

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

2 1:38 p.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is a summary suspension hearing.
5 It's Case Number 21-CMP-00013, 1831 Bar Lounge,
6 License Number 116855.

7 Ms. Andrews, can you please elevate
8 the rights of the parties in this case, please?

9 MS. ANDREWS: Sure, stand by.

10 Mr. Ortiz, your rights have been
11 elevated. Mr. Khanzada, your rights have been
12 elevated. That's all, Mr. Chair.

13 CHAIRPERSON ANDERSON: Thank you, Ms.
14 Andrews. All right, if you have a camera, please
15 turn your camera on. If you have a camera,
16 please. If you do not, then that's fine.

17 So all the parties in this case, your
18 rights have been elevated. So, let's start off
19 with the parties identifying themselves for the
20 record. Let's start with the Government.

21 MR. ORTIZ: Good afternoon, Mr.
22 Chairperson and Board members. Stephen Ortiz on
23 behalf to the District of Columbia. That's S-T-
24 E-P-H-E-N, O-R-T-I-Z.

25 CHAIRPERSON ANDERSON: Good afternoon,

1 Mr. Ortiz. Mr. or Mrs. Khanzada, do you have a
2 camera? Can you turn your camera on, if not, can
3 you please identify yourself for the record by
4 spelling and stating your name for the record,
5 please.

6 MR. KHANZADA: Good afternoon, my name
7 is Amjad Khanzada, 1831 Bar & Lounge in
8 Washington, D.C.

9 CHAIRPERSON ANDERSON: Can you please
10 spell your name, sir?

11 MR. KHANZADA: Yes, please. My name is
12 A-M-J-A-D, last name K-H-A-N-Z-A-D-A.

13 CHAIRPERSON ANDERSON: Khanzada, Mr.
14 Khanzada, do you have a camera, sir?

15 MR. KHANZADA: Yes, please. Yes, sir,
16 hold on one second, please. Yes, yes, sir.

17 CHAIRPERSON ANDERSON: All right.
18 Good, I can see you. All right, good afternoon
19 everyone. This is a summary suspension hearing.
20 Mr. Ortiz, are there any preliminary matters in
21 this case?

22 MR. ORTIZ: Yes, Mr. Chairperson. The
23 parties would like to present an Offer in
24 Compromise at this time.

25 CHAIRPERSON ANDERSON: And what is

1 that, please?

2 MR. ORTIZ: The terms of the Offer in
3 Compromise are as follows:

4 1) Suspension. Respondent shall serve
5 a 15-day suspension of his ABC license. The date
6 of the 15-day suspension to be served shall be
7 Thursday, March 25, 2021, through Friday, April
8 9, 2021, which includes time served during the
9 summary suspension period. The ABC license
10 suspension shall be lifted at 8:00 a.m. on
11 Saturday, April 10, 2021, provided all other
12 applicable requirements in this OIC have been
13 satisfied by the respondent.

14 2) Masks. Except when eating or
15 drinking while seated during the public health
16 emergency, the respondents shall require that all
17 owners and employees of the establishment wear a
18 mask or face covering while present on the
19 licensed premises regardless of whether they are
20 on duty. The respondent shall also require
21 patrons during the public health emergency to
22 wear masks or face coverings prior to entering or
23 while waiting in line outside of the licensed
24 premises, while traveling to use the restroom, or
25 until they are seated and eating or drinking.

1 3) Music and Entertainment.

2 Respondent shall not offer live music or
3 entertainment, including disc jockeys, or allow
4 activities that require patrons to be close
5 proximity to one and other while the District of
6 Columbia remains subject to Mayor's Order 2020-
7 067, Mayor's Order 2020-075, Mayor's Order 2020-
8 080, Mayor's Order 2020-119, Mayor's Order 2020-
9 038 and in accordance with the Board Notice of
10 11th Emergency Ruling. The respondent shall only
11 offer recorded background music that is played at
12 a conversational level that is not heard in the
13 homes of district residents.

14 4) Operating Hours. Respondent shall
15 not sell, serve, or permit the consumption of
16 alcoholic beverages past midnight while the
17 District of Columbia remains subject to Mayor's
18 Order 2021-038 and in accordance with the Board's
19 rule making.

20 5) Dining Activities. Respondent
21 shall only serve food and alcoholic beverages to
22 patrons seated at tables while the District of
23 Columbia remains subject to Mayor's Order 2021-
24 038 and in accordance with the Board's rule
25 making. Tables shall be placed so that patrons

1 in different parties are placed at least six feet
2 apart from one and other with no more than six
3 patrons per table. Respondent shall have a menu
4 in use containing a minimum of three prepared
5 food items available for purchase and shall
6 require patrons to purchase one or more prepared
7 food items per table. Patrons shall not be
8 permitted to walk around the establishment with
9 food and/or alcoholic beverages.

10 6) Bar Activities. Respondent shall
11 not seat patrons at indoor or outdoor bars that
12 are being staffed or utilized by a bartender.
13 Patrons shall not be permitted to stand at an
14 indoor or outdoor bar to order food or alcoholic
15 beverages.

16 7) Contact tracing system.
17 Respondent shall implement a reservation system
18 by phone, online, or onsite and keep customer
19 logs to facilitate contact tracing by DC Health.

20 8) Capacity. Respondent shall limit
21 its indoor capacity to no more than 25 percent of
22 the lowest indoor occupancy load or seating
23 capacity on its certificate of occupancy,
24 excluding outdoor seating while the District of
25 Columbia remains subject to Mayor's Order 2021-

1 038 in accordance with the Board's rule making.

2 9) Social distancing walkthrough.

3 Prior to lifting the suspension of the
4 establishment's alcoholic beverage license, an
5 ABC Board investigator shall conduct a
6 walkthrough of the licensed establishment with
7 respondent to evaluate the establishment's
8 compliance with the District's social distancing
9 requirements. This evaluation shall include an
10 assessment of the respondent's compliance with
11 Mayor's Order 2020-075, Mayor's Order 2020-080,
12 Mayor's Order 2021-038 and 23 DCMR Section 810.3.

13 10) Locking of doors. The
14 establishment shall not lock its front doors
15 while patrons are inside of the establishment.

16 11) Show cause. This matter will be
17 referred to the Office of the Attorney General
18 for possible Show cause proceedings. And those
19 are the terms of the Offer in Compromise.

20 CHAIRPERSON ANDERSON: So, Mr. Ortiz,
21 is it your recommendation to the Board that the
22 Board accept this OIC because you believe that it
23 would address the emergency why we're having this
24 hearing today?

25 MR. ORTIZ: Yes, that would be the

1 District's representation.

2 CHAIRPERSON ANDERSON: Mr. Khanzada,
3 it's my understanding that there is an Offer in
4 Compromise that Mr. Ortiz just read in the
5 record. Is this your understanding, sir, of the
6 Offer in Compromise?

7 MR. KHANZADA: Yes, sir.

8 CHAIRPERSON ANDERSON: Are you aware
9 that by accepting an Offer in Compromise that you
10 give up your right to a hearing?

11 MR. KHANZADA: Yes, sir.

12 CHAIRPERSON ANDERSON: Are you also
13 aware that by accepting an Offer in Compromise
14 that you give up your right to appeal this
15 matter?

16 MR. KHANZADA: Yes, sir, yes.

17 CHAIRPERSON ANDERSON: All right.
18 Now, are there any questions by any Board members
19 on the terms of the Offer in Compromise as read
20 in the record by Mr. Ortiz?

21 All right. Hearing none, I then make
22 a motion that the Offer in Compromise as read in
23 the record by Mr. Ortiz be approved. Is there a
24 second?

25 MEMBER CROCKETT: Ms. Crockett

1 seconds.

2 CHAIRPERSON ANDERSON: Ms. Crockett
3 have seconded the motion. We'll now have a roll
4 call voting the motion that has been seconded by
5 Ms. Crockett. Mr. Cato?

6 MEMBER CATO: Bobby Cato and I agree.

7 CHAIRPERSON ANDERSON: Ms. Crockett?

8 MEMBER CROCKETT: Rafi Crockett, I
9 agree.

10 CHAIRPERSON ANDERSON: Ms. Hansen?

11 MEMBER HANSEN: Jeni Hansen, I agree.

12 CHAIRPERSON ANDERSON: Mr. Grandis?

13 MEMBER GRANDIS: Edward Grandis, I
14 agree.

15 CHAIRPERSON ANDERSON: And Mr.

16 Anderson, I agree. The matter passed 5-0-0.

17 Thank you very much, both Mr. Khanzada
18 and Mr. Ortiz, for agreeing to an Offer in
19 Compromise that the parties believes addresses
20 the interests of the residents of the District of
21 Columbia and addresses the emergency. And I
22 thank you for that. Have a great day.

23 MR. KHANZADA: Thank you so much,
24 thank all of you. Thank you. I really
25 appreciate it. Thank you.

1 CHAIRPERSON ANDERSON: All right, sir.
2 Have a good day. All right then, bye-bye.

3 MR. KHANZADA: Thank you.

4 (Whereupon, the above-entitled matter
5 went off the record at 1:48 p.m.)

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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: 1831 Bar

Before: DCABRA

Date: 04-07-21

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

Neal R Gross

Court Reporter

NEAL R. GROSS

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