

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

2 (2:30 p.m.)

3 CHAIRPERSON ANDERSON: The next case
4 in our calendar, it's another fact-finding
5 hearing for Luxury Soil, LLC, License Number
6 127172.

7 Good afternoon again, Mr. Orellana.
8 Can you please elevate the rights of the parties
9 in this case?

10 MR. ORELLANA: Sure thing.

11 Darrin Ebron, your access has been
12 elevated.

13 Stephanie Rawlings-Blake, your access
14 has been elevated.

15 And that is all, Chairman.

16 CHAIRPERSON ANDERSON: Thank you.

17 Good afternoon. If you have a camera,
18 could you please turn your camera on?

19 MR. EBON: Good afternoon. How are
20 you today, sir?

21 CHAIRPERSON ANDERSON: Good afternoon,
22 sir. I still can't see you.

23 MR. EBON: Yes. Let me see here.
24 Okay.

25 PARTICIPANT: Camera one.

1 MR. EBON: Can you see me now?

2 PARTICIPANT: No. You have to choose,
3 I believe, camera one, and then start video.

4 MR. EBON: How about now?

5 CHAIRPERSON ANDERSON: No, sir.

6 MR. EBON: Dang it. I'll get it.

7 Let me see.

8 PARTICIPANT: Expand it so it's
9 thicker, and then -

10 MR. EBON: I got my camera right
11 there.

12 PARTICIPANT: I know, but I'm saying
13 you might be able to see more of the menu.

14 MR. EBON: Well, the camera -

15 PARTICIPANT: Right there.

16 MR. EBON: I can start video. Okay,
17 there we go.

18 CHAIRPERSON ANDERSON: All right.

19 Good afternoon.

20 MR. EBON: Good afternoon.

21 CHAIRPERSON ANDERSON: All right. So,
22 I'll start with Ms. Rawlings-Blake. Can you
23 please spell and state your name for the record?

24 MS. RAWLINGS-BLAKE: Yes. S-T-E-P-H-
25 A-N-I-E, Rawlings-Blake, R-A-W-L-I-N-G-S, hyphen,

1 Blake, B-L-A-K-E.

2 CHAIRPERSON ANDERSON: What's your
3 relationship to the establishment, ma'am?

4 MS. RAWLINGS-BLAKE: A business
5 partner.

6 CHAIRPERSON ANDERSON: And, Mr. Ebron,
7 can you please spell and state your name for the
8 record?

9 MR. EBON: My name is Darrin Ebron,
10 D-A-R-R-I-N, last name Ebron, E-B-R-O-N.

11 CHAIRPERSON ANDERSON: Your
12 relationship to the establishment?

13 MR. EBON: I'm the owner.

14 CHAIRPERSON ANDERSON: Okay.

15 All right. Good afternoon, everyone.
16 This is a hearing. I think that we are having
17 this hearing because a denial was issued. We had
18 issued a denial of the application.

19 I believe that the agency informed the
20 licensee that the business was not compliant
21 because the license under 7-1671.06A3C which
22 mandates what one of the criteria has to be
23 violated, that you have to have an active
24 business license issued on or before December 31,
25 2022, and so that is what - it's my

1 understanding that was the basis of the denial.

2 So, you're appealing that issue, and
3 so what is the basis of your appeal?

4 MS. RAWLINGS-BLAKE: If you would
5 allow me to start, sir? I've got to plug it in.

6 CHAIRPERSON ANDERSON: Yes.

7 MS. RAWLINGS-BLAKE: First, Mr. Chair,
8 I had the pleasure of being on the first session
9 this morning because we were told to be on there,
10 and you and your Board Members operated with such
11 efficiency, it almost made me miss public
12 service, so I want to applaud you for your work
13 and the work of the Board.

14 As your neighbor from up the road, I
15 admire the work that Board is doing to, not just
16 bring rules and regulations, but to create an
17 environment for minority business.

18 So, we're here because Luxury Soil
19 operates one location on H Street, and before
20 October the - I mean, it should be before
21 December 2022, started construction on a second
22 location.

23 Subsequent to the purchase of the
24 property and work beginning, I believe that a
25 rule was changed that required this, you know,

1 you have to be in business before December of
2 2022, but Mr. Ebron was already up and running
3 with the one location and substantially moving
4 forward to the second location, same brand, same
5 owner, you know, same business.

6 MR. EBRON: Same EIN too.

7 MS. RAWLINGS-BLAKE: Yes. So, the -
8 he continued to move forward with the substantial
9 investment in the Georgetown community,
10 participating in community meetings, met with ANC
11 members, and has received accolades for his
12 business practice.

13 He has an elevated brand. This is not
14 a tobacco shop. This is a luxury goods shop.
15 When Mr. Ebron speaks, he can tell you exactly
16 the items that he has, but this is a luxury goods
17 shop and a luxury wellness shop with a gifting
18 component.

19 And the request of this appeal is if
20 there is discretion of this Board to take into
21 consideration the fact that Mr. Ebron was up and
22 running with the same EIN, same business name,
23 same business model in his first location, and
24 substantially on his way to opening the second
25 location before the rule change that there'd be

1 some consideration to refusing the appeal, to
2 overturning the denial.

3 CHAIRPERSON ANDERSON: So, is there a
4 - so, you're saying that there was a business
5 license for the other location?

6 MR. EBON: Yes, sir.

7 CHAIRPERSON ANDERSON: And when was
8 that business license issued?

9 MR. EBON: Our business license was
10 issued April 12, 2022. We opened our doors on
11 September 17, 2022.

12 CHAIRPERSON ANDERSON: But that's for
13 - but this location on - because this location
14 on -

15 MS. RAWLINGS-BLAKE: In Georgetown.

16 CHAIRPERSON ANDERSON: No, they have
17 the wrong - on our calendar today, they have the
18 wrong address because the address for the case on
19 our calendar - and I'll make sure that we change
20 this, because - you know what?

21 I'm sorry. The calendar list the
22 location 712 H Street NE.

23 MR. EBON: Okay. So, that's our
24 business where we receive all our mail and things
25 of that nature. Our original first location is

1 775 H Street, which we put an application into as
2 well. And the Georgetown location is 1620
3 Wisconsin Avenue, but all of our legal mailing
4 and everything goes to that 712.

5 CHAIRPERSON ANDERSON: Okay.

6 MR. EBON: Okay, for clarification.

7 CHAIRPERSON ANDERSON: Okay. Thank
8 you. Thank you for making a -

9 MR. EBON: No problem.

10 CHAIRPERSON ANDERSON: Anything else
11 that you want to add regarding - because I'm not
12 - as I stated before, the statute - any other
13 representation that you wish to make?

14 MR. EBON: Yes. I'd like to say
15 that, you know, I'm from the area. And my
16 daughter graduated from Howard, my brothers
17 graduated from the University of Maryland. I
18 moved back. I've been in California 30 years as
19 a record executive.

20 In that time, not only a record
21 executive but a designer. I've done deals with
22 Neiman Marcus, with Barneys, things of that
23 nature. When the opportunity presented itself in
24 D.C. to come home to have businesses in this
25 space, me and my wife moved here.

1 And I-70 was attractive to us because
2 outside of medicinal, the things that were going
3 on in California at that particular time, it
4 created an opportunity for us to bring all the
5 things that I've been working on over the years
6 to D.C.

7 My wife comes from Ferragamo. In our
8 store, we have kimonos, we have silk scarves, we
9 have leather goods, we have cashmere scarves, we
10 have candles. We sell all of these items. We
11 are not a smoke shop. We're selling \$500 robes.
12 We're selling \$100 candles. You see what I'm
13 saying to you?

14 And if you look at the reviews on
15 Yelp, if you look at the reviews on Google,
16 you'll see hundreds and hundreds of reviews that
17 changed sort of what the demographic, the thought
18 process of what cannabis could be because ours is
19 a luxury space. Welcome to Luxury Store. How
20 can we help you?

21 When you walk in our store, it looks
22 like the Apple Store meets Chanel. All of our
23 paperwork is in the site plans, the applications.
24 In fact, I was on this morning at 10:30 as well,
25 and the young lady that we've been dealing with,

1 Ms. Emoni Boon, we submitted applications for
2 both stores.

3 On August 23rd when the laws changed,
4 I addressed her and said, Well, the law say if
5 you're approved, you can have three under this
6 particular license. Well, we've been in business
7 since 2022. I've been paying rent on both spaces
8 since 2021 to build them out, which has cost me
9 over a million dollars.

10 So, when the laws change, we're in
11 business with Captain Williams and all of those
12 folks at the, you know, and the precinct, and
13 we're active in the community. And we brought
14 all of that as well with our franchise to
15 Georgetown to create another opportunity.

16 Even today, as I sent my paperwork in
17 multiple times just like the gentleman before to
18 Ms. Boon, I hit her on Friday and say, Hey,
19 what's going on with our H Street license? Even
20 before we get to the Georgetown license. Oh,
21 it's just been submitted.

22 I screenshot and sent her an email
23 from the top of the year. I've been working with
24 her since the laws changed in August 24, 2023.
25 Me and her have been having communication since

1 September, and we still haven't got an answer on
2 H Street, which all of our documentation - and I
3 can show you what - you probably seen our
4 packet. It's got advertisements, it's got
5 reviews, it's got websites, all of it. It's all
6 there.

7 And we haven't been able to, you know,
8 get any definitive answers, so when she said,
9 Well, you guys have been denied. I said, Well,
10 why are we denied? She said, Well, you had to be
11 in business since 2022. I said, We've been in
12 business since 2022.

13 CHAIRPERSON ANDERSON: You're talking
14 about -- I'm sorry. You're talking about the
15 Wisconsin Avenue location?

16 MR. EBON: Yes. I'm talking about -
17 this is the young lady that we submitted both of
18 our applications to. I'm talking about the brand
19 of Luxury Soil. Luxury Soil has been paying
20 taxes as a company in D.C. since 2021. We are
21 current on all levels for both locations.

22 We have certificate of occupancy,
23 business, everything. And when the opportunity
24 came to transition over to the medicinal, we want
25 to pay taxes. We want to be in business with the

1 city.

2 We're not one of these guys who say,
3 Oh, no, we'll just run to I-70 out. No. We want
4 to create an environment - and it's only - and
5 I'm not saying this, like, oh, we're whatever,
6 but if you come into our store, you can read the
7 reviews. There are no stores in - it's like
8 coming into Neiman Marcus.

9 You know, you want to come listen to
10 jazz Coltrane or John Coltrane and get a scarf or
11 if you need an edible for PTSD or for chronic
12 back pain or you need a candle or you need a
13 leather weekend bag, this is what we do.

14 So, I really - the news has come,
15 police come by regularly, Hey, checking on you
16 guys, need anything? No, we're good. We just
17 want to have the opportunity, continue to scale
18 because when we first got into the I-71, no one
19 said, Oh, the laws are going to change, and
20 you're going to be wiped out.

21 I'm a couple million dollars in, and
22 we're doing great things, but we want to continue
23 to scale.

24 CHAIRPERSON ANDERSON: So, you're
25 saying that you have a basic business license

1 for, I mean, active business license for H
2 Street.

3 MR. EBON: For both locations, yes,
4 sir.

5 CHAIRPERSON ANDERSON: No, but the
6 Wisconsin Avenue location, that was not issued
7 before -

8 MR. EBON: Correct.

9 CHAIRPERSON ANDERSON: -- December of
10 - so, what is it that - since you - the
11 statute said it has to be, and so what is it that
12 you want us to do if you do not have an active
13 business license for that location that was
14 issued before December 31, 2022? What is that
15 you want us to do?

16 MR. EBON: Well, I think that we have
17 to keep in mind, I know dealing with DCRA, it was
18 a challenge. Keep in mind, we're coming right
19 out of the pandemic. Nobody was working in the
20 office, so it took time.

21 The correspondence was a nightmare.
22 And I'm not trying to, you know, I'm not trying
23 to, you know, dump on nobody, but I'm just saying
24 even the process of three months ago, by two
25 months ago, by four, to get everything together

1 on time simultaneously building these things out,
2 so I want, if at all, like Ms. Rawlings said, to
3 take some consideration into, hey, we've been in
4 business since 2022.

5 This is just a franchise. We're just
6 scaling the business. And in fact, I think,
7 outside of 2022, we got our license, we finally
8 got our license, our business license on, I
9 think, 60 days after, but we had already
10 submitted 60 days after that timeline for the
11 Wisconsin location.

12 CHAIRPERSON ANDERSON: All right. So,
13 you have a business license for H Street. And
14 what's the date of that business license?

15 MR. EBON: April 12, 2022. Our
16 certificate of occupancy was issued on July 26,
17 2022, for H Street.

18 CHAIRPERSON ANDERSON: For H Street.
19 And --

20 MR. EBON: Yes, sir.

21 CHAIRPERSON ANDERSON: The basic
22 business license was also issued for - and, so,
23 what was it - if you have the business license,
24 what was it issued for?

25 MR. EBON: For retail. For basic

1 retail.

2 CHAIRPERSON ANDERSON: All right.
3 Let's see. Any other questions that anyone wants
4 to ask?

5 (No audio response.)

6 CHAIRPERSON ANDERSON: All right.
7 Give me a minute, please. Now, did you provide
8 that business license to the agency?

9 MR. EBON: Absolutely. They have
10 both business licenses, they have our lease
11 agreements that are dated back to 2021 and 2022,
12 they have construction, they have postcards, they
13 have social media, they have reviews, they have
14 every - she has the complete picture,
15 everything.

16 CHAIRPERSON ANDERSON: But is that for
17 -

18 MR. EBON: For both.

19 CHAIRPERSON ANDERSON: So, when did
20 you start operation on Wisconsin Avenue?

21 MR. EBON: When you say operation,
22 you're talking about the build-out, are you
23 talking about the lease, or are you talking about
24 our doors are open for business?

25 CHAIRPERSON ANDERSON: Yes. Just tell

1 me about the Wisconsin Avenue location.

2 MR. EBRON: Okay. We signed the lease
3 August 1, 2022. We started working on it in
4 September of 2022. Obviously, again, we're
5 coming out of the pandemic, so supply and demand,
6 wood, materials, things of that - it took some
7 time to really build this thing out and have it
8 right.

9 So, those are the start dates, August
10 1, 2022, on Wisconsin, and our licenses were
11 issued March of 2023, so they're saying December,
12 we got our license from DCRA finally March 2023.

13 CHAIRPERSON ANDERSON: And this is for
14 the Wisconsin location?

15 MR. EBRON: Yes, sir.

16 CHAIRPERSON ANDERSON: So, why did it
17 take that long? Was it because you were not
18 providing them all the information they require
19 or was it that it was tied up over at DCRA, the
20 Department of Buildings?

21 MR. EBRON: Well, I think it's a
22 combination of things. I think, you know, again,
23 coming out of the pandemic, correspondence, no
24 one was in the office, and, you know, they're
25 getting back to us, getting back to us. It was

1 just really a process to really get these things
2 filed in a timely manner and processed in a
3 timely manner.

4 And, then, simultaneously, the build-
5 out. It's not like, you know, you just get a
6 store, and boom, you open up a business. You
7 know, this property I'm sitting in Wisconsin
8 right now, we put about \$400,000 into this
9 building.

10 You know, it's not like a - it's not
11 like - it's not a smoke shop, so while I'm
12 working on renovating the building, the attorney
13 was dealing with DCRA, and, you know, them
14 getting back to us, so we have all our paperwork
15 together.

16 If you look at our files, they're
17 sitting in your office for both locations, you'll
18 see everything that I'm saying that's documented.
19 And if you need copies, I'm more than willing to
20 send them to you.

21 CHAIRPERSON ANDERSON: Well, this is
22 what I'm going to ask you to do. I'm going to
23 ask you to submit to our legal office because,
24 the same address, email address you used to
25 appeal this case. Why don't you send us a copy

1 of the business license for the H Street
2 location?

3 MR. EBON: No problem.

4 CHAIRPERSON ANDERSON: Then, I would
5 say send us a copy of the lease that you signed
6 for the Wisconsin Avenue location.

7 MR. EBON: No problem.

8 CHAIRPERSON ANDERSON: And your
9 correspondence with Department of Buildings in
10 '22 regarding the Wisconsin Avenue location.

11 MR. EBON: Okay. No problem.

12 CHAIRPERSON ANDERSON: And when do you
13 believe that you can provide that information to
14 the agency?

15 MR. EBON: When we get off this
16 phone, I'm going to go into my emails, I'm going
17 to put a folder together, and I'm going to send
18 it over.

19 CHAIRPERSON ANDERSON: All right.

20 MS. RAWLINGS-BLAKE: Before the end of
21 the week, sir.

22 CHAIRPERSON ANDERSON: All right. So,
23 you're saying that you can provide it to the
24 agency by Friday?

25 MS. RAWLINGS-BLAKE: Yes.

1 CHAIRPERSON ANDERSON: All right. Any
2 other representation you want to make, sir, or
3 ma'am, either?

4 MR. EBON: No, sir.

5 MS. RAWLINGS-BLAKE: I just want to
6 say that thank you again. You know, our hope is
7 that some discretion can be used with the
8 understanding that when the I-71 first came out,
9 I believe, with the understanding that three
10 licenses or three locations would be available,
11 and Mr. Ebron was operating under that with that
12 understanding.

13 And my hopes are that the bureaucracy
14 and, you know, the slow supply chain does not
15 prevent this thriving minority-owned business
16 from being able to grow in Washington, D.C.

17 CHAIRPERSON ANDERSON: All right.
18 Provide the information, please. The Board will
19 take it under advisement, and we'll make a
20 decision whether or not - and I'll make sure
21 that the, at least also on the H Street location,
22 I will inquiry from our licensing division to
23 find out why is it that you have not received a
24 response for that location if you have provided
25 them the proper documentation.

1 When was the last - have you received
2 any letters from our agency regarding the H
3 Street location?

4 MR. EBON: Yes. On 3/27, Ms. Emoni
5 Boon sent me an email that said, Your
6 applications have been submitted. We'll get back
7 to you shortly. That was on 3/27.

8 I sent her another email this past
9 Thursday with a screenshot of her previous email
10 that stated, Hey, you know, can you please update
11 me on what's going on with our H Street license?

12 She sent me an email back, which I can
13 forward to you, that says, Oh, yes, it's been
14 submitted, it just was submitted to the Board, so
15 I said, Okay. Well -

16 CHAIRPERSON ANDERSON: The Board is
17 not familiar with that location.

18 MR. EBON: Yes. Yes.

19 CHAIRPERSON ANDERSON: I'm not
20 familiar with it. I'm not saying I'm familiar
21 with everything that the agency has or documents,
22 but I'm not familiar with it, but I will inquiry
23 and make sure that a timely response is provided
24 to you regarding the H Street location, but as
25 soon as we receive the documents that I requested

1 regarding the Wisconsin location, the Board will
2 take this matter under advisement, and we will
3 make a decision whether or not we can move
4 forward with the application for the Wisconsin
5 Avenue location, okay?

6 MR. EBON: Okay. Can I ask you
7 something?

8 CHAIRPERSON ANDERSON: Yes. You're
9 welcome. Yes, sir.

10 MR. EBON: Which email -- where do we
11 need these sent?

12 CHAIRPERSON ANDERSON: All right.
13 What email? How did you appeal this matter?

14 MS. RAWLINGS-BLAKE: We've been
15 communicating with Danette Walker.

16 MR. EBON: Oh, yes. Okay, yes.

17 CHAIRPERSON ANDERSON: I'm sorry.
18 Hold on. Hold on one minute, please.

19 MS. RAWLINGS-BLAKE: Who's been very
20 responsive.

21 MR. EBON: Yes.

22 CHAIRPERSON ANDERSON: I'm going to
23 have you send it to the legal office since the
24 Board is asking you for information, so let me
25 get the email address for the legal office, so it

1 can be, so you're sending it directly to our
2 legal office, so therefore, it will be provided
3 to the Board.

4 MS. RAWLINGS-BLAKE: I believe on Ms.
5 -- it's Walker, right, Darrin?

6 MR. EBRON: Yes, Danette Walker.

7 MS. RAWLINGS-BLAKE: It says that
8 she's in the legal office.

9 CHAIRPERSON ANDERSON: Fine. Then,
10 okay, then send it to her in the legal office,
11 and then the Board will, it will get to our legal
12 counsel, and it will be brought to the attention
13 of the Board, so at least we know that if it's in
14 the legal office, and so, therefore, we are
15 responsible for information that's provided to
16 our legal office, but I'll make sure that - so,
17 send it to Ms. Walker in the legal office.

18 And once the Board receives the
19 information, we will advise you on the next step,
20 all right?

21 MR. EBRON: Thank you so much.

22 MS. RAWLINGS-BLAKE: Thank you so
23 much.

24 CHAIRPERSON ANDERSON: Right. Thank
25 you very much. Have a great day. Thank you.

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MR. EBRON: You too.

CHAIRPERSON ANDERSON: All right.

Bye-bye.

(Whereupon, the above-entitled matter
went off the record at 2:54 p.m.)

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In the matter of: Luxury Soil

Before: DC ABCA

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