

IN THE MATTER OF:	:	
	:	
Canal Square	:	
Associates, LP	:	
t/a To Be Determined	:	
1054 31st Street NW	:	Fact Finding
Retailer CR - ANC 2E	:	Hearing
License No. 118463	:	
	:	
(Request to Extend	:	
Safekeeping)	:	

Wednesday
October 25, 2023

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

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

JOSE ORELLANA, DC ABCA Staff
MICHAEL WILDING, Licensee
MANALLE MAHMOUD, Licensee Counsel

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

2 2:08 p.m.

3 CHAIRPERSON DONOVAN: The next case on
4 our calendar is a fact-finding hearing for Canal
5 Square Associates, trade name to be determined.
6 License No. 118463.

7 Mr. Orellana, can you please elevate
8 the rights of the licensee in this case.

9 MR. ORELLANA: Manalle Mahmoud, your
10 access has been elevated.

11 Michael Wilding, your access has been
12 elevated.

13 That appears to be all, Chairman.

14 CHAIRPERSON DONOVAN: Thank you. I
15 don't see Mr. Wilding but, Ms. Mahmoud, can you
16 please spell and state your name for the record.

17 MS. MAHMOUD: Of course. Good
18 afternoon, Mr. Chairman and members of the Board.
19 I'm Manalle Mahmoud with Mallios O'Brien &
20 Sandground on behalf of the licensee. M-A-N-A-L-
21 L-E M-A-H-M-O-U-D.

22 CHAIRPERSON DONOVAN: And I see you,
23 Mr. Wilding. Mr. Wilding, can you please
24 identify yourself for the record.

25 MR. WILDING: Yes. With Canal Square

1 Associates my name is Mike Wilding, M-I-K-E W-I-
2 L-D-I-N-G.

3 CHAIRPERSON DONOVAN: And what's your
4 relationship to this license, sir?

5 MR. WILDING: I am the CFO.

6 CHAIRPERSON DONOVAN: All right. This
7 is a request for safekeeping of the license.
8 This is a fact-finding hearing. A request came
9 in for the license to remain in safekeeping until
10 March 31, 2024. We know that this license has
11 been in safekeeping for a period so the Board --

12 Mr. Wilding, can you please mute your
13 line, sir.

14 What I would like the parties to do is
15 just to provide us with some background, where
16 are we with this license, and what is the status
17 in getting this license back into being an active
18 license.

19 MR. WILDING: We are --

20 CHAIRPERSON DONOVAN: I'm sorry. Hold
21 on, Mr. Wilding. Hold on.

22 Ms. Mahmoud, are you speaking for --
23 who is speaking? You are the attorney.

24 MS. MAHMOUD: Mr. Wilding will explain
25 what's happened with the previous tenant that was

1 lined up and the DOA of putting the license back
2 into action.

3 CHAIRPERSON DONOVAN: Thank you.

4 Mr. Wilding, let me just explain to
5 you what's going on. You have an attorney so I
6 normally refer to the attorney unless the
7 attorney tells me that the client will speak. It
8 is for your own protection why I refer to your
9 attorney, sir. Now that your attorney has stated
10 that you can go forward, please go ahead.

11 MR. WILDING: Okay. Thank you. Sorry
12 about that. Yes, so we have a restaurant here in
13 our building. It's a restaurant space. In May
14 of 2022 we had a tenant lined up for that space.
15 Then shortly thereafter in June we had a fire in
16 the space which we are still in the process of
17 fixing. That's really the reason that we want to
18 continue the safekeeping.

19 CHAIRPERSON DONOVAN: I guess what I'm
20 saying, sir, you've had a fire. You stated that
21 you've had a fire in this space in June of '22.
22 this is over a year so what has taken a year
23 since you're saying that -- just tell me what was
24 the extent of the fire and how long is this
25 process going to take?

1 MR. WILDING: The sire was extensive.
2 The restaurant is right now completely gutted so
3 a new restaurant tenant will have to come in and
4 really outfit the restaurant. It's literally
5 empty. It has just taken that period of time to
6 get it to the point where we can now show it.

7 CHAIRPERSON DONOVAN: So where are you
8 -- do you have any potential clients -- I'm
9 sorry, any potential applicants or is it still
10 open?

11 MR. WILDING: No. We have shown it to
12 several potential tenants so it's an active -- as
13 far as trying to get it leased we are active in
14 that manner.

15 CHAIRPERSON DONOVAN: Do you have any
16 concrete -- any concrete type of leads in the
17 sense that we're in active negotiation with a
18 potential client or is it still trying to see who
19 is interested in this space?

20 MR. WILDING: No. There have been
21 active leads that I can get you information on if
22 that is required.

23 CHAIRPERSON DONOVAN: All right. Say,
24 for example, if you were to find a tenant and
25 sign a contract at least tomorrow, how long do

1 you believe it would take that tenant to open for
2 business?

3 MR. WILDING: Probably six months.

4 CHAIRPERSON DONOVAN: All right. Now,
5 if the Board was to grant this extension, it
6 would be through March 31, 2024. So what you're
7 saying to me you do not -- even if you have a
8 tenant today, it wouldn't -- say if you were to
9 sign a lease tomorrow, it wouldn't -- it doesn't
10 appear that this license would be in operation as
11 of April 1, 2024. Is that correct?

12 MR. WILDING: Yeah, if six months were
13 the case, you know, one of the reasons we also
14 would like to have the extension is that we find
15 it favorable to a perspective tenant, you know,
16 that this license is there.

17 CHAIRPERSON DONOVAN: Any questions by
18 any of the Board members?

19 Any final comments before I bring this
20 matter to closure?

21 MS. MAHMOUD: No, thank you, Mr.
22 Chair5.

23 CHAIRPERSON DONOVAN: All right. The
24 Board will take this matter under advisement
25 based on the testimony that was provided today.

1 What I will say is I have not reviewed the
2 submissions that were made, but it always helps
3 if one -- maybe in this case it has been done.

4 It always helps if you provide the
5 Board with significant information, enough
6 information so we will know that the licensee is
7 actively trying to find someone for the space so
8 that information, whatever information.

9 I would prefer not just a letter
10 saying that -- I'm not saying we're done with
11 this case but I'm just saying generally I would
12 prefer not just a letter saying that we're asking
13 for another six months but that you provide us
14 some background, where we've been, and what is
15 your projection of how much time it will take to
16 utilize this license. Okay?

17 MS. MAHMOUD: Yes.

18 CHAIRPERSON DONOVAN: You have a
19 question you want to ask, Mr. Short?

20 MEMBER SHORT: I guess this question
21 would go to Mr. Wilding.

22 Mr. Wilding, the fire happened June of
23 2022. Correct?

24 MR. WILDING: Correct.

25 MEMBER SHORT: What has been done in

1 that space since the fire?

2 MR. WILDING: It's been completely
3 gutted. It's hard to describe but, I mean, it's a
4 13,000 square foot space that was a really nice
5 looking restaurant. You walk in there now and it
6 looks like, you know, you've walked into --

7 MEMBER SHORT: I understand. The
8 question I'm asking you is what repairs have been
9 done and do you have any documentation as to who
10 did the repairs, what condition is it in now
11 since the fire over a year ago? Is there any
12 documentation you can provide the Board that
13 you're moving forward other than just to say to
14 take your word for it?

15 Is there any documentation that you
16 can provide this Board stating that the space has
17 been cleared of all fire debris and damages and
18 that construction can take place at anytime? Is
19 there any documentation that you can provide this
20 Board? Anything?

21 MR. WILDING: Yes.

22 MEMBER SHORT: When can you provide
23 that?

24 MR. WILDING: As soon as you want it.

25 MEMBER SHORT: You're the one asking

1 us for an extension. The reason why we're having
2 this hearing today is we want something today.

3 MR. WILDING: You got it. I can
4 provide it today.

5 MEMBER SHORT: Okay. Well, I'll just
6 say this. Once I see what you provide today, I'm
7 ready to vote. Thank you very much for your
8 testimony today.

9 MR. WILDING: Okay. Thank you.

10 MEMBER SHORT: That's all I have, Mr.
11 Chair.

12 CHAIRPERSON DONOVAN: Thank you.

13 Ms. Mahmoud, I guess on behalf of your
14 client, is it realistic that he can provide the
15 Agency with this document today?

16 MS. MAHMOUD: Yes. We should be able to
17 get some documentation today or, at the latest,
18 tomorrow. I'll hop on a call and hopefully we'll
19 have everything to you today, Mr. Chair.

20 CHAIRPERSON DONOVAN: Thank you.

21 All right. Thank you very much. Have
22 a great day.

23 MR. WILDING: Thank you.

24 (Whereupon, the above-entitled matter
25 went off the record at 2:20 p.m.)

<p>A</p> <p>ABCA 1:21 able 9:16 above-entitled 9:24 access 2:10,11 action 4:2 active 3:17 5:12,13,17 5:21 actively 7:7 advisement 6:24 afternoon 2:18 Agency 9:15 ago 8:11 ahead 4:10 Alcoholic 1:2,13 ANC 1:8 Anderson 1:14,17 anytime 8:18 appear 6:10 appears 2:13 applicants 5:9 April 6:11 asking 7:12 8:8,25 Associates 1:6 2:5 3:1 attorney 3:23 4:5,6,7,9 4:9</p>	<p>client 4:7 5:18 9:14 clients 5:8 closure 6:20 COLUMBIA 1:1 come 5:3 comments 6:19 completely 5:2 8:2 concrete 5:16,16 condition 8:10 construction 8:18 continue 4:18 contract 5:25 correct 6:11 7:23,24 Counsel 1:22 course 2:17 CR 1:8</p>	<p>forward 4:10 8:13</p> <p>G</p> <p>generally 7:11 getting 3:17 go 4:10,10 7:21 going 4:5,25 Good 2:17 GRANDIS 1:18 grant 6:5 great 9:22 guess 4:19 7:20 9:13 guttled 5:2 8:3</p>	<p>looking 8:5 looks 8:6 LP 1:6</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: Canal Square

Before: DC ABCA

Date: 10-25-23

Place: teleconference

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my direction; further, that said transcript is a
true and accurate complete record of the
proceedings.



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