

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
MEETING

IN THE MATTER OF: :
 :
Kezira, Inc., :
t/a Kezira Lounge :
3013 Georgia Ave N.W. : Fact-Finding
Retailer CR - ANC 1A : Hearing
License #117490 :
 :
(Application to Transfer :
the License) :

Wednesday
May 12, 2021

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

PRESENT:

DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
RAFI ALIYA CROCKETT, Member
EDWARD S. GRANDIS, Member
JENI HANSEN, Member
JAMES SHORT, JR., Member

ALSO PRESENT:

SIMONE ANDREWS, DC ABRA Staff
MARK BRASHEARS, DC ABRA Supervisory Investigator
FELICIA DANTZLER, DC ABRA Investigator
ALLAN EBERT, Licensees' Counsel
DAWIT FASIL, Manager
ADANECH GEBREMESKEL, Licensee
MEKEDES YEHUALASHET, Licensee

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

2 11:38 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 in our calendar, its Kezira Lounge, License
5 Number 117490. And I know Ms. Randall, I'm
6 sorry, not Ms. Randall, Ms. Andrews, you'll need
7 a couple of minutes to elevate the rights of the
8 parties in the next case.

9 MS. ANDREWS: Sure. Standby.

10 CHAIRPERSON ANDERSON: Thank you.

11 MS. ANDREWS: Mr. Ebert, your rights
12 have been elevated. Mr. Chair, there doesn't
13 seem to be anyone else on the line for this case,
14 but if anyone else is on the line for this case
15 please announce yourself in the chat and I'll
16 elevate your rights. That's all, Mr. Chair.

17 CHAIRPERSON ANDERSON: Thank you. I
18 thought that we were supposed to have an
19 investigator for this case. I thought Ms.
20 Dantzler was supposed to be --

21 MR. EBERT: How come I'm not on then?

22 CHAIRPERSON ANDERSON: I can hear you,
23 sir. I can't see you, but whoever's voice that
24 is I can hear you.

25 MR. EBERT: Right. Yes. Good

1 morning, Chairperson. I'm Allan Ebert. Good
2 morning, Members of the Board.

3 I do have here on the, speaking on
4 behalf of the Applicant. And they are here with
5 me. Why am I, I don't know why my video is not
6 working.

7 CHAIRPERSON ANDERSON: All right. Do
8 you want to log out and --

9 MS. ANDREWS: No.

10 CHAIRPERSON ANDERSON: Hold on. Go
11 ahead, Ms. Andrews.

12 MS. ANDREWS: I'm sorry, Mr. Chair, I
13 didn't mean to cut you off, but, Mr. Ebert, it
14 seems like something is covering your camera.

15 MR. EBERT: Is that right. Huh.
16 What's covering it?

17 CHAIRPERSON ANDERSON: We can now see
18 you, sir. But now you're frozen.

19 MR. EBERT: We have Ms. Mekedes, she's
20 the owner. And her manager as well. They can
21 pull in a little bit, but there here as well.

22 CHAIRPERSON ANDERSON: Okay, good, we
23 can see you. Okay, fine. All right, fine. All
24 right.

25 MS. ANDREWS: Mr. Chair, I've elevated

1 the rights the Investigator, Ms. Dantzler.

2 CHAIRPERSON ANDERSON: Okay.

3 MS. ANDREWS: I also see a message in
4 the chat for Mr. Adanech. I'm going to go ahead
5 and elevate their rights, okay?

6 MS. ANDREWS: All right. That's Ms.
7 Adanech, she's the preparer of the license and
8 she was expediting.

9 CHAIRPERSON ANDERSON: All right.

10 MS. ANDREWS: Okay, that's all, Mr.
11 Chair.

12 CHAIRPERSON ANDERSON: All right,
13 thank you. So, I don't see a Ms. Dantzler and
14 either do I see, yes, okay, miss, all right. So
15 the only person I don't see is Ms. Adanech. All
16 right. All right.

17 (Simultaneously speaking.)

18 CHAIRPERSON ANDERSON: Okay. All
19 right, thanks. All right, let me have everyone
20 introduce themselves for the record. Let's start
21 with the representative. Let's start with you,
22 sir, and then you can introduce who is all with
23 you.

24 MR. EBERT: Sure, thank you. My name
25 is Allan Ebert, A-L-L-A-N, Ebert, E-B-E-R-T, for

1 the Applicant.

2 CHAIRPERSON ANDERSON: And who is with
3 you, sir? Who is the Applicant?

4 MR. EBERT: And with me is the owner
5 of the business. Her name is Mekedes, M-E-K-E-D-
6 E-S, Yehualashet, Y-E-H-U-A-L-A --

7 CHAIRPERSON ANDERSON: Mr. Ebert, let
8 her --

9 MR. EBERT: Oh, let her say it? Sure.

10 CHAIRPERSON ANDERSON: Let them
11 introduce themselves for the record, please.

12 MR. EBERT: My apologies.

13 CHAIRPERSON ANDERSON: And spell their
14 names.

15 MR. EBERT: My apologies.

16 CHAIRPERSON ANDERSON: All right.

17 MS. YEHUALASHET: My name is Mekedes
18 Yehualashet.

19 CHAIRPERSON ANDERSON: Can you spell
20 your name please?

21 MS. YEHUALASHET: Okay. MEKEDES,
22 Yehualashet, Y-E-H-U-A-L-A-S-H-E-T.

23 CHAIRPERSON ANDERSON: And who are
24 you, ma'am?

25 MS. YEHUALASHET: Owner. Owner of

1 Kezira.

2 CHAIRPERSON ANDERSON: Okay. Who else
3 is there?

4 MR. FASIL: My name is Dawit Fasil, D-
5 A-W-I-T, first name, last name is, F-A-S-I-L. I
6 am the manager of Kezira.

7 CHAIRPERSON ANDERSON: I'm sorry,
8 spell your last name again, sir?

9 MR. FASIL: F, like Frank, A-S-I-L.

10 CHAIRPERSON ANDERSON: And who else do
11 we have on the line?

12 MS. GEBREMESKEL: Okay. My name is
13 Adanech Gebremeskel, A-D-A-N-E-C-H, and my last
14 name is, G-E-B-R-E-M-E-S-K-E-L.

15 CHAIRPERSON ANDERSON: And who are
16 you, ma'am?

17 MS. GEBREMESKEL: I am the one to
18 submit the application to ABRA.

19 CHAIRPERSON ANDERSON: All right,
20 thank you. Ms. Dantzler? Ms. Dantzler?

21 MS. DANTZLER: Yes, sir.

22 CHAIRPERSON ANDERSON: Can you
23 identify yourself for the record please?

24 MS. DANTZLER: Yes. My name is
25 Felicia Dantzler, ABRA Investigator.

1 CHAIRPERSON ANDERSON: Spell your
2 name, just spell your name for the court reporter
3 please.

4 MS. DANTZLER: Sure. Felicia, F-E-L-
5 I-C-I-A, last name Dantzler, D-A-N-T-Z-L-E-R.

6 CHAIRPERSON ANDERSON: All right,
7 thank you, Ms. Dantzler.

8 All right. One of the reasons why
9 we're having this hearing here today it's
10 because, the purpose of this hearing is not on an
11 incident that occurred, the purpose of the
12 hearing, it's because, apparently there is a
13 transfer application.

14 MR. EBERT: Correct.

15 CHAIRPERSON ANDERSON: An incident
16 occurred and there was an owner of an
17 establishment. And as far as ABRA's record is
18 concerned, we are not familiar with, who this
19 owner is.

20 And so therefore, because ABRA is not
21 familiar with this owner, an incident occurred
22 and it became apparent to ABRA that there was a
23 sale or something happened. And so, I'm just
24 trying to find out, who is this owner of this
25 establishment and whether or not this person is,

1 can qualify to be an owner of the establishment.

2 So, one of the things that we can get
3 some clarification on is, who is the owner, give
4 us some background, when was this business, when
5 did she purchase this business, what type of
6 training, if any, does she have in running a
7 business, and basically what's going on?

8 The incident, so we don't necessarily,
9 the purpose of this hearing is not to, we might
10 talk about the incident that occurred, that
11 brought this to the attention of ABRA, however,
12 that's not the focus of it. The focus is on the
13 transfer application itself and whether or not
14 this is an owner that the Board believes that we
15 should allow licensing to move forward.

16 And again, this is not a
17 qualifications hearing, we're just, we don't know
18 who this person is and we wouldn't have known
19 that there was a change in ownership unless there
20 was an ABRA violation. And the ABRA violation
21 occurred while this now new owner was running the
22 establishment.

23 So whatever you want to share with us,
24 sir, about when the other representative, when
25 all of this occurred. As far as the new

1 ownership, when is it that, can you tell, Mr.
2 Ebert?

3 MR. EBERT: Yes, sir.

4 CHAIRPERSON ANDERSON: I can't have
5 you speaking in the background.

6 MR. EBERT: I'm sorry.

7 CHAIRPERSON ANDERSON: If people are
8 going to be talking in the background you need to
9 put your phone on mute.

10 And also, this is what I need to
11 occur. Well, in this particular case you are
12 their representative so most of the questions I'm
13 going to address to you.

14 If you are unable to answer them, if
15 the owner needs to talk, then they can. But as
16 the representative then, I'll address most of my
17 concerns to you.

18 So maybe you can start off by telling
19 us, who is the owner of the establishment and
20 when did this person bought this business, tell
21 us about it, and where are we, when, if any, did
22 they submit a transfer application to the board,
23 and did they know that they were supposed to do
24 this? I mean, yes.

25 MR. EBERT: Okay, thank you. Thank

1 you, Chairman and Board Members.

2 The previous owner, whose name I
3 believe is Tekleab Habtu, sold the --

4 CHAIRPERSON ANDERSON: Hold on, sir.
5 As far as ABRA is concerned, he is still the
6 owner of the establishment, okay? As far as ABRA
7 is concerned.

8 MR. EBERT: Oh, okay.

9 CHAIRPERSON ANDERSON: That is the
10 only, that's why we're having this hearing.

11 MR. EBERT: I see.

12 CHAIRPERSON ANDERSON: That is the
13 only owner that's on our records. We do not know
14 who this owner is because, but for the event. As
15 far as we're concerned, the owner of the
16 establishment is the person that you are
17 referencing as the previous owner.

18 But as far as ABRA's records are
19 concerned, that person is still the owner of the
20 establishment. Okay?

21 MR. EBERT: Well, submitted, if I may
22 proceed? Submitted with the application, to the
23 best of my knowledge, and Ms. Gebremeskel can
24 support or nod at, was the contract for the sale.
25 The business sale occurred in September 2020.

1 There was a contract between the
2 parties where the lady with me right now, Ms.
3 Mekedes, purchased from Mr. Habtu, the premises
4 at a specific amount. And then also had an
5 agreement with the landlord, that was dated
6 September 1st, 2020, to proceed and (Audio
7 interference.)

8 CHAIRPERSON ANDERSON: I can't hear
9 you, Mr. Ebert.

10 MR. EBERT: Can't hear me, okay.

11 CHAIRPERSON ANDERSON: Okay, you were
12 frozen. Go ahead. You can go ahead. You were
13 saying the landlord --

14 MR. EBERT: All right.

15 CHAIRPERSON ANDERSON: -- Something
16 happened with the landlord.

17 MR. EBERT: Okay. So following the
18 business sale, the purchase by Ms. Mekedes from
19 Mr. Habtu, by contract. She also got an
20 agreement from the landlord, dated September 1st,
21 2020 to assume ownership of the business and to
22 run the business at the same premises. 3013
23 Georgia Avenue Northwest.

24 She proceeded then, through Ms.
25 Gebremeskel, to file an application. She's also

1 incorporated the business, Kezira, Inc., trading
2 as Kezira. And has a placard at this time, on
3 the window. I believe it was April 5th it was
4 put up there. I could stand to be corrected.

5 And has the ownership, the lease, the
6 corporations established. Has her EIN number and
7 has a placard.

8 I'm not quite sure. She also, if I
9 may add, she has experience having run a similar
10 business but not in the United States, she's from
11 Ethiopia. And she has run a similar business in
12 Ethiopia.

13 She may be better suited to answer
14 that in more depth, in terms of her experience.
15 That is her experience. And I don't know if a
16 background check is being done, but she has said
17 there is no violations and no criminal record or
18 anything of that nature.

19 CHAIRPERSON ANDERSON: I'm trying to
20 get some information. So you're saying that the,
21 so when in September did she purchase this
22 building? September when?

23 She can tell us. When did she
24 purchase this building, September when?

25 MS. YEHUALASHET: 1.

1 MR. EBERT: September 1st.

2 CHAIRPERSON ANDERSON: So she
3 purchased it --

4 MR. EBERT: Of 2020.

5 CHAIRPERSON ANDERSON: So when did she
6 sign the lease? She purchase and signed the
7 lease the same day?

8 MR. EBERT: Same day.

9 CHAIRPERSON ANDERSON: So September
10 1st she purchased the building and on September
11 1st?

12 MR. EBERT: Signed a new lease with
13 the landlord, Mr. Saloso (phonetic). The owner
14 of the building.

15 CHAIRPERSON ANDERSON: So, when did
16 she file a transfer application.

17 When was a transfer application filed
18 with ABRA?

19 MS. GEBREMESKEL: January.

20 MR. EBERT: Adanech, can you answer
21 that? She filed the application.

22 CHAIRPERSON ANDERSON: Hold on. Yes,
23 go ahead.

24 MS. GEBREMESKEL: January 8th the
25 application is submitted.

1 CHAIRPERSON ANDERSON: So January 8th
2 of when? What year?

3 MS. GEBREMESKEL: 2021.

4 CHAIRPERSON ANDERSON: So, miss, state
5 your name again for the record, ma'am.

6 MS. GEBREMESKEL: My name?

7 CHAIRPERSON ANDERSON: Yes.

8 MS. GEBREMESKEL: Adanech Gebremeskel,
9 A-D-A-N-E-C-H --

10 CHAIRPERSON ANDERSON: No, just, yes,
11 I just want Ms. Gebremeskel.

12 MS. GEBREMESKEL: Yes.

13 CHAIRPERSON ANDERSON: So, why is that
14 if she purchased the property in September, why
15 did it take you until January to submit an
16 application to ABRA?

17 MS. GEBREMESKEL: You know, the
18 purchase agreement was present, the documents,
19 but I have the purchase agreement was August
20 13th, 2020 and the lease was made on September 1,
21 2020.

22 And after she got the lease and she
23 provide all the required, all the supporting
24 document, and I submitted the transfer
25 application on January 8th.

1 CHAIRPERSON ANDERSON: No. But I'm
2 just saying though, you're saying that August was
3 the purchase agreement --

4 MS. GEBREMESKEL: That's right.

5 CHAIRPERSON ANDERSON: -- the lease
6 was signed in January, so was the business being
7 operated in August? In September?

8 MS. GEBREMESKEL: No. She purchase
9 the business in August, and she got the lease in
10 September. And the processing, after the client
11 get the lease and there is time frame to process
12 ownership change and to get the basic business
13 license.

14 And her basic business license, I
15 think, finalized in March I think. I have to
16 make sure, if I can check my document? If you
17 give me little time.

18 CHAIRPERSON ANDERSON: Sure.

19 MS. GEBREMESKEL: Okay. Just give me
20 one minute and I will provide when the basic
21 license is issued.

22 MR. EBERT: I have it right here if I
23 may impose?

24 CHAIRPERSON ANDERSON: Sure, go ahead.

25 MR. EBERT: Yes. The basic business

1 license is dated, well, the date it was issued is
2 March 17th, 2021.

3 MS. GEBREMESKEL: Thank you. Thank
4 you, Allan.

5 MR. EBERT: Go ahead.

6 MS. GEBREMESKEL: So the business
7 license was issued in March because there is a
8 lot of paperwork submitted to DCRA. And there
9 was an inspection.

10 And after all that process she got the
11 basic business license in March 17th. And in the
12 meantime we submitted the liquor license
13 application. And we just waiting, we just
14 submitted all the required document and now we
15 are just waiting until the license is issued.

16 CHAIRPERSON ANDERSON: But let me ask
17 you a question. So when did this business start?
18 When did she start to operate this business?

19 When she purchased this business,
20 you're saying she didn't have a basic business
21 license until March, so when was she operating
22 this business?

23 MS. GEBREMESKEL: After --

24 MR. EBERT: She's not operating.
25 She's not operating, it's closed.

1 CHAIRPERSON ANDERSON: No. Since
2 when? When, all right, let me ask the question.

3 All right, one of the reasons why we
4 are here today, and we're not getting into the
5 fact situation, is that there is a violation. A
6 violation occurred. And so because of --

7 So what I'm saying is that once she
8 bought the business, when did she start operating
9 the business?

10 When was this business open and she is
11 saying to everyone this is my business?

12 When was her first day of operation?

13 MS. GEBREMESKEL: You know --

14 MR. EBERT: To my understanding --

15 CHAIRPERSON ANDERSON: She's right
16 there, let her just tell us.

17 MR. EBERT: Letting her answer.
18 Letting her answer this. Did you operate the
19 business after you purchase? When did you start
20 operating the business?

21 MS. YEHUALASHET: There was no
22 business. No.

23 CHAIRPERSON ANDERSON: All right. I'm
24 sorry, I'm sorry. You folks need to get
25 yourself, you need to get your stories straight,

1 okay.

2 All right. A violation occurred
3 somewhere about March 21st, okay. That's why we
4 knew that the business was sold.

5 When is it you purchased the building,
6 you signed the lease?

7 When did you start operating? When is
8 it that you told folks that I was the owner of
9 this business?

10 When was the first day that this
11 business opened? When?

12 MR. EBERT: Ask her when. All right.
13 Adanech, can you ask her in Amharic.

14 (Foreign language spoken.)

15 MR. EBERT: Okay, I got it.

16 MS. GEBREMESKEL: Okay, go ahead. I'm
17 sorry. Hello?

18 MR. EBERT: Go ahead.

19 MS. GEBREMESKEL: Hello?

20 MR. EBERT: Speak.

21 MS. GEBREMESKEL: I'm trying to
22 address, trying to inform her in my language.

23 MR. EBERT: Can you tell us what she
24 said?

25 MS. GEBREMESKEL: She said on, she

1 never conduct any liquor license because she
2 don't have any license.

3 CHAIRPERSON ANDERSON: Hold on. Hold
4 on. Hold on. Hold on. Hold on. Let's stop
5 right here. Let's stop right here. We're going
6 to stop right here, okay?

7 MR. EBERT: All right. Well, no,
8 wait, let me interrupt.

9 CHAIRPERSON ANDERSON: No. No, no.

10 MR. EBERT: She didn't have any
11 business.

12 CHAIRPERSON ANDERSON: Hold on. Hold
13 on.

14 MR. EBERT: And if the Investigator
15 has some other opinion, let's hear from the
16 Investigator.

17 CHAIRPERSON ANDERSON: All right.

18 MR. EBERT: She didn't open up.

19 CHAIRPERSON ANDERSON: Okay.

20 MR. EBERT: She doesn't even have a
21 cash register.

22 CHAIRPERSON ANDERSON: All right, hold
23 on one minute. Hold on one minute.

24 All right. We have Ms. Dantzler and
25 we have Investigator Brashears. Okay.

1 We are not, the purpose of this
2 hearing is not to address specifically what
3 happened. I'm sorry, what happened. So either
4 Investigator Dantzler or Brashears, how did this,
5 can you one of you please let us know, how did
6 this establishment come to your attention?

7 Either person can answer. And just
8 give us some background information.

9 MR. BRASHEARS: I can speak to that,
10 Chairperson.

11 CHAIRPERSON ANDERSON: Thank you. Go
12 ahead.

13 MR. BRASHEARS: Basically on March
14 21st I was driving on Georgia Avenue and I
15 observed a large crowd heading into the
16 establishment. Contacted Investigator Dantzler,
17 we contacted MPD.

18 We could not gain entry to the
19 establishment. It was operating after hours. We
20 went into the ABRA records and found that Mr.
21 Tekleab Habtu was the owner.

22 We contacted --
23 (Off record comments.)

24 CHAIRPERSON ANDERSON: Hold on, Mr.
25 Brashears. Mr. Brashears, hold on. I need

1 everyone to have their phone on mute, except for
2 Mr. Brashears, okay? Go ahead, Mr. Brashears.

3 MR. BRASHEARS: So we went into ABRA
4 records, determined that Mr. Tekleab Habtu was
5 the owner. Investigator Dantzler was able to get
6 him on the telephone and he informed us that he
7 had sold the business previously, and was
8 basically done with it.

9 And he provided the name, and I
10 apologize if I mispronounce this, Mekedes
11 Yehualashet, as the new owner. And we were
12 informed that this individual was at the
13 establishment.

14 Mr. Habtu attempted to contact her to
15 let us in, but received no answer. Once gaining
16 entry to the establishment, we finally got in,
17 there was another individual who claimed to be
18 security, named Kyle Brown, who stated that he
19 had an intention to buy the establishment. So
20 that's how we came to where we are today.

21 Looking through ABRA records, at the
22 time of this incident, March 21st, there was no,
23 speaking with the licensing officer, they had
24 sent a deficiency letter with regard to the
25 application and there was no temporary operating

1 permit. And according to Mr. Habtu, he had sold
2 the business.

3 CHAIRPERSON ANDERSON: All right,
4 thank you, Mr. Brashears.

5 MR. BRASHEARS: Yes, sir.

6 CHAIRPERSON ANDERSON: Let's go back.
7 What language was, what language is it that the
8 Licensee speaks? What language is this please?

9 MS. GEBREMESKEL: Amharic.

10 CHAIRPERSON ANDERSON: Amharic?

11 MS. GEBREMESKEL: Yes.

12 CHAIRPERSON ANDERSON: Okay, thank
13 you. All right. The question that's now being
14 asked, Mr. Ebert, you are the, you said you are
15 the representative.

16 Who was running the business? The
17 business was in operation on March 21st, 2021.
18 Miss, I'm sorry, Ms. Yehualashet, was the owner
19 of the business on March 12, 2021.

20 Based on what was in the record, she
21 purchased the property, there was, she purchased
22 the property, the purchase agreement in August.
23 There's a purchase agreement in August.

24 She got the lease March, September
25 1st, 2020, she got a basic business license March

1 17th, 2021. And I was also told that initially,
2 a transfer application was sent to ABRA on
3 January 8th, 2021.

4 What was going on? Who was
5 superintendent of the business on March 21st,
6 2021? I can't hear you, sir? You are muted, I
7 can't hear you.

8 MR. EBERT: Okay, okay. You're right.
9 Thank you. Thank you. Sorry.

10 I have been recently brought into
11 this, Mr. Chairperson. And it was, when I have
12 come here to the restaurant I have not seen
13 anybody, the information you are now presenting,
14 and which Investigator Brashears has presented,
15 is completely new to me and I have not even had a
16 time to discuss this with her, what happened on
17 March 21st, why are they bringing this up today.

18 Can I have some time to speak with her
19 or can we, I can find out because she is not
20 clear on exactly, she's saying nobody was here,
21 but now he even brings up another potential
22 owner. I've never heard of this.

23 CHAIRPERSON ANDERSON: We scheduled
24 this fact-finding hearing because, so why are we
25 here today? You don't know why we're here today?

1 MR. EBERT: We're here to say she's
2 the owner. She bought the establishment.

3 CHAIRPERSON ANDERSON: Okay, fine.

4 MR. EBERT: She's the owner, and it
5 hasn't been opened, so I'm not sure what he is
6 talking about.

7 CHAIRPERSON ANDERSON: Wait a minute.
8 Wait a minute. Wait a minute. Now --

9 MR. EBERT: Yes. I mean, what can I
10 say.

11 CHAIRPERSON ANDERSON: Mr. Ebert, are
12 you an attorney, sir?

13 MR. EBERT: No, I'm just the executive
14 director of 9th Street Association.

15 CHAIRPERSON ANDERSON: So you're not
16 an attorney?

17 MR. EBERT: She's a member. No --

18 CHAIRPERSON ANDERSON: I'm saying,
19 you're not an attorney?

20 MR. EBERT: No, she's a member of the
21 group.

22 CHAIRPERSON ANDERSON: No. So you're
23 not an attorney, right? Is that correct?

24 MR. EBERT: No, not a practicing
25 attorney. No.

1 CHAIRPERSON ANDERSON: Okay. All
2 right. Because if you were an attorney appearing
3 in front of me today, sir, I would have something
4 else I would say, but since you are not an
5 attorney I'm fine. I'm fine with that.

6 This is a fact-finding hearing. The
7 problem that I'm having here today, there is, I
8 don't care about the incident that occurred,
9 that's not the purpose of this hearing.

10 I'm trying to find who is this owner
11 of this establishment, okay. And I ask one basic
12 fact. The person who presented themselves to me
13 today stated, a lease agreement, a purchase
14 agreement was made on September for, well --

15 MR. EBERT: August 30th, yes.

16 CHAIRPERSON ANDERSON: -- August 30th.

17 MR. EBERT: I correct myself, August
18 30th.

19 CHAIRPERSON ANDERSON: The lease was
20 signed on September 1st.

21 MR. EBERT: Right.

22 CHAIRPERSON ANDERSON: A transfer
23 application was signed on, was submitted to the
24 Board on January 8th, 2021. A basic business
25 license was issued to this owner on March 17th,

1 2021. Okay?

2 I've been told by the Investigator
3 that on March 21st, 2021 an incident occurred at
4 this establishment, okay?

5 I'm now being told that's not true.
6 The business wasn't open, there is no way
7 something could have happened on March 21st, 2021
8 because the business was closed.

9 Now, our Investigator, Mr. Brashears,
10 just testified, he was driving on 9th Street,
11 something occurred, they investigated the
12 business was opened. Who, and we contacted, we
13 went through our records, we contacted the owner,
14 who we thought was the owner, he said, oh by the
15 way, I sold the business.

16 So, I don't understand how the owner
17 is telling me that a business that she operates,
18 that she owns, that she signed a lease, that I
19 don't know what happened. Well, the business
20 wasn't open on March 21st --

21 MR. EBERT: It wasn't open.

22 CHAIRPERSON ANDERSON: So, if it
23 wasn't open, what did our Investigator see on
24 March 21st? What did they see?

25 What, are you telling me that it was

1 phantom that, did we go to the wrong address?

2 Mr. Brashears or Ms. Dantzler?

3 MR. BRASHEARS: Yes.

4 MS. DANTZLER: Yes.

5 CHAIRPERSON ANDERSON: Can you tell
6 us, what address did you go to on March 21st?

7 MS. DANTZLER: We went to --

8 MR. BRASHEARS: Yes, Mr. Chairperson.

9 MS. DANTZLER: -- 3013 Georgia Avenue
10 Northwest.

11 CHAIRPERSON ANDERSON: Mr. Ebert?
12 What's the address --

13 MR. EBERT: Yes.

14 CHAIRPERSON ANDERSON: What's the
15 address of the establishment that's owned here?
16 What's the address?

17 MR. EBERT: 3013 Georgia Avenue
18 Northwest.

19 CHAIRPERSON ANDERSON: All right. And
20 --

21 MR. EBERT: Right.

22 CHAIRPERSON ANDERSON: -- the person
23 that you represent, she represented that she is
24 the owner of 3013 Georgia Avenue Northwest, is
25 that correct?

1 MR. EBERT: Correct.

2 CHAIRPERSON ANDERSON: And our
3 Investigator says on March 21st, 2021 they went
4 to 3013 and there was some activities going on in
5 that building.

6 MR. EBERT: Okay.

7 (Simultaneously speaking.)

8 CHAIRPERSON ANDERSON: Okay.

9 MR. EBERT: Okay. All right. Can I
10 ask her one question?

11 CHAIRPERSON ANDERSON: You can --

12 (Simultaneously speaking.)

13 CHAIRPERSON ANDERSON: Hold on. Hold
14 on. Hold on.

15 MR. EBERT: Oh, sorry.

16 CHAIRPERSON ANDERSON: Do you want us
17 to hear the question that you're asking her? You
18 can put yourself on mute if you --

19 MR. EBERT: Yes, I do.

20 CHAIRPERSON ANDERSON: -- Don't want

21 --

22 MR. EBERT: Yes, I do. Yes, I do.

23 CHAIRPERSON ANDERSON: Okay.

24 MR. EBERT: Yes, I do.

25 CHAIRPERSON ANDERSON: Sure. Go

1 ahead.

2 MR. EBERT: All right. Mekedes, when
3 is your birthday?

4 MS. YEHUALASHET: No, it's not --

5 MR. EBERT: When is your birthday?

6 MS. YEHUALASHET: Oh, my birthday?

7 MR. EBERT: Yes.

8 MS. YEHUALASHET: June 3.

9 MR. EBERT: And what was the occasion
10 on March 21st?

11 MS. YEHUALASHET: No, the --

12 MR. EBERT: What's the occasion on
13 March 21st?

14 MS. YEHUALASHET: My friend.

15 MR. EBERT: What about your friend?
16 What happened.

17 MS. YEHUALASHET: My friend birthday.
18 Just she eat dinner, just birthday cake,
19 everything here.

20 MR. EBERT: And why did you have the
21 birthday here?

22 MS. YEHUALASHET: What?

23 MR. EBERT: Why did you have the
24 birthday here? The birthday party here. Why was
25 it here?

1 MS. YEHUALASHET: I did it because my
2 friend.

3 CHAIRPERSON ANDERSON: I'm going to,
4 you know what, nobody is going to --

5 MR. EBERT: You had a birthday party
6 here?

7 CHAIRPERSON ANDERSON: I'm sorry, hold
8 on. Hold on. Hold on. Hold on. Hold on. No
9 one is under oath.

10 And, you know, I'm going to bring this
11 hearing to an end. You folks need to get your
12 story together.

13 Okay, this is what I'm going to do,
14 all right. This matter was scheduled for a fact-
15 finding hearing today.

16 MR. EBERT: A fact-finding.

17 CHAIRPERSON ANDERSON: I'm going to
18 continue --

19 MR. EBERT: Not inquiry, fact-finding.

20 CHAIRPERSON ANDERSON: -- A fact-
21 finding. A fact-finding because we found out on
22 March 21st, 2021 that there was an event that
23 occurred at this address.

24 MR. EBERT: Right. Right.

25 CHAIRPERSON ANDERSON: We went to

1 investigate and we were told that there was a new
2 owner. That the person that we, the person the
3 Board contacted as the owner said that I sold the
4 business, I'm no longer the owner.

5 Here it is, there's a transfer
6 application for the new owner that was sent to
7 the Board. Now we're having a fact-finding just
8 to get some background information from this
9 owner.

10 And the owner is saying to us that the
11 business was not open on March, that there was
12 nothing to see on March 21st, 2021. I don't know
13 what you're talking about because nothing
14 occurred there. There was no operation, it
15 wasn't open.

16 MR. EBERT: Correct. Correct.

17 CHAIRPERSON ANDERSON: So, someone is
18 not telling us the truth. Okay.

19 MR. EBERT: They had a birthday party
20 there. We just told you.

21 CHAIRPERSON ANDERSON: No, no, no.
22 Sir? Sir? Sir? Sir? Sir? You asked her her
23 date of birth. You asked her some questions.
24 She is saying my friend.

25 She never said that we had a private

1 party for my friend's birthday. She's not saying
2 that. Even to this moment she is denying that
3 nothing happened.

4 So this is what I'm going to do.

5 MR. EBERT: She just saying she had a
6 birthday party, sir, if I may correct you please.

7 CHAIRPERSON ANDERSON: I'm sorry. I'm
8 sorry, I don't get that. And this is what I'm
9 going to do, okay?

10 MR. EBERT: Wow.

11 CHAIRPERSON ANDERSON: We're going to
12 continue this fact-finding hearing. She speak
13 to, what language does she speak?

14 MS. GEBREMESKEL: Amharic.

15 MR. EBERT: Amharic.

16 CHAIRPERSON ANDERSON: Amharic. You
17 need to tell her that she needs to request an
18 Amharic interpreter for this hearing. She needs
19 to request that from the Board.

20 You can still be here representative,
21 but I'll need to make sure that what's being said
22 to her is being translated to her in her native
23 language so she understands.

24 She is coming to the Board to get a
25 license, and I'm not comfortable moving forward

1 because if we cannot agree that on March 21st,
2 2021 something happened, then there is really no
3 reason for us to move forward.

4 I should not have gone to this
5 hearing, I should not be involved in this hearing
6 for almost 20, 30 minutes and people are saying
7 nothing happened on March 21st, 2021 because the
8 business was not open. Okay?

9 MR. EBERT: Well, why are you
10 interpreting it that way?

11 CHAIRPERSON ANDERSON: That's what I
12 was told. You told me this morning --

13 MR. EBERT: I did not. She said it
14 wasn't open and she had a birthday party.

15 CHAIRPERSON ANDERSON: It's open.

16 MR. EBERT: She doesn't see that as
17 being open.

18 CHAIRPERSON ANDERSON: Well, and
19 that's the problem.

20 MR. EBERT: It's not open --

21 CHAIRPERSON ANDERSON: And that's the
22 problem there.

23 MR. EBERT: -- because it's theirs.

24 CHAIRPERSON ANDERSON: Listen.

25 Listen. What's your role, sir?

1 I'm sorry, who are you? I'm sorry,
2 who are you?

3 MS. FALK: I'm Allan Ebert, executive
4 director of 9th Street Association, as I
5 introduced myself.

6 CHAIRPERSON ANDERSON: Okay.

7 MR. EBERT: I represent her. She's a
8 member of our nonprofit organization.

9 CHAIRPERSON ANDERSON: Listen.

10 MR. EBERT: We are setup and
11 established three months ago to advocate on
12 behalf of the businesses, especially 9th Street,
13 which we will be familiar with, and that's why
14 I'm here with her. She's a member of our
15 nonprofit organization.

16 CHAIRPERSON ANDERSON: And the reason
17 why I have a problem with that, sir, it's a
18 statement that you're making that the business
19 wasn't open. If you are the executive director
20 of the 9th Street Association, you need to tell
21 your business folks that if they have an ABRA
22 license or in the process of having a license,
23 the business is always open.

24 You can't have a private party. If
25 you have an ABRA license, you can't have a

1 private party and say, oh, it's a private party.
2 We can still go there. You still have to
3 operate.

4 So she's saying that we weren't open.
5 And that is the fundamental problem that I'm
6 having. She is not even admitting --

7 MR. EBERT: Got you.

8 CHAIRPERSON ANDERSON: -- That the
9 business was open. Yes, tell the Board that I
10 had a birthday part. Okay. I did not know that,
11 yes, it wasn't open, it was a private party, it
12 was a birthday party.

13 But don't say that nothing occurred
14 that day. Don't say, why do I have to ask the
15 Investigator what address they went to, because
16 she said nothing went on there that day.

17 MR. EBERT: Okay.

18 CHAIRPERSON ANDERSON: That's my
19 problem.

20 MR. EBERT: Well said. Well taken.

21 CHAIRPERSON ANDERSON: See, I should
22 not go to 20 minutes for her to say, oh by the
23 way, you know what, I was having a birthday party
24 for a friend of mine. No, no, no. No.

25 We don't do that here. We need to be

1 up-front. I did not know if a, I know that I
2 wasn't operating but I opened this, I don't know
3 what it is.

4 But don't, I should not have to ask
5 the Investigator what address they went to. And
6 when I asked the Investigator what address they
7 went to, then she is like saying, well, I'm still
8 unclear. So we're going to pause this right
9 here.

10 You can find out from her exactly
11 what's going on. The purpose of this hearing is
12 not to address the incident that occurred on that
13 date, it's to more so address her transfer
14 application and whether or not we believe that
15 she is, she can get a license to transfer.

16 And I'm not in a good position because
17 she is not being truthful here. Or she doesn't
18 understand. And so that's one of the reasons why
19 I want her, when we're having this conversation,
20 it's been translated to her in her language. You
21 can still represent her.

22 But at least everything that I say is
23 being transferred to her in her native language
24 so she can understand. That's what I need to
25 occur.

1 So that's why we're going to, that's
2 why I'm pausing this hearing today. I will ask
3 the Agency to provide you some, another date for
4 us to have a, continue this hearing.

5 You have an opportunity to sit down
6 with her and talk to her. I will ask the Agency
7 to provide you with a copy of the investigative
8 report so at least you will know.

9 But again, the purpose of the hearing
10 is not to address the investigative report, it's
11 just to establish that the business was open and
12 who was operating the business on March 21st.
13 And was that the only day that the business was
14 open. That's all. Okay?

15 MR. EBERT: Thank you.

16 CHAIRPERSON ANDERSON: Are you clear?

17 MR. EBERT: We're clear.

18 CHAIRPERSON ANDERSON: Thank you. The
19 Agency will provide you another date to have this
20 hearing.

21 And can you please request an
22 interpreter from the Agency in her native
23 language so one will be here to provide for her,
24 okay?

25 MR. EBERT: Sure. I will do that.

1 CHAIRPERSON ANDERSON: Thank you very
2 much. All right.

3 MR. EBERT: You're welcome.

4 CHAIRPERSON ANDERSON: All right.

5 MR. EBERT: May I have one comment?

6 CHAIRPERSON ANDERSON: Yes, sir.

7 MR. EBERT: I see you're a little
8 agitated. And I hope it's because of me, not
9 because of her.

10 CHAIRPERSON ANDERSON: No. Well, you
11 see --

12 MR. EBERT: That's all.

13 CHAIRPERSON ANDERSON: No, it's not
14 because of her. And that's one of the reasons,
15 sir, that's why I --

16 MR. EBERT: Okay.

17 CHAIRPERSON ANDERSON: -- Is I know
18 you are her representative and I ask you if you
19 were an attorney because if you were --

20 MR. EBERT: Right.

21 CHAIRPERSON ANDERSON: -- An attorney,
22 I would have unloaded on you. I simply would
23 have done that.

24 MR. EBERT: I'm sorry.

25 CHAIRPERSON ANDERSON: But since

1 you're not an attorney, you're just a
2 representative, I'm fine with that so therefore
3 I'm not going to unload on you. Because I said,
4 one of the basic questions I was asking is that,
5 you said you couldn't answer in a since that you
6 wasn't sure. So that's why I pulled back.

7 I'm just, I'm not, this is not on her,
8 it's the process. I don't think she understands.
9 And so that's one of the reasons why I believe we
10 need to have an interpreter who can speak to her
11 in her language so she will understand the
12 seriousness of what we are and what she is
13 requesting from the Board.

14 MR. EBERT: Sure.

15 CHAIRPERSON ANDERSON: And in the
16 interim, I don't know when we're going to have
17 the hearing, but I need her, and everybody in
18 this case, ABRA is having a training on May 18th
19 at 10 o'clock.

20 MR. EBERT: Okay.

21 CHAIRPERSON ANDERSON: You may want to
22 utilize this. The process to get a license. I
23 want, I put forth a notice that they need to
24 come. They need to go to our website, sign up
25 for this training and participate.

1 And I also think, Mr. Ebert, it
2 probably would be also good for you too because,
3 as you said, your nonprofit is only three months
4 old. And I believe that if you, as I believe
5 that if you're going to assume this role as a
6 representative in businesses on your block, on
7 the 9th Street, that it would help you that you
8 know what some of the expectations are of your
9 clients.

10 When I say clients, I mean, the
11 businesses on the block.

12 MR. EBERT: Right.

13 CHAIRPERSON ANDERSON: What does ABRA
14 expect from them. That's all. It's just to help
15 you, to give you some background information,
16 sir.

17 MR. EBERT: I appreciate that very
18 much, sir. I really do.

19 CHAIRPERSON ANDERSON: All right, sir,
20 May 18th at 10 o'clock. They can come on the
21 website and register and participate. So at
22 least they'll have a little bit more background.

23 But we'll let you know, we'll let all
24 the parties know when the hearing will be
25 continued for, okay?

1 MR. EBERT: Okay. Just if I may in
2 closing that --

3 CHAIRPERSON ANDERSON: Yes.

4 MR. EBERT: -- I did have
5 communication with Ms. Randall when I found out
6 about this, about a week ago. And she had gotten
7 back to me and said there was a question about
8 ownership.

9 And I didn't realize there was an
10 incident, but I just tried to look over the 71
11 pages of the application and attachments to see
12 why there would be a question about ownership.
13 Who owned it.

14 And I saw a business contract, I saw
15 her incorporation, I saw her, the lease. I saw
16 everything seemed appropriate. I had no idea,
17 and I apologize for that.

18 And obviously she was a little, she
19 didn't understand. And having an interpreter
20 would be, of course, very necessary. So thank
21 you very much.

22 CHAIRPERSON ANDERSON: You're welcome.
23 And so, when ABRA said there is an issue with
24 ownership, is that as far as ABRA's records are
25 concerned, the change in ownership hasn't been

1 approved by us and so therefore until, and
2 unless, ABRA changes, approves transfer of the
3 license, the owner of the establishment is the
4 original owner. It's the person that she brought
5 the business from.

6 He is still, as far as ABRA is
7 concerned, any incidents that occurred, that
8 person is still responsible because the license
9 is still in their name. Until and unless the
10 transfer goes through, they are not supposed to
11 operate. It's the old owner who is still running
12 the business.

13 MR. EBERT: All right. Good point.
14 Now I understand. And I can see why you told me
15 in the beginning I don't want to hear about the
16 previous owner, Mr. Habtu, that's not the point
17 here. Got you.

18 CHAIRPERSON ANDERSON: All right?

19 MR. EBERT: Thank you.

20 CHAIRPERSON ANDERSON: So thank you
21 very much. We're recessing this proceeding to be
22 continued at a date to be determined. Okay?

23 MS. GEBREMESKEL: Thank you.

24 MS. YEHUALASHET: Thank you.

25 MR. EBERT: All right.

1 CHAIRPERSON ANDERSON: All right,
2 then. All right.

3 MR. EBERT: We're all done?

4 CHAIRPERSON ANDERSON: Yes, sir, we're
5 done.

6 MR. EBERT: All right, thank you.

7 CHAIRPERSON ANDERSON: All right, bye-
8 bye.

9 (Whereupon, the above-entitled matter
10 went off the record at 12:22 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: Kezira Lounge

Before: DCABRA

Date: 05-12-21

Place: teleconference

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