

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE AND CANNABIS BOARD
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MEETING

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IN THE MATTER OF:
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Voyager 888, LLC, :
t/a Assets :
1805 Connecticut Ave NW : Show Cause
Retailer CN - ANC 2B : Hearing
License #113585 :
Case # 22-251-00030 :
:
(Allowed the :
Establishment to be :
Used for an Unlawful :
or Disorderly Purpose, :
Failed to Follow Security:
Plan) :
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Wednesday
September 20, 2023

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

PRESENT:

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

ALSO PRESENT:

- JOSE ORELLANA, DC ABCA Staff
RICHARD BIANCO, Licensee's Counsel
COLLIN CENCI, DC OAG

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

2 11:01 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is Case Number 22-251-00030,
5 Assets, License Number 113585.

6 Mr. Orellana, can you please elevate
7 the rights of the Government and the Licensee in
8 this case, please?

9 MR. ORELLANA: Sure. Richard Bianco,
10 your access has been elevated. Collin Cenci,
11 your access has been elevated.

12 And, that appears to be all, Chairman.

13 CHAIRPERSON ANDERSON: All right.
14 Thank you. Good morning everyone. Mr. Cenci,
15 can you please spell and state your name for the
16 record, please?

17 MR. CENCI: Collin Cenci, C-O-L-L-I-N
18 C-E-N-C-I, Assistant Attorney General with the
19 Office of the Attorney General for the District
20 of Columbia, representing the District today.

21 CHAIRPERSON ANDERSON: Good morning,
22 sir. Mr. Bianco, can you please spell and state
23 your name for the record, and who do you
24 represent, sir?

25 MR. BIANCO: Absolutely, Mr. Chairman.

1 My name is Richard Bianco, spelled R-I-C-H-A-R-D
2 B-I-A-N-C-O. I represent the Respondent in this
3 matter.

4 CHAIRPERSON ANDERSON: This matter was
5 scheduled for a Show Cause Hearing today. So,
6 Mr. Cenci, are there any preliminary matters in
7 this case?

8 MR. CENCI: Yes, there are, Mr.
9 Chairperson. This morning the parties were able
10 to come to terms on an Offer in Compromise to
11 resolve this matter.

12 I can read the terms of that Offer in
13 Compromise into the record for the Board's
14 consideration.

15 CHAIRPERSON ANDERSON: Yes, sir. What
16 is the Offer in Compromise?

17 MR. CENCI: Yes, Mr. Chairperson. So,
18 to resolve the matter, and vacate the hearing for
19 this case, and waive the open judicial review,
20 under 23 DCMR Section 1611.6, Respondent will
21 agree to the following terms:

22 To resolve Charge One, allowing the
23 establishment to be used for an unlawful purpose
24 under D.C. Code, Section 25.823(a)(2), the
25 Respondent will pay a \$3,000 fine within 30 days

1 or the license will be suspended indefinitely
2 until the fine is paid.

3 And, to resolve Charge Two, failure to
4 follow a security plan under D.C. Code, Section
5 25.823(a)(6), the Respondent will pay \$3,000
6 within 30 days or its license shall be suspended
7 indefinitely until the fine is paid.

8 For a total of a \$6,000 fine payable
9 within 30 days.

10 CHAIRPERSON ANDERSON: Thank you, Mr.
11 Cenci. Mr. Bianco, it is my understanding that
12 there is an Offer in Compromise.

13 And, I think for Charge One, allow the
14 establishment to be used for unlawful purpose,
15 there is a \$3,000 fine payable within 30 days.

16 And, for Charge Two, failure to follow
17 a security plan, which is another \$3,000 fine
18 payable within 30 days.

19 And, the license will be suspended
20 unless -- indefinite until the fine has been
21 paid. Is this your understanding, sir, of the
22 Offer in Compromise?

23 MR. BIANCO: Yes. That accurately
24 reflects the Offer in Compromise. It's been
25 accepted by my client.

1 And, I would just like to note for the
2 record that I do have in writing authorization
3 from the client to accept this.

4 CHAIRPERSON ANDERSON: I would --
5 well, I would have -- I would hope that since I'm
6 dealing with the Government and yourself, sir, so
7 I usually -- I usually don't ask those questions
8 when I'm dealing, working with two attorneys.

9 So, they -- usually, I'm, at least as
10 Board Chair, I'm comfortable with representations
11 made by attorneys, because if the attorney makes
12 a representation that's not supported by the
13 facts, then I know that I have -- I have another
14 option.

15 All right. But, thank you for making
16 the representation, Mr. Bianco.

17 Any questions by any Board Members
18 regarding this Offer in Compromise?

19 (No response.)

20 CHAIRPERSON ANDERSON: All right.
21 Hearing none, I make a motion that the Offer in
22 Compromise of a, for Charge One, which is to have
23 allowed the establishment to be used for unlawful
24 purposes, a fine of \$3,000 payable within 30
25 days, or the license shall be suspended

1 indefinitely until the fine has been paid.

2 For Charge Two, failure to follow a
3 security plan, a \$3,000 fine payable within 30
4 days or the license shall be suspended indefinite
5 until the fine has been paid.

6 So, I therefore make a motion that the
7 Offer in Compromise be accepted. Is there a
8 second?

9 MEMBER SHORT: Second.

10 CHAIRPERSON ANDERSON: Mr. Short has
11 seconded the motion. I will now make a roll --
12 have a roll call vote.

13 Mr. Short?

14 MEMBER SHORT: Mr. Short, I agree.

15 CHAIRPERSON ANDERSON: Mr. Cato?

16 MEMBER CATO: Bobby Cato, I agree.

17 CHAIRPERSON ANDERSON: Ms. Hansen?

18 MEMBER HANSEN: Agree.

19 CHAIRPERSON ANDERSON: Mr. Grandis?

20 MEMBER GRANDIS: Edward Grandis,
21 disagrees.

22 CHAIRPERSON ANDERSON: And, Mr.
23 Anderson, I agree. The matter passes four to
24 one, with Mr. Grandis in disagreement.

25 All right. Thank you very much. I

1 would want to thank the parties for coming to an
2 agreement. And, if there are no other questions,
3 have a great day, or comments.

4 Thank you very much. Have a great
5 day.

6 MR. CENCI: You too.

7 CHAIRPERSON ANDERSON: All right.
8 Yes, thank you. Thank you.

9 (Whereupon, the above-entitled matter
10 went off the record at 11:05 a.m.)
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<p style="text-align: center;">A</p> <p>a.m 2:2 7:10 ABCA 1:23 able 3:9 above-entitled 7:9 Absolutely 2:25 accept 5:3 accepted 4:25 6:7 access 2:10,11 accurately 4:23 agree 3:21 6:14,16,18 6:23 agreement 7:2 Alcoholic 1:2,15 allow 4:13 allowed 1:9 5:23 allowing 3:22 ANC 1:7 Anderson 1:16,19 2:3 2:13,21 3:4,15 4:10 5:4,20 6:10,15,17,19 6:22,23 7:7 appears 2:12 Assets 1:6 2:5 Assistant 2:18 attorney 2:18,19 5:11 attorneys 5:8,11 authorization 5:2 Ave 1:7</p>	<p>client 4:25 5:3 CN 1:7 Code 3:24 4:4 Collin 1:24 2:10,17 Columbia 1:1 2:20 come 3:10 comfortable 5:10 coming 7:1 comments 7:3 Compromise 3:10,13 3:16 4:12,22,24 5:18 5:22 6:7 Connecticut 1:7 consideration 3:14 Counsel 1:23</p>	<p>hope 5:5</p> <p style="text-align: center;">I</p> <p>indefinite 4:20 6:4 indefinitely 4:1,7 6:1</p> <p style="text-align: center;">J</p> <p>JAMES 1:21 JENI 1:20 JOSE 1:23 JR 1:19,21 judicial 3:19</p>	<p>payable 4:8,15,18 5:24 6:3 plan 1:12 4:4,17 6:3 please 2:6,8,15,16,22 preliminary 3:6 PRESENT 1:18,22 presiding 1:16 purpose 1:11 3:23 4:14 purposes 5:24</p>
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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: Assets

Before: DC ABCA

Date: 09-20-23

Place: teleconference

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



Court Reporter

NEAL R. GROSS

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