

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:)
)
2411 18th Hospitality, LLC)
t/a The Game Sports Pub/Tiki on 18th)
)
Application for Substantial Change) Case No.: 21-PRO-00027
(Entertainment Endorsement and Cover Charge)) License No.: ABRA-112308
to a Retailer's Class CR License) Order No.: 2021-280
)
at premises)
2411 18th Street, NW)
Washington, D.C. 20009)

2411 18th Hospitality, LLC, t/a The Game Sports Pub/Tiki on 18th (Applicant)

Amir Irani, Commissioner, Advisory Neighborhood Commission (ANC) 1C

Denis James, President, on behalf of Kalorama Citizens Association (KCA)

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member

**ORDER ON THIRD AMENDMENT TO SETTLEMENT AGREEMENT AND
WITHDRAWAL OF PROTESTS**

The Application filed by 2411 18th Hospitality, LLC, t/a The Game Sports Pub/Tiki on 18th (Applicant), for a Substantial Change having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on September 21, 2020, in accordance with D.C. Official Code § 25-601 (2001).

The official records of the Alcoholic Beverage Control Board (Board) reflect that ANC 1C, KCA and a previous holder of a Retailer's Class CR license for the premises located at 2411 18th Street, NW, entered into a Settlement Agreement (Agreement) dated January 21, 20004; a First Amendment to Settlement Agreement (First Amendment) dated July 1, 20009; and a Second Amendment to Settlement Agreement (Second Amendment) dated August 5, 2015.

This matter comes now before the Board to consider the Parties' Third Amendment to Settlement Agreement (Third Amendment), dated May 4, 2021, in accordance with D.C. Official Code § 25-446 (2001).

The Third Amendment has been reduced to writing and has been properly executed and filed with the Board. The Applicant; Commissioner Amir Irani, on behalf of ANC 1C; and Denis James, on behalf of KCA; are signatories to the Amendment.

This Third Amendment constitutes a withdrawal of the Protests filed by ANC 1C and KCA.

Accordingly, it is this 12th day of May 2021, **ORDERED** that:

1. The Application filed by 2411 18th Hospitality, LLC, t/a The Game Sports Pub/Tiki on 18th for a Substantial Change is **GRANTED**;
2. The Protests of ANC 1C and KCA in this matter are hereby **WITHDRAWN**;
3. The above-referenced Third Amendment to Settlement Agreement submitted by the Parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
4. All terms and conditions of the original Settlement Agreement and Amendments not amended by the Third Amendment, shall remain in full force and effect; and
5. Copies of this Order shall be sent to the Applicant, ANC 1C, and KCA.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocx.com
Donovan Anderson
Key: 8143365c1995c7f9e4b172092d192c7f

Donovan Anderson, Chairperson

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James Short
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James Short, Member

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Bobby Cato, Member

Rema Wahabzadah, Member

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Rafi Aliya Crockett, Member
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Jeni Hansen, Member
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Jeni Hansen, Member

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Edward Grandis, Member
Key: 5027bda7f0f0040ec14adeb52541ce5

Edward S. Grandis, Member

Pursuant to D.C. Official Code § 25-433(d)(1), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section II of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code §2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879- 1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).

Third Amendment to Settlement Agreement Between 2411 18th Hospitality, LLC, t/a The Game/Tiki on 18th, ANC 1C and the Kalorama Citizens Association

This Third Amendment to the Settlement Agreement, made this 4th day of May, 2021, for license number ABRA-112308, located at 2411 18th Street, NW, now named 2411 18th Hospitality, LLC, t/a The Game/Tiki on 18th, is between that entity, Advisory Neighborhood Commission 1C (hereinafter ANC 1C) and the Kalorama Citizens Association (hereinafter KCA), (collectively, the “Parties”).

Board Order number 2009-229 (July 1, 2009) approved the restated original agreement and amendment (the first amendment) of the various provisions contained therein under the name Vantor Sports Cafe. Since then, there was a second amendment (Board Order number 2015-420, dated September 9, 2015) approving that amendment.

Applicant has applied for an entertainment endorsement and cover charge endorsement.

NOW, THEREFORE, in consideration of the recitals set forth above and the mutual covenants and conditions set forth below, the Parties agree to amend the settlement agreements as follows:

1. **Cover charges.** Applicant shall have the ability to institute a cover charge only for pay-per-view events and special events, as described in Section 2(C), that are not the everyday business of the establishment. Applicant agrees to use its best efforts to prevent queuing on 18th Street.
2. **Entertainment Endorsement.**
 - a. Hours: Applicant may have an entertainment endorsement. The hours for entertainment shall not exceed the following:

Monday-Wednesday: 11:00 A.M. - 1:00 A.M.
Sunday and Thursday: 11:00 A.M. - 2:00 A.M.
Friday-Saturday: 11:00 A.M. - 3:00 A.M.

Nothing in this Agreement shall prevent the Applicant from applying for extended hours during the following: (a) on days designated by the DC ABC Board as “Holiday Extension of Hours”; (b) in the event the Council of the District of Columbia or the ABC Board grants licensees in general extended operating hours (such as for Inauguration) applicant may avail itself of such extended hours; and (c) on January 1 of each year applicant may operate until 4:00 A.M. There shall be no overnight operations at the establishment between 4:00 A.M. and 8:00 A.M.

Applicant will strictly comply with D.C. Official Code § 25-725 and take all reasonable measures to ensure that music, noise and vibration from the Establishment are not audible within the adjacent residential properties.

b. Type of Entertainment: The establishment shall only have a Disc Jockey under the entertainment endorsement. The Disc Jockey will be located on the first floor only. Applicant agrees that any change to this type of entertainment must be requested to the Board, with notice to the Protestants.

c. Applicant is permitted to have DJ entertainment at special events up to 15 times per month. For the purposes of this agreement, a special event is defined as an event that is not the everyday business of the establishment, including, but not limited to, a birthday party, wedding anniversary, retirement party, charitable event, political event, etc.

d. Applicant will manage all instances of DJ entertainment, and will not turn over control of any part of the restaurant to event or entertainment promoters.

e. Applicant shall continuously maintain a log of the special events that occur at the establishment and shall also maintain these records for a rolling period of 365 days and may use any reasonable form to do so, including, a calendar, notebook, electronic document, or any other similar form. Applicant agrees to make this log available to any ABRA investigator or MPD officer upon request. Any special event older than 365 days shall not be subject to this log of records requirement.

3. **Withdrawal of Protest.** Upon execution of this Agreement by the Parties and its acceptance by the ABC Board, the Protests shall be considered withdrawn.

For The Game/Tiki On 18th

Oscar Guardado 05 / 04 / 2021
Oscar Guardado Date

For ANC 1C

A. Irani 05 / 05 / 2021
Amir Irani, Chair Date

For KCA

Denis James 05 / 05 / 2021
Denis James, President Date

TITLE	The Game / Tiki on 18th Settlement Agreement
FILE NAME	Tiki SA Final 5.4.2021.pdf
DOCUMENT ID	c31d9fcb3fdd311b9013b1467f7bcc019471be82
AUDIT TRAIL DATE FORMAT	MM / DD / YYYY
STATUS	● Completed

Document History



05 / 04 / 2021
22:37:00 UTC

Sent for signature to Oscar Guardado (oscar@thegamedc.com), Denis James (denisjames@verizon.net) and Amir Irani (1c01@anc.dc.gov) from 1c01@anc.dc.gov
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05 / 05 / 2021
17:17:12 UTC

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05 / 05 / 2021
17:19:15 UTC

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05 / 06 / 2021
02:23:33 UTC

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02:23:45 UTC

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The document has been completed.