

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

2 1:36 p.m.

3 CHAIRPERSON ANDERSON: Good afternoon,
4 everyone and welcome, we're on the record,
5 welcome to our afternoon session of the ABC
6 Board. My name is Donovan Anderson, I'm Chairman
7 of the Board.

8 Joining us this afternoon are Mr.
9 James Short, Mr. Bobby Cato, Ms. Rafi Crockett,
10 Ms. Jeni Hansen and Mr. Edward Grandis. The
11 Board has six members in attendance for the
12 conduct of business and that constitutes a
13 quorum.

14 All right, before we get underway with
15 this afternoon's agenda, I need to make a few
16 instructions very clear so that the conduct of
17 this hearing is understood by everyone. There
18 are four hearings scheduled for this afternoon.

19 Once your case is called, I will take
20 a moment for our IT Specialist to elevate the
21 rights for each party, to enable their camera and
22 microphone. Then, and only then, will you have
23 the ability to enable your equipment.

24 If your case is not being heard, you
25 will remain mute and your camera will be

1 disabled.

2 At the conclusion of each case, the
3 parties will have the option to leave. If the
4 party chooses to stay all cameras and microphones
5 for the concluded case will be disabled.

6 Should you have any questions or
7 require technical assistance during the hearing,
8 please submit them using the questions and answer
9 feature or email simone.andrews2@dc.gov. Again,
10 if you have any questions during the hearing you
11 can also put your notification in the chat or you
12 can email simone.andrews2@dc.gov.

13 Our first hearing for this afternoon
14 is Case Number 21-CMP-00022, Brick Lane
15 Restaurant, License Number 109778.

16 Ms. Andrews, can you please elevate
17 the rights of the parties in this case? Thank
18 you.

19 MS. ANDREWS: Sure. Standby.

20 CHAIRPERSON ANDERSON: So while Ms.
21 Andrews is elevating the rights, if you are a
22 party participant for Brick Lane Restaurant,
23 please identify yourself so Ms. Andrews can
24 elevate your rights so you can participate in
25 this hearing.

1 MS. ANDREWS: Mr. Ruiz, your rights
2 have been elevated. That's all I have for now,
3 Mr. Chair.

4 CHAIRPERSON ANDERSON: If you're Mr.
5 Elalami, E-L-A-L-A-M-I. What about Mr.
6 Karrakchou. Are you on the line? If you are on
7 the line, either by a video or call in, can you
8 please identify yourself for the hearing please?

9 This matter was scheduled for fact-
10 finding hearing at 1:30, it is now 1:40. So
11 we're going to wait another five minutes for the
12 licensee for this case to identify themselves.
13 Maximum five minutes for the licensee to identify
14 themselves.

15 Again, if there is anyone online who
16 is familiar or who's here for Brick Lane
17 Restaurant license, Brick Lane Restaurant is at
18 517 8th Street Southeast. The License Number is
19 109778. Brick Lane Restaurant.

20 Brick Lane Restaurant, if you are
21 there, can you please identify yourself?

22 I'm going to wait two more minutes,
23 but that's it, we're going to have this hearing
24 today for them. Going to wait another two more
25 minutes, to once again, to make sure that no one

1 is there, to move forward.

2 MEMBER GRANDIS: Mr. Chairman?

3 CHAIRPERSON ANDERSON: Yes, Mr.

4 Grandis.

5 MEMBER GRANDIS: Thank you. For the
6 record, since this is a public hearing, could we
7 put in the record how the owner of record, or
8 owners of record, were notified?

9 CHAIRPERSON ANDERSON: I'm trying to
10 find that information, Mr. Grandis, that's why
11 I'm giving --

12 MEMBER GRANDIS: Thank you very much.
13 I just thought it would help with the record.
14 Thank you.

15 CHAIRPERSON ANDERSON: Thank you. As
16 you know, we are all remote so I am trying to get
17 that information.

18 All right. The Licensee was invited
19 with, was provided notice for this hearing on
20 July 28th.

21 I am aware that the Agency has had
22 contact with this Licensee or with this Licensee
23 consistently through its mode of communication,
24 and so they were notified off this hearing on
25 July 28th. And they're not here today. So we're

1 going to have this fact-finding hearing.

2 All right. So, Mr. Ruiz, can you
3 please spell and state your name for the record
4 please?

5 MR. RUIZ: Yes. First name is Mark,
6 M-A-R-K, last name is Ruiz, R-U-I-Z.

7 CHAIRPERSON ANDERSON: I apologize,
8 Mr. Ruiz.

9 MR. RUIZ: That's okay.

10 CHAIRPERSON ANDERSON: And where are
11 you currently employed?

12 MR. RUIZ: The Alcoholic Beverage
13 Regulation Administration.

14 CHAIRPERSON ANDERSON: And what is
15 your role at the Agency, sir?

16 MR. RUIZ: I am an investigator.

17 CHAIRPERSON ANDERSON: How long have
18 you been working for the Agency, sir?

19 MR. RUIZ: Approximately two and a
20 half years.

21 CHAIRPERSON ANDERSON: And how are you
22 familiar with this, with this establishment,
23 Brick Lane Restaurant?

24 MR. RUIZ: Brick Lane became, started
25 investigating the ownership after I had

1 discovered trade name change prior to that. So
2 in talks with the claimed owners of the property,
3 the new owners of the property, Ms. Siham Zouine,
4 and Mr. Mohamad Karrakchou, I have been in
5 conversation with them since about October 20, 21
6 when we initially discovered the name change on
7 the front of the building.

8 CHAIRPERSON ANDERSON: Hold on, Mr.
9 Ruiz. Can you spell, you just put two names in
10 the record, can you spell those names, please,
11 for the record?

12 MR. RUIZ: Yes. Mohamed, M-O-H-A-M-E-
13 D, last name is Karrakchou, K-A-R-R-A-K-C-H-O-U.
14 And Ms. Siham, S-I-H-A-M, last name Zouine, Z-O-
15 U-I-N-E.

16 CHAIRPERSON ANDERSON: Now, how is it
17 that you have been, what modes of communication
18 have you been using to communicate with these
19 individuals?

20 MR. RUIZ: I have spoke to both of
21 these individuals in person during the subsequent
22 visits of the establishment. On April 8th, 2021
23 when I discovered the trade name had not been
24 changed since they had taken over ownership.

25 CHAIRPERSON ANDERSON: Now let me,

1 let's start at the beginning. Did you write a
2 report?

3 MR. RUIZ: I did.

4 CHAIRPERSON ANDERSON: All right. So
5 why don't you go through your report and tell us
6 what it is that you have, what did you come
7 across as far as this establishment is concerned,
8 please?

9 MR. RUIZ: Okay. So, on April 8th,
10 2021 I had made a visit to the establishment in
11 regard to the trade name on the building. The
12 trade name was called Mekki, M-E-K-K-I, which was
13 on a banner sign as well as the menus posted out
14 in front of the building. But the license was
15 still registered as Brick Lane Restaurant.

16 I spoke to a Siham Zouine that day, in
17 which she presented herself as the owner. And
18 her partner, who takes care of the paperwork, was
19 overseas at the time so I could not speak to him
20 at that moment.

21 After returning to the office I
22 conducted a records through Excel program, which
23 established the current owner as Elalami, E-L-A-
24 L-A-M-I, last name Ikhiar, I-K-H-I-A-R, listed as
25 the managing member 100 percent. Was the sole

1 owner. I did attempt to reach Mr. Ikhiar via
2 telephone but I was unsuccessful.

3 I was able to revisit the location on
4 June 24th, 2021 where I was able to meet with the
5 additional partner, Mr. Karrakchou, to get a
6 further understanding of what was going on with
7 the business at the time. At that time the Mekki
8 banner was removed, but they were still operating
9 with menus still stating Mekki.

10 I spoke with Mr. Karrakchou and asked
11 him who the owner of the establishment is. And
12 he stated that he was. I then asked him when he
13 acquired the business. He stated he acquired the
14 business February 2020.

15 At which time they began experimenting
16 with the trade name, which he identified as a
17 pop-up by the name of Mekki. And he wanted to
18 test out how the menu would work.

19 I did ask him about the previous
20 owner, Mr. Ikhiar, which they do have a close
21 friendship relationship. He stated to me that
22 Mr. Ikhiar has been back in his home country
23 overseas and he has no intention to return back
24 to the United States.

25 So I notified Mr. Karrakchou that they

1 needed to get in contact with ABRA. He stated
2 he's been in contact with licensing and legal and
3 showed me the email from Mr. Ikhiar's account.
4 He stated that he obtained the email when they
5 acquired the, took over ownership of the
6 business.

7 I did advise me at that time that they
8 were in violation for change of ownership without
9 Board approval. And I advised him that he make a
10 urgent attempt to contact ABRA and to get all
11 that straightened out.

12 And on June 28th, 2021 I did check
13 with legal, as well as Excel, and there was no
14 indication at that time that an application was
15 made for either a change of ownership or a change
16 of the trade name. The establishment does have a
17 settlement agreement but does not have a security
18 plan. And that's basically the conclusion of my
19 investigation.

20 CHAIRPERSON ANDERSON: So, as far as
21 ABRA is concerned, who is the owner of this
22 establishment?

23 MR. RUIZ: Mr. Ikhiar. I-K-H-I-A-R.
24 From LLC.

25 CHAIRPERSON ANDERSON: Does ABRA have

1 any information, is Mr. Ikhiar, is he a 100
2 percent owner of the establishment?

3 MR. RUIZ: My review of Excel in the
4 records, was at the time, my check. June 28th.

5 CHAIRPERSON ANDERSON: I'm sorry,
6 when?

7 MR. RUIZ: June 28th was the last time
8 I checked the record.

9 (Simultaneously speaking.)

10 CHAIRPERSON ANDERSON: Go ahead, sir.

11 MR. RUIZ: But I have heard recently
12 that they were contact with licensing and legal
13 for the trade name change.

14 CHAIRPERSON ANDERSON: Do you know the
15 nature of the contact with legal? Are you aware?

16 Or licensing division, are you aware
17 of the, what contact, if any, was made?

18 MR. RUIZ: I am not of the details, I
19 just know that they had reached, made an
20 application.

21 CHAIRPERSON ANDERSON: Okay. All
22 right. I just want the record to reflect that
23 service was effectuated, in person, for this
24 hearing on July 23rd. And Mr. Ali, A-L-I, K-H-A-
25 L-E-D, Khaled, he signed the service form. So I

1 want the record to reflect that the personal
2 service was made on July 30th and that Mr. Ali
3 Khaled signed the form acknowledging receipt and
4 notice of today's hearing.

5 And it is 1:55, for a 1:30 hearing,
6 and no one has identified themselves as a
7 representative from this establishment during the
8 question and answer features. So I want the
9 record to reflect that.

10 Are there any questions by any Board
11 Members of Mr. Ruiz?

12 MEMBER SHORT: Yes, Mr. Chair, I had
13 one question for Mr. Ruiz.

14 CHAIRPERSON ANDERSON: Yes, go ahead.

15 MEMBER SHORT: Investigator Ruiz,
16 thank you for your report. I would like to know,
17 on the date or day that you were there and talked
18 to both the prior owner and the one who claimed
19 to be owner now. There were two separate
20 persons, is that correct?

21 MR. RUIZ: No, I have never spoke to
22 the original owner. I was unable to get in
23 contact with them.

24 I was, I had spoke to, originally,
25 just a female owner by the last name Zouine, Z-O-

1 U-I-N-E. And then I spoke with Karrakchou on two
2 different days. So I had one, one day, one the
3 other day.

4 MEMBER SHORT: Okay. So you have
5 talked to how many people all in total that claim
6 they were owners or part owners of this business?

7 MR. RUIZ: Two.

8 MEMBER SHORT: And what dates would
9 that have been?

10 MR. RUIZ: One on April 8th, 2021 and
11 June 24th, 2021.

12 MEMBER SHORT: And at that time they
13 said they were going to get it straightened out
14 with ABRA and get the license correctly placed
15 like it should be?

16 MR. RUIZ: Yes.

17 MEMBER SHORT: Thank you very much for
18 your testimony. And thank you, Mr. Chair, that's
19 all I have right now.

20 CHAIRPERSON ANDERSON: Thank you, Mr.
21 Short. Are there any questions by any other
22 Board Members?

23 MEMBER GRANDIS: Yes, sir.

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

1 MEMBER GRANDIS: Thank you. Mr. Ruiz,
2 I want to thank you for your expert testimony
3 today and your participation. Thank you very
4 much. I know you've had long hours and we
5 appreciate your participation. It helps us
6 forming our decision.

7 I just want to be clear, for myself.
8 ABRA only recognizes one individual as the owner
9 of this license, is that correct?

10 MR. RUIZ: Correct. One managing
11 member, yes.

12 MEMBER GRANDIS: Yes. So there is no
13 original owner and new owner, there is just, from
14 ABRA's perspective, there is just a managing
15 member of an LLC I'm assuming who is the sole
16 person in ABRA records that indicate that that
17 person is the owner?

18 MR. RUIZ: Correct.

19 MEMBER GRANDIS: And it's my
20 understanding that this fact-finding instructs
21 that the owner, or the owner's representative, to
22 attend this fact-finding today?

23 MR. RUIZ: It's my understanding as
24 well.

25 MEMBER GRANDIS: When you said you,

1 and I think you've answered this, but when you
2 researched the records, you presented testimony
3 that stated that the person purporting to be
4 managing/whatever, with the pop-ups and whatever,
5 said that the owner of record has left the U.S.
6 and gone back to his home country, if I heard
7 that correctly?

8 MR. RUIZ: Yes, that's correct.

9 MEMBER GRANDIS: Is there anything in
10 ABRA records that indicates that this owner has
11 contacted ABRA to update and change the address
12 for notification?

13 MR. RUIZ: No.

14 MEMBER GRANDIS: And may I ask you if
15 you have, what is the last date that you checked
16 that?

17 MR. RUIZ: The last time I checked the
18 records was on June 28th, 2021.

19 MEMBER GRANDIS: Thank you, I have no
20 more questions. Thank you, Mr. Chairman.

21 CHAIRPERSON ANDERSON: Thank you, Mr.
22 Grandis. Any questions by any other Board
23 Members?

24 All right, hearing none, thank you for
25 your presentation today, Mr. Ruiz.

1 MR. RUIZ: You're welcome.

2 CHAIRPERSON ANDERSON: And thank you.

3 The Board will take this matter under advisement.

4 Thank you, sir, have a great day.

5 MR. RUIZ: You too.

6 CHAIRPERSON ANDERSON: All right.

7 (Whereupon, the above-entitled matter
8 went off the record at 1:59 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: Brick Lane Restaurant

Before: DC ABRA

Date: 08-11-21

Place: teleconference

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
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Court Reporter

NEAL R. GROSS

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