didn't ask her, like if she
20 didn't get it. Or she should ask them, so she
21 back up her story. So, now is I'm going be fined
22 based on one person's say this. I don't know her
23 personality. I just don't want to say this, but
24 like, based on one person's decisions, she didn't
25 get punished for it. But if she's really doing

1 her jobs the right ways. She should have a
2 receipt so, she can back up her story.

3 The other thing is the occupancies we
4 been talking about that back and forth. I didn't
5 see all the investigations, but we can check the
6 record on this for since 2021, on the way until
7 they find out, there's investigators that have
8 been coming every month, every two weeks.
9 Especially in the summers. Because it has a lot
10 of things going on with the promoter that I have,
11 which is a personal thing. It's not like
12 official things.

13 So, then everybody asking me, but they
14 didn't file attentions, they check it. Every
15 time they asking me that license. They saw it,
16 I saw it but nobody seen that number. It was a
17 mistake like I told you. Because back and forth,
18 we dealing with that, with ABRA, the office, it's
19 the ABRA office.

20 The entertainment, that's where we
21 said is the entertainment, it's like you got to
22 play the music, because if you don't sell -- I'm
23 not selling any liquors, but like people they
24 want, they want to stay late, they need the
25 music. You allow them to, that's another reason

1 they just don't want to go home. They just want
2 to spend the time, a little more time. So,
3 that's why we allow them to do that. I don't
4 think that's against the rule. So, I just want
5 to clarify what he said. So, thank you for you
6 guys time.

7 CHAIRPERSON ANDERSON: All right,
8 thank you. The record is now closed.

9 All right, let me close the case.

10 As Chairperson of the Alcoholic
11 Beverage and Cannabis Board for the District of
12 Columbia, in accordance with D.C. Code Section
13 2575 of the Open Meetings Act, I move that ABC
14 Board hold a closed meeting for the purpose of
15 seeking legal advice from our counsel on Case
16 Number 23-CMP-00017, Boulevard Lounge, pursuant
17 to D.C. Official Code Section 2575(b)(4)(a) of
18 the Open Meetings Act, and deliberating upon Case
19 Number 23-CMP-00017, Boulevard Lounge for the
20 reason cited in D.C. Official Code Section
21 2575(b)(13) of the Open Meetings Act. Is there a
22 second?

23 MEMBER GRANT: I second the motion.

24 CHAIRPERSON ANDERSON: Mr. Grant has
25 seconded the motion. We'll now have a roll call

1 vote.

2 (Roll call)

3 MEMBER SHORT: Mr. Short?

4 MEMBER SHORT: Short, I agree.

5 CHAIRPERSON ANDERSON: Mr. Grant.

6 MEMBER GRANT: Grant, I agree.

7 CHAIRPERSON ANDERSON: And Mr.

8 Anderson, I agree.

9 The matter passes 3-0-0. All right,
10 as it appears, the motion has passed. I hereby
11 give notice that the ABC Board will recess its
12 proceedings to hold a closed meeting pursuant to
13 Section 2575 of the Open Meetings Act. Thank you
14 very much for your presentation this morning.
15 The Board will issue a decision within 90 days.
16 Thank you, have a great day.

17 (Whereupon, the above-entitled matter
18 went off the record at 12:28 p.m.)

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