

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

In the Matter of:

Tariq Hussain
t/a 7-Eleven

Holder of a
Retailer's Class B License

at premises
1101 South Capitol Street, SW
Washington, D.C. 20024

Case No.: 17-CC-00142
License No.: ABRA-026520
Order No.: 2018-430

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

ALSO PRESENT: Tariq Hussain, t/a 7-Eleven, Respondent

Richard Bianco, Counsel, on behalf of the Respondent

Walter Adams, II, Assistant Attorney General, on behalf of the
District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING THE OFFER-IN-COMPROMISE

This matter arises from a Notice of Status and Show Cause Hearing (Notice) issued by the Alcoholic Beverage Control Board (Board) in the matter of Tariq Hussain, t/a 7-Eleven (Respondent), located at 1101 South Capitol Street, SW, Washington, D.C. 20024.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case No. 17-CC-00142 on the Respondent on June 5, 2018. *ABRA Show Cause File No. 17-CC-00142, Notice of Status and Show Cause Hearing (May 29, 2018)*. The Notice charges the Respondent with two violations, which if proven true, would justify the imposition of a fine, as well as the suspension or revocation of the Respondent's license.

Specifically, the Notice in Case No. 17-CC-00142, charged the Respondent with the following violations:

- Charge I: [On Friday, December 8, 2017], [y]ou sold an alcoholic beverage to a person under 21 years of age, in violation of D.C. Official Code § 25-781...
- Charge II: [On Friday, December 8, 2017], [y]ou failed to take steps reasonably necessary to ascertain whether the person to whom you served alcoholic beverages is of legal drinking age, in violation of D.C. Official Code § 25-783(b)...

ABRA Show Cause File No. 17-CC-00142, Notice of Status Hearing and Show Cause Hearing, 2-3 (May 29, 2018).

At the Show Cause Status Hearing held on July 11, 2018, the Respondent and the Government entered into an Offer-in-Compromise (OIC), which resolved the charges set forth above.

The terms of the OIC are as follows:

1. For Charge I – The Respondent shall pay a \$3,000 fine for the violation alleged in Charge I and shall have its license suspended for ten (10) days; with five (5) days served, and five (5) of those days stayed for one (1) year pending completion of alcohol awareness training for all employees who serve alcoholic beverages within ninety (90) days from the date of this Order.
2. For Charge II – The Respondent shall pay a \$1,000 fine for the violation alleged in Charge II and shall have its license suspended for five (5) days, with all five (5) days stayed for one (1) year.
3. In addition, the Respondent shall serve six (6) day suspension activated from Case No. 17-CC-00013.

By agreeing to the terms of the OIC, the Respondent waives its right to a Show Cause Hearing and appeal. The OIC has been reduced to writing and is formally approved through this Order.

ORDER

Therefore, the Board, on this 11th day of July, 2018, hereby **APPROVES** the OIC proffered by the Government and the Respondent and **ORDERS** Tariq Hussain, t/a 7-Eleven, to comply with the terms of the OIC.

IT IS FURTHER ORDERED that the Respondent will:

- (1) Remit the fine in the total sum of \$4,000 payable on or before September 11, 2018; and
- (2) Incur a total of twenty one (21) day suspension, with eleven (11) days served and ten (10) days stayed for one (1) year pending completion of alcohol awareness training for all employees who serve alcoholic beverages within ninety (90) days from the date of this Order. The eleven (11) day suspension will be served from July 23, 2018 through August 2, 2018.

Failure to remit the amount in full within the time specified will result in the suspension of the license until the amount is paid.

A copy of this Order shall be sent to the Respondent and to the Government.

District of Columbia
Alcoholic Beverage Control Board



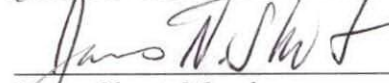
Donovan Anderson, Chairperson



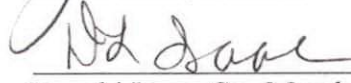
Nick Alberti, Member



Mike Silverstein, Member




James Short, Member



Donald Isaac, Sr., Member

Bobby Cato, Member



Rema Wahabzadah, 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 11 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).