

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

2 1:38 p.m.

3 CHAIRPERSON ANDERSON: Alright. The
4 next case on our calendar now is Case No. 19-CIT-
5 00467. Rainbow Market Beer and Wine Grocery
6 Market. License No. 116536.

7 This is an application for a new
8 license. This is a fact-finding hearing. So,
9 Ms. Andrews, can you please elevate the rights of
10 the licensee, please, and the Board investigator
11 -- supervisor and lead investigator Earl Jones.

12 MS. ANDREWS: Ms. Begre, your rights
13 have been elevated.

14 Investigator Jones, your rights have
15 been elevated.

16 That's all, Mr. Chair.

17 CHAIRPERSON ANDERSON: Thank you.

18 Can I have both parties open their
19 microphone and, if they have a camera, please
20 turn the camera on, please.

21 (Pause.)

22 CHAIRPERSON ANDERSON: Mr. or Mrs.
23 Gebre, do you have a camera on? I'm still
24 waiting to see if you're there.

25 MS. GEBRE: Hello.

1 CHAIRPERSON ANDERSON: Yes. Alright.
2 I can see you, ma'am. Alright. You can pull the
3 camera a little away from your face.

4 I didn't say move away, I just said
5 you can just pull the camera a little away from
6 your face, ma'am.

7 MS. GEBRE: Okay.

8 CHAIRPERSON ANDERSON: I think you're
9 now having some connection issues.

10 MS. GEBRE: You can see me now?

11 CHAIRPERSON ANDERSON: Yes, I can see
12 you. That's fine. That's perfect. Alright.
13 Thank you.

14 MS. GEBRE: Okay.

15 CHAIRPERSON ANDERSON: Alright. I
16 would like everyone -- alright. Let me have the
17 parties introduce themselves for the record. Let's
18 start with the investigator.

19 MS. GEBRE: Okay.

20 CHAIRPERSON ANDERSON: No, hold on,
21 ma'am. Go ahead, sir.

22 MR. JONES: Good afternoon. I am lead
23 investigator Earl Jones with the Alcoholic
24 Beverage Regulation Administration.

25 CHAIRPERSON ANDERSON: Alright. Thank

1 you, Mr. Jones.

2 Ma'am, can you please spell and state
3 your name for the record, please.

4 MS. GEBRE: A-L-E-M-S-H-E-T. Last name
5 G-E-B-R-E. Alemeshet Gebre.

6 CHAIRPERSON ANDERSON: Ms. Gebre, good
7 afternoon, ma'am.

8 MS. GEBRE: Good afternoon.

9 CHAIRPERSON ANDERSON: Alright. This
10 is a fact-finding hearing and the purpose of the
11 fact-finding hearing, ma'am, is that -- you had
12 requested for a license, the Board has certain
13 issues, and so the purpose of this hearing is
14 just to gather some further information from you
15 in order for us to make a determination and
16 (inaudible) here.

17 At some point, the Board will make a
18 decision whether or not you can move forward with
19 the process.

20 So, we're not going to approve or
21 disapprove your license at this juncture. So,
22 that's not a decision that we're going to make.
23 We're still gathering information and -- hold on.

24 (Pause.)

25 CHAIRPERSON ANDERSON: We're still

1 gathering information and once the Board -- once
2 this hearing is concluded, we will make a
3 decision and let you know what our decision is.

4 So, it's just a fact-finding. So,
5 we're finding information. It's -- the Board --
6 we might have lots of questions and it helps to
7 answer the questions that the Board asks so we'll
8 have enough information so we can make whatever
9 decision that we're going to make and then pass
10 it on to you. Okay?

11 MS. GEBRE: Yes.

12 CHAIRPERSON ANDERSON: Do you have any
13 questions before we start, ma'am?

14 MS. GEBRE: No.

15 CHAIRPERSON ANDERSON: Alright. Thank
16 you.

17 Alright. Mr. Jones, again, please
18 identify yourself for the record, please.

19 (Pause.)

20 CHAIRPERSON ANDERSON: Mr. Jones?

21 MR. JONES: Yes, sir.

22 CHAIRPERSON ANDERSON: Please again
23 identify yourself for the record, please.

24 MR. JONES: My name is Lead
25 Investigator Earl Jones with the Alcoholic

1 Beverage Regulation Administration.

2 CHAIRPERSON ANDERSON: Now, are you
3 familiar with this establishment, Rainbow Market
4 Beer and Wine Grocery Market?

5 Are you familiar with this
6 establishment?

7 MR. JONES: Yes, I am, sir.

8 CHAIRPERSON ANDERSON: And how are you
9 familiar with this establishment, sir?

10 MR. JONES: I previously had cases at
11 the establishment before this owner. And at this
12 juncture now doing the report that I had just
13 completed, this is how I became recently familiar
14 with the establishment.

15 CHAIRPERSON ANDERSON: Now,
16 approximately how many times did you -- have you
17 visited this establishment, sir?

18 MR. JONES: About five times, sir.

19 CHAIRPERSON ANDERSON: Now, why did you
20 have to visit this particular establishment
21 during these five times?

22 MR. JONES: I was originally -- I was
23 sent an email from one of our supervisor
24 investigators requesting a visit to the
25 establishment to determine if they were operating

1 as a full-service grocery store.

2 Also, to make sure that their licenses
3 were current and up to date and to see if they
4 were currently selling alcohol.

5 CHAIRPERSON ANDERSON: So, what is it
6 that -- as a result of your visit, what
7 information were you able to gather?

8 MR. JONES: So, on my first visit,
9 which was -- which was Friday, January 29th, 2001
10 -- excuse me, January -- yeah, January 29th, I
11 visited the establishment, the -- they carry an
12 array of products.

13 They had a large (inaudible) of canned
14 goods, dry grocery goods, baked goods, frozen
15 foods, nonalcoholic beverages, dairy products.

16 I met with the owner, Ms. Gebre, who
17 is the one with us, and spoke with her and talked
18 to her about the requirements of a full-service
19 grocery store and what that means.

20 And I mentioned that to her because
21 there were some products that were just either
22 out of stock or either very low, and that was
23 like poultry, a lot of dairy, those types of
24 things, some of the dairy products and the
25 poultry and fruits and vegetables.

1 And so, I spoke with her about that
2 and told her, at that point in time, you know, if
3 this is something that she wants to do, if she
4 wants to be a full-service Class B grocery store
5 through us, through ABRA, if you-all are to allow
6 her to have that class license, she's going to
7 have to maintain and have a stock of inventory of
8 these products.

9 She needs to have at least six out of
10 seven of the required items that I mentioned to
11 her.

12 And if I need to mention that to you-
13 all, I will right now, but I mentioned those
14 items.

15 CHAIRPERSON ANDERSON: I need you to
16 state what the items were, sir.

17 MR. JONES: Okay. So, according to the
18 District of Columbia Official Code Title
19 2510522(a) (phonetic) in the case that in order
20 to be a full-service grocery store you have to
21 have the following items for sale:

22 And that's fresh fruits and
23 vegetables; fresh and uncooked meats, poultry and
24 seafood; dairy products; frozen foods; dry
25 groceries and baked goods or nonalcoholic

1 beverages.

2 And out of what I saw on my initial
3 visit she had most of these products, like I
4 said, short of -- she was short on dairy
5 products. There were no meats, no poultry.

6 And so, I mentioned to her about
7 having these items on stock and maintaining this
8 stock if this is what she wants to do as far as
9 being a full-service Class B grocery store.

10 I also mentioned to her because she
11 had some fruits -- frozen fruits that were stored
12 in a -- like a small ice cream cooler and I told
13 her, can we separate those items because, for me
14 and for the public, you know, you don't want any
15 kind of cross-contamination.

16 You don't want any -- the presentation
17 doesn't look good, I said, so let's kind of
18 change that up as well. Let's get these in a
19 separate item -- or a separate place.

20 And so, that was my -- that was my
21 initial meeting when I first met with her.

22 CHAIRPERSON ANDERSON: Now, did there
23 come a time that you -- so, tell me about the
24 subsequent times that you went and visited the
25 establishment.

1 MR. JONES: So, on the subsequent
2 visits, which were Friday, February 5th, 2021 --
3 it was Friday, February 10th, 2021; Wednesday,
4 February 19th, 2021; and on Thursday, March 18th,
5 2021, I entered the store -- and at no point in
6 time during my first visit did I advise Ms. Gebre
7 that -- you know, I advised her that I would
8 return for a re-inspection, but I never told her
9 when I was coming back or how many times I would
10 come back.

11 So, she was fully unaware whenever I
12 did show back up and on each subsequent visit the
13 items that I observed to be extremely low or
14 either out of stock were stocked.

15 She did have -- on each of those
16 visits she had bacon, she had hotdogs, she had
17 deli meats, uncooked packaged poultry, cabbage,
18 frozen vegetables and fruits.

19 She did have these on hand each of the
20 subsequent times that I did show up. And that
21 was on top of she still had a large array of --
22 the canned dry goods were there. All of the
23 other grocery products were still there as they
24 were when I went the first time.

25 And she also separated the frozen

1 fruits from the ice cream cooler and had them in
2 a different area in a separate cooler as well.

3 So, she did the things that I asked
4 her to do and, like I said, on my subsequent
5 visits I didn't advise to her when I was coming
6 back, how many times I was coming back. So, it
7 appeared that she was trying to do -- that she
8 adhered to what we asked of her.

9 The only thing that I didn't see that
10 she had was seafood. She had -- I didn't see any
11 seafood.

12 CHAIRPERSON ANDERSON: Anything else
13 you want to add?

14 MR. JONES: The other thing is that all
15 of the licenses were current and up to date.
16 They weren't selling any alcohol nor was alcohol
17 on the premises.

18 The place is pretty small. It's
19 between 650 to 700 square feet. So, a lot of the
20 area where she had items stored, mainly the
21 frozen products and the refrigerated products,
22 were kind of condensed because it's such a small
23 space, but, you know, for me out of the six --
24 she had six out of the seven items.

25 CHAIRPERSON ANDERSON: So, what was the

1 seventh item that they didn't have?

2 MR. JONES: For me, it was along the
3 lines with the -- when you go with the fresh and
4 uncooked meats, poultry and seafood, that's what
5 I mentioned about she didn't have any seafood.

6 CHAIRPERSON ANDERSON: Alright.

7 MR. JONES: And it's not that it was
8 necessary, but, you know, it was part of the
9 requirement.

10 CHAIRPERSON ANDERSON: Now, how long
11 had you been working at ABRA, Mr. Jones?

12 MR. JONES: About nine years, sir.

13 CHAIRPERSON ANDERSON: And what's your
14 role at ABRA?

15 MR. JONES: I'm sorry?

16 CHAIRPERSON ANDERSON: What is your
17 role at ABRA over the nine years? What's your
18 job duties and responsibilities?

19 MR. JONES: I'm the lead investigator
20 and primarily what I do is investigate and, you
21 know, license ABC establishments within the
22 District of Columbia.

23 CHAIRPERSON ANDERSON: So,
24 approximately in the nine years, can you
25 quantify, like, how many Class B Retailer C

1 grocers have you entered?

2 MR. JONES: It's been quite a few.
3 They're in different areas, but, again, it --
4 most of them have been on the larger scale.

5 This was a smaller one and it's, you
6 know, it's pretty much a market if you want to,
7 you know.

8 It's not a huge store by any means,
9 but, for the most part, it's been the larger ones
10 that I've been into, sir.

11 CHAIRPERSON ANDERSON: You said this is
12 a market.

13 What do you mean by this is a market?
14 Explain your --

15 MR. JONES: Well, I mean, as far as --
16 like a storefront. Kind of a -- it's a smaller
17 storefront. So, you know, compared to the larger
18 chains is what I'm kind of saying.

19 CHAIRPERSON ANDERSON: So, if I was to
20 walk in off the street, what would I see when I
21 walked into this establishment? What do I see?

22 MR. JONES: So, when you immediately
23 walk into the establishment, if you look straight
24 ahead you have shelving units that are in the
25 middle of the establishment that are carrying all

1 of the dry goods, all of the canned goods.

2 You have toilet paper. You have paper
3 towels. You have kitchen cleaning equipment.
4 You have -- to the left of you, you have the
5 booth where the owner or manager would be.

6 And at that area there's a lot of
7 candies and kind of assortment of things that you
8 can buy just like a regular little corner store.

9 To the rear of the establishment and
10 to the right of the establishment are all
11 coolers.

12 The rear of the establishment is where
13 the alcohol used to be positioned. It's no
14 longer there. There's no alcohol in the rear --
15 in those rear coolers.

16 All of the coolers to the right are
17 where the frozen and refrigerated grocery
18 products are along with -- along that wall are,
19 you know, nonalcoholic beverages, water, fruits,
20 fresh fruits and vegetables and those types of
21 things.

22 CHAIRPERSON ANDERSON: So, you stated
23 that you had visited this building, this location
24 before under a different licensee; is that
25 correct?

1 MR. JONES: Yes, sir.

2 CHAIRPERSON ANDERSON: And so, just --
3 you said that at least when you look here, you
4 don't see the alcohol.

5 So, in comparison to the old licensee
6 and then the new licensee --

7 MR. JONES: Um-hmm.

8 CHAIRPERSON ANDERSON: -- because --
9 I mean, just what -- in your view, at least, when
10 you've visited the old establishment --

11 MR. JONES: Yes.

12 CHAIRPERSON ANDERSON: -- is this the
13 same type of business or is it a different
14 business, in your view?

15 MR. JONES: It doesn't look to be the
16 same type of business. And I'm only -- I'm only
17 saying that because, mind you, prior to me coming
18 to the establishment on these last few occasions
19 there was a liquor license involved.

20 And so, you had -- you had other
21 people coming into that establishment that were
22 of the neighborhood that were, I guess, frequent,
23 you know, frequent customers.

24 Right now, every time I went, there
25 may have been one customer that would come in

1 and, you know, I'm assuming that may be because
2 of the alcohol -- not having an alcohol license,
3 I'm not sure; but when I was there, there were
4 very few customers that came in.

5 So, I can't really -- the aesthetics
6 of the place looks about the same, but the
7 products are totally different.

8 That's all I can really say. I can't
9 really say anything about the clientele because I
10 really didn't notice anyone coming in on my
11 visits.

12 CHAIRPERSON ANDERSON: I guess what I
13 was trying to find out is that you said that
14 where the alcohol used to be --

15 MR. JONES: Um-hm.

16 CHAIRPERSON ANDERSON: -- is in the
17 previous space because there's no alcohol. So,
18 is that -- now, in your view, and I'm not asking
19 -- you're not an expert. I'm saying you went to
20 -- you've been to the old establishment --

21 MR. JONES: Um-hmm.

22 CHAIRPERSON ANDERSON: -- and you have
23 been to the new establishment.

24 So, is there food now -- is there
25 grocery food now where alcohol used to be? I'm

1 trying to figure out is -- are we -- if we were
2 to grant an alcohol license, would the alcohol be
3 placed where there is now food or -- I'm just
4 trying to figure out at least from your view from
5 what you saw.

6 MR. JONES: Right. So, that's what I
7 had mentioned a little earlier about when you
8 look directly to the rear of the establishment,
9 there are probably about four coolers in the
10 back. Could be one less, one more, but that's
11 where all the alcohol used to be kept.

12 And then there were a couple of
13 coolers that were on the right-hand side of the
14 space where alcohol was kept. Those coolers are
15 empty. There's no alcohol on the premises.

16 CHAIRPERSON ANDERSON: Is there any
17 food in those coolers?

18 MR. JONES: Yes.

19 CHAIRPERSON ANDERSON: Is there now
20 food in those coolers?

21 MR. JONES: Yes.

22 CHAIRPERSON ANDERSON: So, where would
23 the --

24 MR. JONES: There is food in the
25 coolers to the right of the establishment. There

1 is no food in the coolers to the rear. Those
2 coolers are completely empty where the alcohol
3 used to be.

4 CHAIRPERSON ANDERSON: Okay. So,
5 there's no food in those coolers?

6 MR. JONES: No, sir. No, sir, but
7 there's food throughout the rest of the
8 establishment.

9 When you look at the center shelves,
10 there's -- like I said, there's dry canned goods,
11 there are canned goods, there is -- there's --
12 they have a large array of grocery products just
13 in the main aisles of the establishment.

14 CHAIRPERSON ANDERSON: And was that
15 consistent throughout what -- I know that your
16 first visit certain things were missing, but for
17 the subsequent four visits was that consistent?

18 MR. JONES: That was consistent, yes.

19 CHAIRPERSON ANDERSON: Alright. Are
20 there any questions that the Board Members want
21 to ask Mr. Jones?

22 MEMBER SHORT: Mr. Short would like to
23 ask a question.

24 CHAIRPERSON ANDERSON: Go ahead, Mr.
25 Short.

1 MEMBER SHORT: Go afternoon,
2 Investigator Jones.

3 MR. JONES: Good afternoon, sir.
4 How are you?

5 MEMBER SHORT: Okay. Just fine.
6 You mentioned coolers.

7 MR. JONES: Yes.

8 MEMBER SHORT: And in a regular grocery
9 store they would have refrigeration units keeping
10 them cool.

11 What cools these coolers?

12 MR. JONES: I would assume it's the
13 same -- it's the same process. I know that each
14 time that I had gone in, I opened the coolers.
15 All of them were cold.

16 I mean, so to me -- I'm not a
17 professional at that, but I would say that it's
18 the same process.

19 MEMBER SHORT: Okay. So, you would say
20 it's commercial-type refrigeration?

21 MR. JONES: Yes, sir. Yes, sir. Yes,
22 sir. Yes, sir.

23 MEMBER SHORT: Okay. Now, how much
24 space does she have? You say 5900 square feet,
25 correct?

1 MR. JONES: I didn't say that, but I
2 said --

3 MEMBER SHORT: How many square feet
4 again? I must have missed that.

5 MR. JONES: I would say I think it's
6 between 650 and 700.

7 MEMBER SHORT: 600 to 700 feet. Okay.

8 And I think the Chairman alluded to
9 this that at the current time are all of the
10 shelves and refrigeration units pretty much being
11 utilized?

12 Are they full of food or full of
13 product?

14 MR. JONES: Yes, sir, they are with the
15 exception of the rear coolers where the alcohol
16 used to be stored, yes, sir.

17 Those coolers in the back are
18 completely off. There's no lights. There's no
19 nothing going on in the back.

20 MEMBER SHORT: Okay. So, how much
21 space do they take up and how much space do they
22 have within them approximately?

23 MR. JONES: I would say the middle
24 shelving units, everything in the middle of the
25 establishment, the right coolers where food is

1 being stored, frozen and refrigerated food is
2 being stored, that takes up probably 50 percent
3 of the store.

4 MEMBER SHORT: Okay. Now, you
5 mentioned canned goods and regular staples like
6 beans, rice?

7 MR. JONES: Yes, sir.

8 MEMBER SHORT: Where are they stored?

9 MR. JONES: Those are stored on the
10 middle shelving units in the middle of the store.

11 MEMBER SHORT: In that 50 percent that
12 you had just mentioned?

13 MR. JONES: Yes, sir. Yes, sir.

14 MEMBER SHORT: Okay. Now, I know that
15 normally in your -- in your investigations into
16 ABRA and ABC Board issues, you don't normally run
17 into health inspectors dealing with food.

18 Probably you would run into health
19 inspectors dealing with smoking, but we're going
20 to leave that alone because we know she's not
21 going to be doing any of that if allowed this
22 license --

23 MR. JONES: Correct.

24 MEMBER SHORT: -- but for full-service
25 grocery stores DCRA and the Department of Health

1 have to validate them.

2 Did you ask any questions of this
3 licensee regarding her permission from the
4 Department of Health, or from DCRA, dealing with
5 a full-service grocery store?

6 MR. JONES: So, I mentioned it to her
7 because when I checked her -- all of her
8 government documentation that includes the BBL,
9 which is the basic business license, that
10 includes the Certificate of Occupancy, those
11 types of things, I did ask questions about her
12 visiting DCRA, her talking to the Department of
13 Health because when I had mentioned about --
14 specifically about -- when I talked about merging
15 products, you know, like the fruits and the ice
16 cream together, you know, I said those types of
17 things you got to kind of be careful of not that
18 it's a huge issue, but you never know when items
19 could be, you know, broken there's cross-
20 contamination not to mention just the
21 presentation of things altogether.

22 But the thing is is that -- and she
23 assured me that she had -- she was speaking with
24 them, she was getting cleared with everything
25 through both departments.

1 So, at that point, I just left it
2 alone, but I did speak to her about those two
3 entities.

4 MEMBER SHORT: So, your representation
5 or your testimony is you mentioned it to her and
6 she said she was working on this?

7 MR. JONES: Yes. She said that she had
8 already been dealing with them because I had
9 mentioned to her about -- because initially there
10 was an issue with her blueprinting as far as what
11 her true square footage was.

12 And so, that's how a lot of the other
13 questions started to come about. So, she said
14 she was dealing with all of those things at that
15 point in time, yes, sir.

16 MEMBER SHORT: How many clients or
17 customers could she get into that store at one
18 time, in your estimation?

19 Seems like a small area that --

20 MR. JONES: It is. It is. I would say
21 probably -- I would say comfortably maybe 20.

22 MEMBER SHORT: Okay. Alright. I'll
23 get away from that questioning and that line
24 anyway, but, at any rate, what I'd like to know
25 now is -- I'm very familiar with the 600 block of

1 Kennedy Street.

2 MR. JONES: Yes, sir.

3 MEMBER SHORT: You know that.

4 MR. JONES: Yes, sir.

5 MEMBER SHORT: (inaudible). I know the
6 city quite well. I've been here over 70 years
7 and I don't mind it being on the record. I hope
8 nobody else does.

9 But the bottom line is the 600 block
10 of Kennedy Street, can you tell me from the 700
11 block to the 400 block, how many other ABC
12 establishments are approximately on Kennedy
13 Street?

14 MR. JONES: Between the 400 block and
15 the 700 block.

16 MEMBER SHORT: Yes.

17 MR. JONES: I would say probably five
18 or six.

19 MEMBER SHORT: At least two A stores,
20 correct?

21 MR. JONES: Yes, sir.

22 MEMBER SHORT: So, you have (inaudible)
23 doesn't have any problem buying alcohol.

24 MR. JONES: Not at all.

25 MEMBER SHORT: Okay. How many other

1 markets or full-service grocery stores in that
2 same vicinity?

3 MR. JONES: So, this is one of the
4 issues that I ran into and that was something
5 that I wanted to check into, sir.

6 I'm going to be honest with you. I
7 wasn't able to do it because I had a death in my
8 family and I'm just coming back to work not too
9 long ago.

10 MEMBER SHORT: Sorry to hear about your
11 family issues.

12 MR. JONES: Yeah, but that was one of
13 the things that -- I wanted to check into other B
14 stores in the area and I just didn't -- I just
15 wasn't able to, sir. So, I apologize for that.

16 MEMBER SHORT: Are there other B stores
17 in that particular area?

18 MR. JONES: Yes, there are other B
19 stores. I'm not sure if they'd be groceries,
20 though, sir.

21 MEMBER SHORT: No, let's just go with
22 B stores, period. B ABC licenses.

23 MR. JONES: I believe that there area.

24 MEMBER SHORT: How many, approximately?

25 MR. JONES: Maybe three.

1 MEMBER SHORT: Okay. So, the area is
2 pretty much commercial?

3 MR. JONES: Yes.

4 MEMBER SHORT: I know you have a few
5 residents still left.

6 MR. JONES: You do have sprinkled in,
7 yes, in between, yes, and on the side streets.

8 MEMBER SHORT: You have barber shops.
9 You have hair salons. You have --

10 MR. JONES: Funeral home.

11 MEMBER SHORT: Yeah, funeral home.
12 Well, listen, and they're busy in there, so I
13 won't get to that.

14 But, at any rate, I am -- I think
15 you've given me a lot of information that I
16 wanted to hear and, like I said, I'm very
17 familiar with the area.

18 And, again, there was a B store prior
19 to this applicant applying, correct?

20 MR. JONES: Yes.

21 MEMBER SHORT: And it's been discussed
22 and pretty much the reason why the community
23 asked for and was granted a moratorium on B
24 stores was for what reason?

25 There is a moratorium in that area,

1 correct?

2 MR. JONES: I can't -- honestly I can't
3 tell you. I don't know that, sir.

4 MEMBER SHORT: You're not familiar with
5 the Ward 4 sales? Is there a moratorium in Ward
6 4? If you don't know, that's okay.

7 MR. JONES: No, I -- that's what I --
8 I just mentioned to you I have no idea if there's
9 a moratorium on the -- well, I know that there is
10 a store on the -- which is the reason why I guess
11 we're having the hearing because of the B -- is
12 it the B or the B grocery for that area?

13 MEMBER SHORT: Yeah.

14 MR. JONES: Yeah. So, that's why.

15 MEMBER SHORT: There cannot be any more
16 B stores there by the moratorium.

17 MR. JONES: In that area, yes. Yes.

18 MEMBER SHORT: So, the only way you can
19 sell alcohol, if you were a small business, is to
20 become a full-service grocery store.

21 MR. JONES: Yes. So, I am familiar
22 with that. Yes, sir. Yes, sir. That is
23 correct.

24 MEMBER SHORT: I just wanted that on
25 the record and, again, I thank you for your

1 report, sir, and thank you for your testimony.

2 Mr. Chair, that's all I have of this
3 witness at this time.

4 MR. JONES: Thank you, sir.

5 CHAIRPERSON ANDERSON: Thank you, Mr.
6 Short.

7 Are there any other questions by any
8 other board members?

9 (Pause.)

10 CHAIRPERSON ANDERSON: Alright. Ms. --
11 pronounce your name one more time, ma'am. Your
12 last name, please.

13 MS. GEBRE: Gebre. G-E-B-R-E, Gebre.

14 CHAIRPERSON ANDERSON: Gebre. Alright,
15 Ms. Gebre, tell me about -- tell me a little
16 about you.

17 Have you -- how long have you -- when
18 did you purchase this property or when did you --
19 when did you purchase this property?

20 MS. GEBRE: One year.

21 CHAIRPERSON ANDERSON: So, what month?

22 MS. GEBRE: Last year November.

23 November 29 last year 2020.

24 CHAIRPERSON ANDERSON: Alright.

25 November 2020.

1 So, what did you do prior to
2 purchasing -- tell me about your history, your
3 business history.

4 MS. GEBRE: Business history, I just
5 rent for five years (inaudible) from lady. So, I
6 just -- I have license for grocery and then I
7 just apply for beer and the wine and that's it.
8 I just waiting, waiting.

9 CHAIRPERSON ANDERSON: No, no, no.
10 Tell me about you. What type of business -- you
11 bought this business in November.

12 Have you ever --

13 MS. GEBRE: Oh.

14 CHAIRPERSON ANDERSON: Have you ever
15 owned a business before?

16 MS. GEBRE: Yes.

17 CHAIRPERSON ANDERSON: Ma'am. Ma'am,
18 you're testifying. I don't know who's in the
19 background and you're not under oath. You're the
20 owner of this establishment.

21 I need you to tell me -- whoever that
22 other person is who is whispering to you, I don't
23 want to hear him anymore, okay, ma'am?

24 MS. GEBRE: Okay.

25 CHAIRPERSON ANDERSON: You have

1 presented yourself to the Board as the owner of
2 this business --

3 MS. GEBRE: Yes, sir.

4 CHAIRPERSON ANDERSON: -- and I'm
5 asking you to tell me about your history about
6 what did you own before you decided -- you told
7 me you bought this business in November.

8 So, just tell me about, okay, what
9 type of business -- what do you know about
10 running a business, a grocery store?

11 Have you ever owned a grocery store
12 before? I'm just asking -- give me some
13 information about you and your business sense,
14 ma'am. That's all.

15 MS. GEBRE: Oh, sorry. Okay. Yes,
16 yes, yes.

17 CHAIRPERSON ANDERSON: Yes, yes, yes to
18 what? So, tell me what did you --

19 MS. GEBRE: I was having the 503
20 Kennedy Street. I have only grocery (inaudible).

21 CHAIRPERSON ANDERSON: Your internet
22 connection is poor. So, I'm not -- your internet
23 connection is poor.

24 So, you're saying that at 530 Kennedy
25 -- what did you own there?

1 MS. GEBRE: Yes, I'm the owner over
2 there. Kennedy Street, yeah.

3 CHAIRPERSON ANDERSON: So, what is 530
4 Kennedy Street? What sort of business is that?

5 MS. GEBRE: Just grocery store.

6 CHAIRPERSON ANDERSON: So, do you still
7 own that grocery store or do you no longer own
8 it?

9 MS. GEBRE: No, I put -- that's when I
10 close it. When I found this one, I just the
11 license put it back.

12 CHAIRPERSON ANDERSON: So, were you
13 able -- did you have a liquor license in that
14 other establishment?

15 MS. GEBRE: No.

16 CHAIRPERSON ANDERSON: So, how long did
17 you own the other business for?

18 MS. GEBRE: Two year.

19 CHAIRPERSON ANDERSON: Two years?

20 MS. GEBRE: Yes.

21 CHAIRPERSON ANDERSON: So, why did you
22 decide to move to this one? Why did you close
23 that one and decide to open this one?

24 MS. GEBRE: Okay. That was a smaller
25 store. And when the second my lease it was I

1 just rent for -- is to finish my rent, my lease
2 was done.

3 And then when I looking another store,
4 I found this one. Bigger store. And the
5 (inaudible) the wine license. I just want come
6 to this store to try to own a business.

7 CHAIRPERSON ANDERSON: So, did you know
8 that this liquor store -- I'm sorry, did you know
9 that this establishment had a license before to
10 sell liquor, the one --

11 MS. GEBRE: Yes.

12 CHAIRPERSON ANDERSON: So --

13 MS. GEBRE: This --

14 CHAIRPERSON ANDERSON: I'm sorry, go
15 ahead.

16 MS. GEBRE: What you say? Say again,
17 please.

18 CHAIRPERSON ANDERSON: I said, did you
19 know that the business that you bought previously
20 had a license to sell liquor?

21 Did you know that?

22 MS. GEBRE: Yes.

23 CHAIRPERSON ANDERSON: So, why did you
24 not buy the liquor license? Why did you not buy
25 the liquor license?

1 MS. GEBRE: I know the lady before --
2 she put it back before I come here. When I ask
3 her, she say, I return that license.

4 So, I just -- I know I get it if I
5 apply a new one because the lady she put -- she
6 send it to back.

7 CHAIRPERSON ANDERSON: Alright. So,
8 what's the difference between -- alright. So,
9 the store you own at 530, what did you sell?

10 You said you owned a business for two
11 years at 530 Kennedy Street. What products did
12 you sell in that business?

13 MS. GEBRE: I have bring candy, ice
14 cream, ice, chips. That's what --

15 CHAIRPERSON ANDERSON: I'm sorry,
16 you're talking -- I'm asking about this business
17 that you owned. I was asking you what were you
18 selling in that business.

19 MS. GEBRE: Well, this is for now this
20 one?

21 CHAIRPERSON ANDERSON: No, the one you
22 owned before. What did you sell in there?

23 MS. GEBRE: Is the grocery. I mean, I
24 told you, like, a candy cart, like, ice cream
25 cart and the chips, like, drink a little with the

1 soda or something. That's all I say it was.

2 CHAIRPERSON ANDERSON: Did you sell any
3 fruits or vegetables before?

4 MS. GEBRE: Yes, I have fruits.

5 CHAIRPERSON ANDERSON: No, no, no.
6 Listen. Listen. I'm talking to you about your
7 old business. The old business that you owned.

8 I'm asking you, did you sell fruits in
9 your old business?

10 MS. GEBRE: Yes.

11 CHAIRPERSON ANDERSON: Did you sell any
12 type of meats? What type of meats did you sell,
13 if you sell them? What types of meats did you
14 sell?

15 MS. GEBRE: I have the hotdog, milk,
16 egg and bacon. That's all I have (inaudible).

17 CHAIRPERSON ANDERSON: So, as far as
18 meat is concerned, you just sold milk, eggs and
19 bacon.

20 You didn't sell, like, any chicken or
21 beef or anything like that?

22 MS. GEBRE: Not over there, no.

23 CHAIRPERSON ANDERSON: No?

24 MS. GEBRE: Yes.

25 CHAIRPERSON ANDERSON: So, what do you

1 now sell in this establishment? Tell me this
2 business that you're standing now in, what do you
3 sell?

4 MS. GEBRE: For right now here?

5 CHAIRPERSON ANDERSON: Yes.

6 MS. GEBRE: Chips, candy, dry product

7 --

8 CHAIRPERSON ANDERSON: You're breaking
9 up. I'm sorry, hold on.

10 MS. GEBRE: -- (inaudible).

11 CHAIRPERSON ANDERSON: Hold on. Hold
12 on, ma'am. Hold on. Hold on. Your internet
13 connection is poor.

14 MS. GEBRE: Oh.

15 CHAIRPERSON ANDERSON: Alright.

16 MS. GEBRE: Now okay?

17 CHAIRPERSON ANDERSON: Yeah. Tell me
18 what you sell in the store you have now. What do
19 you sell?

20 Tell me everything that you sell in
21 the store that you have now.

22 MS. GEBRE: Okay. I have, like, dry
23 product, like, (inaudible), pasta, cookies, like,
24 hotdog, cake, everything.

25 I have food product, oil and drink

1 something like soda pop. Any kind of soda and
2 dry good like soap for kitchen, Clorox or what
3 I'm saying. Everything I have it.

4 CHAIRPERSON ANDERSON: So, what type of
5 fruits do you sell?

6 MS. GEBRE: Bananas, apple, orange, and
7 avocado and onion, sweet potato. That's all I
8 have.

9 CHAIRPERSON ANDERSON: So, what type of
10 meats do you sell in there?

11 MS. GEBRE: Chicken, hotdog, cheese,
12 butter, eggs.

13 CHAIRPERSON ANDERSON: I'm sorry, start
14 again for me, please.

15 MS. GEBRE: Egg.

16 CHAIRPERSON ANDERSON: Right. What
17 else?

18 MS. GEBRE: Hotdog.

19 CHAIRPERSON ANDERSON: Okay.

20 MS. GEBRE: Chicken.

21 CHAIRPERSON ANDERSON: I'm sorry, what?

22 MS. GEBRE: Chicken.

23 CHAIRPERSON ANDERSON: Chicken?

24 MS. GEBRE: Yeah.

25 CHAIRPERSON ANDERSON: What else?

1 MS. GEBRE: Butter, milk.

2 CHAIRPERSON ANDERSON: What else?

3 MS. GEBRE: Okay. That's all I have.

4 CHAIRPERSON ANDERSON: So --

5 MS. GEBRE: Milk, egg, um-hmm.

6 CHAIRPERSON ANDERSON: So, like, what
7 type of chicken are you selling?

8 MS. GEBRE: Breast chicken.

9 CHAIRPERSON ANDERSON: You sell what?

10 MS. GEBRE: Breast chicken.

11 CHAIRPERSON ANDERSON: Just chicken
12 breasts?

13 MS. GEBRE: Breasts, yeah. Breast
14 chicken, yeah.

15 CHAIRPERSON ANDERSON: So, what about,
16 say, if I want some legs or thigh, you don't sell
17 that?

18 MS. GEBRE: I sell them, but I don't
19 have that much customer they asking me. That's
20 why I don't bring it.

21 CHAIRPERSON ANDERSON: So, I mean, how
22 many packages of chicken breasts do you have in
23 the store?

24 So, when you order chicken breasts,
25 how many packages do you buy?

1 MS. GEBRE: Like, seven, eight pack.

2 CHAIRPERSON ANDERSON: So, why don't
3 you sell beef?

4 MS. GEBRE: Beef?

5 CHAIRPERSON ANDERSON: Yeah.

6 MS. GEBRE: Well, I have hotdog. Beef
7 hotdog.

8 CHAIRPERSON ANDERSON: No, but I'm
9 saying what other type of -- I mean, if I go into
10 a market, I can buy -- if I go into a grocery
11 store, I can buy -- if I go to a supermarket, I
12 can buy beef, I can buy fish, I can buy pork, I
13 can buy turkey.

14 MS. GEBRE: I can stock that, you know.
15 When I have a customer, I get for that when they
16 ask me.

17 I don't bring it. That's why they
18 keep going to (inaudible). That's why.

19 CHAIRPERSON ANDERSON: So, what about
20 seafood? Any seafood?

21 MS. GEBRE: Not right now.

22 CHAIRPERSON ANDERSON: I mean, I know
23 you have owned this business since November of
24 2020.

25 So, have you bought any seafood since

1 November that you've been there?

2 MS. GEBRE: No.

3 CHAIRPERSON ANDERSON: So, what type of
4 frozen food do you sell?

5 MS. GEBRE: I sell ice cream. Frozen
6 food is ice cream.

7 CHAIRPERSON ANDERSON: The only frozen
8 food that you sell is ice cream?

9 You don't have any other frozen food?

10 MS. GEBRE: Frozen food that I do now
11 like beef and (inaudible).

12 CHAIRPERSON ANDERSON: I can't --

13 MS. GEBRE: -- tortilla food.

14 CHAIRPERSON ANDERSON: You're breaking
15 up, ma'am.

16 MS. GEBRE: Tortillas.

17 CHAIRPERSON ANDERSON: I'm sorry, start
18 it again. You're breaking up because of your
19 internet connection. You're breaking up.

20 What type of frozen food do you sell?

21 MS. GEBRE: Mexican tortilla.

22 CHAIRPERSON ANDERSON: Tortilla?

23 MS. GEBRE: Yeah. They have three kind
24 tortilla.

25 CHAIRPERSON ANDERSON: So, where do you

1 go buy your food from to sell in the store?

2 MS. GEBRE: Most the time I have Cash
3 & Carry.

4 CHAIRPERSON ANDERSON: I'm sorry, who
5 --

6 MS. GEBRE: Cash & Carry, Aldi.

7 CHAIRPERSON ANDERSON: So, you go to
8 the supermarket --

9 MS. GEBRE: Cash & Carry.

10 CHAIRPERSON ANDERSON: What's Cash &
11 Carry?

12 MS. GEBRE: (inaudible).

13 CHAIRPERSON ANDERSON: Hold on. You're
14 breaking up. I don't know why your internet
15 connection is going in and out.

16 MS. GEBRE: What happen? I don't know.

17 CHAIRPERSON ANDERSON: Are you using a
18 phone? What are you using to connect? Are you
19 using a telephone?

20 MS. GEBRE: Yeah.

21 CHAIRPERSON ANDERSON: Alright. Are
22 you able to just put the phone down on one -- for
23 it to be stationary because the phone is moving
24 and you're moving and I can't -- and then you --
25 so, are you able to --

1 MS. GEBRE: Um-hmm. Yeah, I don't
2 know. Just --

3 CHAIRPERSON ANDERSON: Where is your
4 router? I need you to go somewhere that you have
5 the best signal.

6 Where is your internet connection?

7 MS. GEBRE: Here. Okay. Internet
8 connection inside. Here we go.

9 Now, you see me?

10 CHAIRPERSON ANDERSON: I can see you.

11 MS. GEBRE: What about now?

12 CHAIRPERSON ANDERSON: I can see you,
13 ma'am. I want to make sure I see you and I hear
14 you.

15 MS. GEBRE: Now, you hear me?

16 CHAIRPERSON ANDERSON: Yes, I can hear
17 you. This is where I need you to do it. Stay
18 right here.

19 Alright. Don't move the phone. Let
20 it stay -- just let it stay so you can talk so I
21 can hear you.

22 MS. GEBRE: Okay.

23 CHAIRPERSON ANDERSON: Alright. You
24 said you buy from Cash & Carry.

25 What's that?

1 MS. GEBRE: The store.

2 CHAIRPERSON ANDERSON: Ma'am, can you
3 tell that person who is telling you information
4 that I don't want to hear him one more time.

5 I'm asking you a question, ma'am. I
6 don't know what Cash & Carry is. I need you to
7 tell me. I don't need somebody to tell you for
8 you to tell me.

9 So, you tell that person -- can you
10 tell that person to get out of the room, please,
11 ma'am?

12 MS. GEBRE: Okay. Okay. Okay. The
13 name of Cash & Carry.

14 CHAIRPERSON ANDERSON: I don't know
15 what that is. What is that?

16 MS. GEBRE: 9212 Cash & Carry DC
17 Grocery.

18 CHAIRPERSON ANDERSON: Alright.

19 MS. GEBRE: Big grocery, sir. 9212 the
20 address in D.C.

21 CHAIRPERSON ANDERSON: Alright. I
22 mean, this is a different store from the store
23 that you owned before; is that correct?

24 MS. GEBRE: Yes.

25 CHAIRPERSON ANDERSON: So, I know you

1 said that this was a larger -- your lease expired
2 and this was a larger distance.

3 So, do you know what it is to own a
4 grocery store? Do you know what that means to
5 own a grocery store, ma'am?

6 MS. GEBRE: I just go in the address,
7 you know, go all the way, every day at 9212 to
8 the address.

9 They just (inaudible). The store is
10 (inaudible).

11 CHAIRPERSON ANDERSON: No, no, no, no,
12 no. I'm not asking you where you buy your stuff.
13 I'm not talking to you about your distance.

14 MS. GEBRE: Okay.

15 CHAIRPERSON ANDERSON: I'm asking you,
16 do you know what it is to own a grocery store?

17 MS. GEBRE: Everything they have over
18 there, sir.

19 CHAIRPERSON ANDERSON: I'm sorry, you
20 said what?

21 MS. GEBRE: Everything what I'm going
22 to bring it here, I have stock, they have it over
23 there.

24 CHAIRPERSON ANDERSON: Over where?

25 MS. GEBRE: They making delivery also.

1 When I order from here more than 500, they
2 deliver it for me also here, Cash & Carry.

3 CHAIRPERSON ANDERSON: So, how often do
4 they deliver stuff to you?

5 MS. GEBRE: They have driver coming
6 here all the time. The truck they bring for me.
7 When I order more than 500 when I order, they
8 bring the stuff. Little car.

9 CHAIRPERSON ANDERSON: So, I mean, the
10 reason why I'm asking these questions, ma'am, is
11 because --

12 MS. GEBRE: Hm.

13 CHAIRPERSON ANDERSON: -- in order for
14 you to qualify for a license, you have to be a
15 grocery store.

16 MS. GEBRE: Yes.

17 CHAIRPERSON ANDERSON: And so, I'm
18 trying to make sure that you're actually a
19 grocery store, that you're not a regular -- I'm
20 trying to make sure that you're not just a store
21 selling liquor.

22 I mean, you're saying that you don't
23 have a whole lot of business. I don't know if
24 you don't have a whole lot of business because
25 you're not selling liquor --

1 MS. GEBRE: Yes.

2 CHAIRPERSON ANDERSON: -- but a
3 grocery store, I mean, the main purpose of a
4 grocery store is not to sell liquor. The main
5 purpose of a grocery store is to sell groceries.

6 If I'm home, I'm hungry, I can come
7 shopping to your store so I can cook food to eat.
8 That -- I mean, in the sense that not necessarily
9 I want to go eat a hotdog, but I want to buy some
10 chicken, and not just that I want to buy chicken
11 breast, I want chicken legs, chicken wings, a
12 whole chicken, not just you only sell chicken
13 breasts.

14 So, if you don't sell -- you don't
15 sell fish, you don't sell seafood, you don't sell
16 pork -- you're gone, ma'am.

17 MS. GEBRE: We go buy stuff. It's
18 okay.

19 CHAIRPERSON ANDERSON: I'm sorry, what?
20 I can't see you anymore. I don't know what
21 happened.

22 MS. GEBRE: We go again?

23 CHAIRPERSON ANDERSON: Yes. I can't see
24 you.

25 MS. GEBRE: What happen? I didn't

1 touch anything. Okay. Okay.

2 CHAIRPERSON ANDERSON: Alright. I can
3 see you, ma'am.

4 MS. GEBRE: Okay.

5 CHAIRPERSON ANDERSON: So, what I'm
6 trying to say to you is that you're asking us to
7 approve a license to say you're a grocery store,
8 and a grocery store is a place -- your corner
9 grocery store is I can go -- I mean, so I can go
10 to Safeway, but a smaller version, or I go to
11 Aldi's. I think you mentioned Aldi.

12 You go to Aldi to buy stuff, so what
13 you're supposed to be is that I need to go
14 shopping and I -- the Safeway is too far, the
15 Safeway is at Piney Branch -- so I'm familiar
16 with the area, the 600 block of Kennedy.

17 So, I don't want to go all the way to
18 Piney Branch and Georgia Avenue or go all the way
19 down to Georgia and New Hampshire to the Safeway.
20 So, where do I -- I'm going to go to your store
21 to go shopping.

22 So, tell me why should I -- tell me
23 that you are a grocery store that rather than --
24 since I don't have a car to go to the Safeway up
25 at Piney Branch and Georgia or go down to the

1 Safeway at Georgia Avenue and New Hampshire, why
2 would I come to your store to -- do you own -- is
3 your store a grocery store so I can come and buy
4 my food so I can cook dinner?

5 MS. GEBRE: I'm going to bring more
6 stuff. You know that situation, sir, but I don't
7 have about that (inaudible) maybe everybody
8 looking when he come beer maybe is going to be
9 business is fast, is very slow, my business.

10 That's why if I bring everything, you
11 know, I'm going to -- my business is very slow.
12 That's why I don't bring it.

13 So, if I have this license, definitely
14 I'm going to bring everything because customer is
15 coming for that one, too, you know?

16 That's why little customer I have,
17 whatever they need, the customer, what they
18 interest in, that's why I'm going to bring a
19 little bit what need.

20 CHAIRPERSON ANDERSON: So, you're
21 saying if we were to grant you -- so, you are
22 saying if we were to give you a liquor license,
23 then that's going to generate more -- that's
24 going to bring more customers into your store.

25 Is that what you're saying?

1 MS. GEBRE: I didn't say that, but, you
2 know, the -- I need it, of course, that thing,
3 you know.

4 CHAIRPERSON ANDERSON: But what?
5 You're gone, ma'am.

6 MS. GEBRE: I have to bring more stuff,
7 I mean, produce, but right now I can't buy a lot
8 of stuff because I don't have customer, you know.

9 They put it back. They need another.
10 When don't have beer, they go back another store.
11 You don't have beer -- a lot of people asking
12 beer and wine, something, you know.

13 CHAIRPERSON ANDERSON: Yeah, but I
14 can't -- I know, ma'am. I mean, I can't see you
15 anymore. You have disappeared. I can't see you.

16 MS. GEBRE: Oh, my God, what happened?
17 This thing, I don't know. Okay. I don't know --
18 sorry, yes.

19 CHAIRPERSON ANDERSON: I'll wait a
20 couple of minutes until I can see you, ma'am.

21 MS. GEBRE: Yes. Okay.

22 CHAIRPERSON ANDERSON: I know we're
23 having a storm outside. At least out of my
24 window I see there's a storm.

25 So, I'm not sure if in Ward 4 if

1 there's storm up there also. So, maybe that's
2 what's messing with your internet connection.

3 MS. GEBRE: I have internet. I don't
4 know what happen. Oh, my God. The connection is
5 really -- again connection gone.

6 CHAIRPERSON ANDERSON: The reason why
7 I prefer to see you, because at least I'll know
8 you're there.

9 I don't know -- if I can't see you,
10 I'm not sure if you're there. So, that's why I'm
11 insisting on seeing you because I can't tell
12 whether or not you're connected.

13 So, I don't want to be having a
14 conversation with you and then we've lost
15 internet connection.

16 So, that's why I'm trying to make sure
17 that I can see you so I will always know that you
18 are there.

19 MS. GEBRE: You can see me now?

20 CHAIRPERSON ANDERSON: Yes, I can see
21 you now, ma'am. Alright. So, you're saying that
22 you need us to give you a license as a grocery
23 store so that it can generate more business in
24 your store; is that what you're saying?

25 MS. GEBRE: Yes, please.

1 CHAIRPERSON ANDERSON: Alright. Does
2 anyone have any questions for her, please. Any
3 questions by any of the Board Members?

4 MS. GEBRE: For me, no.

5 CHAIRPERSON ANDERSON: No, no. I was
6 asking about the Board Members.

7 MS. GEBRE: Okay.

8 CHAIRPERSON ANDERSON: Alright. So,
9 again, do you have any last statements you want
10 to say, ma'am?

11 Anything that you want to say about
12 why we should give you an opportunity to give you
13 a grocery store license?

14 MS. GEBRE: What? Sorry. Say again,
15 please.

16 CHAIRPERSON ANDERSON: Tell us why the
17 Board should consider granting you a license to
18 operate a grocery store, ma'am.

19 Did you hear me?

20 MS. GEBRE: Yeah. I can't say. I
21 don't know what I'm saying. I need definitely
22 this beer and the wine license to help me, guys.

23 I need -- because of -- almost -- I
24 waiting this one year almost, you know. I apply,
25 apply, apply long time, you know.

1 It's long time. I pay \$4,500 for this
2 place to rent. And this establishment was
3 working 45 years. When I (inaudible) with the
4 lady, she told me, you have license, I'll give it
5 to you, license, and then I give you with the
6 lease, everything.

7 That's why I was coming (inaudible)
8 with her so -- but I still now when I (inaudible)
9 four times, five times it pass because different
10 agent. All of them changing, changing, changing
11 the store plan.

12 Now, I don't know really just -- I
13 need help for this thing, you know. The thing is
14 now right now too much problem. No business
15 also.

16 I am going to go ahead with that and
17 with this and I just -- I ask the Board to excuse
18 me and please just let me get my license, please,
19 if you don't mind, guys.

20 CHAIRPERSON ANDERSON: Well, I mean,
21 ma'am --

22 MS. GEBRE: Yes, sir.

23 CHAIRPERSON ANDERSON: -- it's not a
24 matter that the Board doesn't want to give you a
25 license, ma'am.

1 The way it is, the only way you can
2 get a license currently in the area we live in,
3 ma'am, is if you're a grocery store. Okay?

4 MS. GEBRE: Okay.

5 CHAIRPERSON ANDERSON: So, that's the
6 thing whether you can get a license. Because of
7 the ward you live in, the only way you can get a
8 license is that you have to be a grocery store.

9 And the purpose of this hearing -- are
10 you there? I'm not sure if you're frozen. Do
11 you hear me?

12 MS. GEBRE: I hear you. I hear you,
13 sir.

14 CHAIRPERSON ANDERSON: Alright.

15 MS. GEBRE: I hear you.

16 CHAIRPERSON ANDERSON: So, the purpose
17 of this hearing, ma'am, is to make sure that you
18 are really a grocery store. Because if you're
19 not a grocery store, you cannot get a license.

20 So, it's not a matter of -- you're
21 saying that we need to get you a license so you
22 can sell beer and wine.

23 The only way you can get a license is
24 if you are a grocery store. So, you have to sell
25 fresh fruits and vegetables. You have to sell

1 fresh and uncooked meats, poultry and seafood.
2 You have to sell dairy products. You have to sell
3 canned goods. You have to sell frozen goods.
4 You have to sell dry goods and baked goods.

5 So, these are things that you have to
6 sell. These are things that if an investigator
7 comes to your place, these are the things that
8 needs to be there every time they come there.

9 I know the first time the investigator
10 came you did not have -- you didn't have all the
11 stuff that was necessary.

12 And the investigator said he came back
13 four other times and I think you said to him that
14 the supplies didn't come in.

15 So, he came back to make sure that you
16 had supplies, but it can't -- hello?

17 MS. GEBRE: Yes, yes. I hear you. I
18 hear you.

19 CHAIRPERSON ANDERSON: The reason why,
20 ma'am, because it appeared to me that you didn't
21 have internet connection. So, that's why. Okay?

22 MS. GEBRE: Okay. I hear you.

23 CHAIRPERSON ANDERSON: And so,
24 therefore, as I'm saying, ma'am, it's not that
25 the Board doesn't want to give you a license.

1 It's that the only way you can get a license is
2 you have to be a grocery store.

3 And so, that's why I'm asking you all
4 these questions to ask you what you sell.

5 MS. GEBRE: Oh.

6 CHAIRPERSON ANDERSON: And the store
7 needs to be stacked with -- you can't basically
8 say that, well, I want to sell chicken breasts
9 because I don't have enough customers.

10 So, you have -- you don't have enough
11 customers because you're not a grocery store and
12 you're not selling what they need.

13 So, I want chicken wings and I come in
14 your store and you don't have the chicken wings,
15 you only have two chicken breasts, or I want to
16 buy some seafood and you don't have any, or I
17 want -- therefore, you're not a grocery store
18 because you don't have all the stuff that people
19 would go to buy in a grocery store. That's what
20 this is about, ma'am.

21 MS. GEBRE: I understand, but I try to
22 rev up my business, you know. This Corona time
23 is -- I have to be upgrade.

24 CHAIRPERSON ANDERSON: And I hear you,
25 ma'am. I hear you that the Coronavirus has made

1 a lot of difference in what is going on; however,
2 you want to be a grocery store.

3 MS. GEBRE: Yeah.

4 CHAIRPERSON ANDERSON: So, I know that
5 people still eat. I know --

6 MS. GEBRE: I know.

7 CHAIRPERSON ANDERSON: -- the grocery
8 stores, they do well because people have to eat.
9 They go buy food.

10 So, maybe if you're saying you don't
11 have enough business, maybe it's because you're
12 not -- maybe because people don't think about you
13 as a grocery store that I need to go in your
14 store and buy food or maybe you don't have the
15 proper food.

16 So, that's what I'm trying to find out
17 from you what is it that you're selling and so,
18 therefore, if we were to grant you a liquor
19 license, that you would have to sell --
20 consistently sell fresh fruits, sell food, not
21 just chicken breasts, but -- and that when I ask
22 you if frozen foods is here, you said, yes, sir,
23 you sell frozen hotdogs.

24 That's not frozen food. I mean, I'm
25 sorry, that's not really -- I know, that's just

1 my -- I'm sorry, I apologize. Let me not say
2 that, but I'm just saying, though, when someone
3 comes into your store, they have to believe that
4 this is a grocery store that I'm coming to shop
5 for food and I'm not coming here to buy -- the
6 question that was asked earlier by Mr. Short, it
7 appears that there are plenty of other businesses
8 on the street where you can buy liquor, but
9 people shouldn't be coming to your establishment
10 just to buy liquor.

11 They should be buying grocery. And
12 when they're buying their grocery, you also sell
13 liquor, but it's not -- people shouldn't be
14 coming to your business to buy liquor.

15 Because if people just come to your
16 business to buy liquor, then you're not a grocery
17 store, ma'am. Okay?

18 MS. GEBRE: Okay.

19 CHAIRPERSON ANDERSON: Alright. So, if
20 you don't have anything else to say, then I'm
21 going to bring this hearing to a close.

22 Any final comments that you want to
23 make, ma'am?

24 MS. GEBRE: No, I just try to get my
25 business up around and I try to bring everything,

1 sir. Thank you.

2 CHAIRPERSON ANDERSON: Alright. Thank
3 you, ma'am. The Board will make -- we will take
4 this matter under advisement and we'll make a
5 decision and we'll let you know what our decision
6 is.

7 MS. GEBRE: Okay.

8 CHAIRPERSON ANDERSON: Basically,
9 ma'am, this is not -- the process now is whether
10 or not we're going to allow the license to go
11 through the process.

12 It's not that we're going to say yes
13 or no you're going to get a license tomorrow.
14 It's whether or not we're going to allow the
15 process to move.

16 So, we'll move forward -- if we're
17 going to move forward, we'll move forward. Then
18 the Agency will decide -- the Agency will weigh
19 in whether or not you can have a liquor license,
20 ma'am, if -- so, I just want you to know it's a
21 process that's going to be followed.

22 So, this is not a matter of you
23 believe that whatever the decision -- whatever
24 the decision the Board makes is that the Board is
25 going to decide tomorrow to get a liquor license.

1 It's still a process, ma'am. I just
2 wanted you to know that. Okay?

3 MS. GEBRE: Okay. Okay. Thank you so
4 much, sir.

5 CHAIRPERSON ANDERSON: Alright. Thank
6 you, ma'am. So, we'll take this matter under
7 advisement. Alright. Thank you.

8 MS. GEBRE: Thank you.

9 CHAIRPERSON ANDERSON: Alright. Thank
10 you. And thank you, Mr. Jones. Okay? Alright.
11 Thank you. Have a good day, ma'am. All right.

12 MS. GEBRE: Okay. You too.

13 MR. JONES: Thank you, Board Members.

14 CHAIRPERSON ANDERSON: Alright. Thank
15 you. Alright. We are at the end of our agenda
16 for the day. And so, let me close the record.

17 As chairperson of the Alcoholic
18 Beverage Control Board for the District of
19 Columbia in accordance with Title 3 Chapter 405
20 Office of Open Government, I move that the ABC
21 Board hold a closed meeting on April 1st, 2021,
22 for the purpose of discussing and hearing reports
23 concerning ongoing plans or investigations of
24 alleged criminal or civil misconduct or
25 violations of law or regulations and seeking

1 legal advice from our legal counsel on the
2 Board's investigative agenda, legal agenda and
3 licensing agenda for April 1st, 2021, as
4 published in the D.C. Register on March 26, 2021.

5 Is there a second?

6 MEMBER SHORT: Mr. Short. I second.

7 CHAIRPERSON ANDERSON: Mr. Short has
8 seconded the motion. I will now take a roll call
9 vote on the motion that -- the motion before us
10 that now has been seconded.

11 Mr. Short?

12 MEMBER SHORT: Mr. Short. I agree.

13 CHAIRPERSON ANDERSON: Mr. Cato?

14 MEMBER CATO: Bobby Cato. I agree.

15 CHAIRPERSON ANDERSON: Ms. Crockett?

16 MEMBER CROCKETT: Rafi Crockett. I
17 agree.

18 CHAIRPERSON ANDERSON: Ms. Hansen?

19 MEMBER HANSEN: Jeni Hansen. I agree.

20 CHAIRPERSON ANDERSON: And Mr.
21 Anderson. I agree. As it appears that the
22 motion has passed, I hereby give notice that the
23 ABC Board will hold this aforementioned closed
24 meeting.

25 Pursuant to the Open Meetings Act,

1 notice will also be posted on the ABC Board
2 hearing room bulletin board, placed on the
3 electronic calendar on ABRA's website, and
4 published in the D.C. Register in as timely a
5 manner as practical.

6 We are now adjourned for the day. I
7 would like to thank the public for their
8 participation. I'd like to thank the Board for
9 its participation.

10 So, since we are now adjourned, I will
11 now ask the Board to now return to executive
12 session for further discussion. Thank you very
13 much and have a great day.

14 (Whereupon, at 2:44 o'clock p.m. the
15 hearing was adjourned.)
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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Rainbow Market

Before: DCABRA

Date: 03-31-21

Place: teleconference

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