

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
MEETING

IN THE MATTER OF: :

Techno Excess, LLC, :

t/a Ababa Ethiopian :

Restaurant :

2106 18th Street NW : Fact Finding

Retailer CR - ANC 1C : Hearing

License No. 103289 :

Case #18-CMP-00067 :

(Sale of Alcoholic :
Beverages Without a :
License, Permitting/ :
Maintaining a Nuisance, :
Knowingly Permitting the :
Illegal Sale or Use of a :
Controlled Substance, :
Allowed the Establishment:
to be Used for an :
Unlawful Purpose, :
Interference With an ABRA:
Investigation) :

Wednesday
May 23, 2018

The Alcoholic Beverage Control Board
met in the Alcoholic Beverage Control Hearing
Room, Reeves Building, 2000 14th Street, N.W.,
Suite 400S, Washington, D.C. 20009, Chairperson
Donovan W. Anderson, presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson
NICK ALBERTI, Member
BOBBY CATO, JR., Member
MIKE SILVERSTEIN, Member
JAMES SHORT, Member

ALSO PRESENT:

ALEMSEGED KASSAYE, Licensee
MARK BRASHEARS, ABRA Investigator
DAVID AUGUSTINE, DC MPD
SHAWN ROONEY, DC MPD
ADAM BRAY, DC MPD
ANTHONY PADILLA, DC MPD
MATTHEW GRABOWSKI, DC MPD
KEVIN PUENTE, ABRA Investigator
FARSAAD FAKHRIYAZDI, Witness

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Farsaad Fakhriyazdi, Landlord.80
Board Questions:40

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

2 1:36 p.m.

3 CHAIRPERSON ANDERSON: So we now have
4 a Fact-Finding Hearing on Case No. 18-CMP-00067,
5 Ababa Ethiopian Restaurant, License No. 103287.

6 Would all parties who are here for
7 that case, please, come up, please, and identify
8 themselves for the record.

9 Sir, you can sit over on this side and
10 everyone else can sit over on that side. And I
11 guess I'm looking at the audience and I see it
12 looks like half of the Metropolitan Police
13 Department is here today, so I hope I am not in
14 trouble.

15 So all right. So can we have -- you
16 can pull the chairs up. And could you, please,
17 identify yourself for the record? We will start
18 with the licensee.

19 MR. KASSAYE: Alemseged Kassaye. I am
20 restaurant owner.

21 CHAIRPERSON ANDERSON: Mr. Kassaye?

22 MR. KASSAYE: Yes, sir.

1 CHAIRPERSON ANDERSON: Can you spell
2 your -- just spell your name for the record,
3 please.

4 MR. KASSAYE: A-L-E-M-S-E-G-E-D K-A-
5 S-S-A-Y-E.

6 CHAIRPERSON ANDERSON: And there is a
7 sign-in sheet. Can you also sign-in your name,
8 please? And so we will start on this side with
9 the Investigator.

10 INVESTIGATOR BRASHEARS: Investigator
11 Mark Brashears, ABRA.

12 CAPTAIN AUGUSTINE: Captain David
13 Augustine, Metropolitan Police Department.

14 CHAIRPERSON ANDERSON: I'm sorry, your
15 last name, sir?

16 CAPTAIN AUGUSTINE: Augustine.

17 CHAIRPERSON ANDERSON: Augustine?

18 CAPTAIN AUGUSTINE: Yes, A-U-G-U-S-T-
19 I-N-E.

20 SERGEANT ROONEY: Sergeant Shawn
21 Rooney, Metropolitan Police Department.

22 CHAIRPERSON ANDERSON: Spell your last

1 name for us.

2 SERGEANT ROONEY: R-O-O-N-E-Y.

3 CHAIRPERSON ANDERSON: Okay.

4 OFFICER BRAY: Officer Adam Bray. The
5 last name is B like brown, R-A-Y.

6 CHAIRPERSON ANDERSON: Bray.

7 OFFICER PADILLA: Officer Anthony
8 Padilla, Metropolitan Police Department. Last
9 name is spelled P-A-D-I-L-L-A.

10 OFFICER GRABOWSKI: Officer Matthew
11 Grabowski. Last name is G-R-A-B, like boy, O-W-
12 S-K-I.

13 CHAIRPERSON ANDERSON: Good afternoon.
14 Are you going to testify, sir, or are you just --

15 UNIDENTIFIED SPEAKER: I'm here with
16 Mark. I've just come to observe.

17 INVESTIGATOR BRASHEARS: He is my
18 moral support.

19 UNIDENTIFIED SPEAKER: I've just come
20 to observe.

21 CHAIRPERSON ANDERSON: Like we need --
22 okay, fine. All right. Thank you. Thank you

1 for being here today.

2 The purpose of this hearing, we are
3 having a Fact-Finding Hearing, and the reason why
4 we are having this Fact-Finding Hearing is
5 regarding this establishment.

6 The establishment had submitted to us
7 an application for safekeeping, meaning that the
8 license was in safekeeping, that it was not
9 normally an establishment would provide -- would
10 request that the Agency keep its license in
11 safekeeping, because it at least tells us that it
12 is not operating, meaning selling or serving
13 alcohol. And that's -- at least that's what it
14 means to the Agency when a license is in
15 safekeeping.

16 It became apparent to the Agency that,
17 at some point, there were, I think, both ABRA and
18 the Metropolitan Police Department went to the
19 establishment and there were marijuana sales in
20 the property.

21 But I think what is even more
22 important for us, as far as ABRA is concerned, is

1 that the establishment was facilitating the
2 service of alcohol. And so what we are trying --
3 what we are going to do is to find out from the
4 Investigator to tell us what it is that they saw
5 at the establishment when they appeared at the
6 establishment.

7 And so the Investigator will -- can
8 tell us. The officers can also tell us what it
9 is that they observed. And the owner, and I know
10 that there was, if I remember correctly, an
11 allegation that the Investigator had spoken to
12 the ABC Manager and asked that the owner be
13 contacted and it's my understanding that, if I'm
14 incorrect, I want the Investigator to correct me,
15 but if I'm correct, that the ABC Manager had
16 refused to contact the owner during that time.

17 So the purpose of this hearing is to,
18 at least from the perspective of the owner,
19 explain to the Board what does it mean that --
20 what does it mean to you that your license is in
21 safekeeping? Do you plan to keep your license in
22 safekeeping? Do you plan to take it out? What

1 does that mean?

2 And maybe also for the Board to let
3 you know, at least from our perspective, what it
4 means if a license is in safekeeping. Okay. So
5 we can start off with -- oh, I'm sorry, can you
6 also introduce yourself, too?

7 INVESTIGATOR PUENTE: Kevin Puente.

8 CHAIRPERSON ANDERSON: Mr. Puente.

9 All right. Thank you. And who are you, Mr.
10 Puente?

11 INVESTIGATOR PUENTE: ABRA
12 Investigator.

13 CHAIRPERSON ANDERSON: All right.
14 Thank you, Mr. Puente.

15 And so we will start off with just the
16 Investigator to tell us what it is that they see.
17 Once Mr. Puente has given his version, I mean,
18 the report, then I'm not sure if Mr. Brashears,
19 are you -- were you also there, too?

20 INVESTIGATOR BRASHEARS: Yes, sir.

21 CHAIRPERSON ANDERSON: So I'll have
22 Mr. Puente and Mr. Brashears, that they can give

1 their report. And then the officers, whoever
2 wants to speak first, can and we will have the
3 officers present what it is that they were
4 seeing. And then we can have the owner. At
5 least you can respond to the allegations that are
6 in this report. Okay.

7 So we can start with Mr. Puente.

8 INVESTIGATOR PUENTE: Okay. To
9 backtrack a little bit, on January 5, 2018, ABRA
10 and MPD went to Ababa Ethiopian Restaurant. I
11 wrote a case on the establishment, Case No. 18-
12 CMP-00024, about the establishment having a
13 marijuana party that night.

14 They still had an alcohol license, at
15 that point, so we went in and advised them the
16 illegal activity. I called the owner a few days
17 later to talk to him about the illegal activity.
18 I identified myself over the telephone. He spoke
19 to me for a second and then he hung up on me. I
20 tried calling him back, he wouldn't answer.

21 CHAIRPERSON ANDERSON: Let me ask you
22 a question, Mr. Puente. You said the owner, is

1 it --

2 INVESTIGATOR PUENTE: Mr. Kassaye,
3 that's who it is.

4 CHAIRPERSON ANDERSON: The person who
5 is sitting here today?

6 INVESTIGATOR PUENTE: Yes.

7 CHAIRPERSON ANDERSON: Okay. All
8 right.

9 INVESTIGATOR PUENTE: And hung up on
10 me. I tried calling a few more times, no answer.
11 And then shortly on February 5, 2018, the liquor
12 license was put in safekeeping. It was approved
13 by the ABC Board. So after our visit, he put the
14 license in safekeeping after the January 5th
15 visit.

16 On March 3, 2018, this case right
17 here, ABRA and MPD got word of the marijuana
18 event happening, so we met up. We went to the
19 establishment. I went upstairs. I knew at the
20 time there was a safe -- license in safekeeping.
21 Patrons were consuming alcohol out on the tables.
22 We asked the patrons where the alcohol came from.

1 They said they brought it to the establishment.
2 They had to pay a fee to the establishment to
3 open up the alcohol.

4 People had wine, some people had beer
5 and one patron had a bottle of vodka. The
6 restaurant was pretty full, at that point.

7 Downstairs in the basement level,
8 there was a marijuana event going on with
9 approximately 8 to 10 vendors setting up
10 marijuana tables with edibles, different oils,
11 concentrates. I'll let MPD speak on that.

12 I went back upstairs and asked the
13 server to call the owner. She kept ignoring me.
14 I advised her who I was. I told her she needed
15 to call the owner, so we could talk. She
16 wouldn't. Someone else told me that the owner is
17 out of the country and can't speak.

18 So ABRA and MPD conducted their
19 investigation. We asked the server to save any
20 video that was from that night of the incident.
21 We never received any video for that.

22 Then shortly a few days later on March

1 7, 2018, Case No. 18-CMP-00075, we found out that
2 the establishment was having another marijuana
3 event. We went to the establishment again, ABRA
4 and MPD. There was an event going on downstairs.
5 I believe one of the vendors had alcohol on him
6 during that event as well and MPD made arrests
7 and seizures of the narcotics downstairs in the
8 basement.

9 CHAIRPERSON ANDERSON: All right.
10 And, Mr. Brashears?

11 INVESTIGATOR BRASHEARS: What I would
12 like to add in addition to that is monitoring of
13 social media, Yelp and things of that nature
14 prior to the event and subsequently after the
15 cases were written, people were still discussing
16 on Yelp that the establishment was allowing them
17 to bring alcohol in with basically a \$10 corking
18 fee for whatever beverage that was brought in.

19 So even, you know, a month after we
20 had went to the establishment and advised them
21 that they were not to have alcohol, it seems as
22 though it were still happening.

1 CHAIRPERSON ANDERSON: Okay. All
2 right. So the officers, who wants to start? And
3 just identify yourself before you speak, please,
4 and then you can speak.

5 OFFICER GRABOWSKI: Officer Matthew
6 Grabowski. I was present at both events. We
7 entered into the establishment, like he said, the
8 first one was on March 3rd. There was
9 approximately --

10 CHAIRPERSON ANDERSON: Why don't you
11 pull up -- come up to the table, so we can -- so
12 the microphone can pick you up.

13 OFFICER GRABOWSKI: Okay.

14 CHAIRPERSON ANDERSON: Please.

15 OFFICER GRABOWSKI: So as the ABRA
16 Investigators were saying, we assisted them on
17 March 3rd with the beverage check. We were also
18 aware of a party going on, a marijuana party, in
19 the basement of the location with approximately 8
20 to 10 vendors.

21 We made contact with all of them to
22 see if they had legal quantities of marijuana,

1 but they were also in possession of THC products,
2 edibles, hashish, such as oil, other THC
3 concentrates, which are illegal and an arrestable
4 offense in the District of Columbia.

5 We went back again on the 7th and it
6 was basically the same setup. One of the vendors
7 was drinking alcohol in the basement as well.
8 And again, we observed THC products that are
9 illegal in the District of Columbia.

10 CHAIRPERSON ANDERSON: Okay. All
11 right. Who else wants to speak?

12 OFFICER BRAY: Good afternoon.
13 Officer Bray, MPD. To supplement what Officer
14 Grabowski said, there were two different nights
15 that we went. One was on the 3rd and one was on
16 the 7th, both events were very similar.

17 MPD was mostly concentrated on the
18 basement where when you went in there were tables
19 lining both sides of the room. Any reasonable
20 person would see these tables. They were setup
21 in a way to look like they were either marketing
22 something or selling something.

1 Officers were assigned to each table.
2 We numbered the tables 1 through however many
3 there were and each person that was standing by
4 the table or at least looked like they were
5 responsible for the table was interviewed. And
6 then subsequent to that, arrests were made should
7 there have been -- either they were distributing
8 a controlled substance or in possession of
9 marijuana with intent to distribute.

10 Based on the amounts and things like
11 money or advertisements that were found. In one
12 of the instances, there was an individual with
13 just a can of beer, a Heineken. I asked him what
14 he was doing. He said he had been drinking that
15 night. So considering there was no alcohol
16 license at the establishment, there was an arrest
17 made for possession of an open container there.

18 And then we have pictures here
19 illustrating, back at the station, everything
20 that was seized from the event to show you just,
21 basically, the quantity of products that were
22 there for sale. All either THC or marijuana-

1 related products.

2 CHAIRPERSON ANDERSON: Okay.

3 SERGEANT ROONEY: Sergeant Shawn
4 Rooney. Thanks for having all of us here, half
5 of us from the Department at least. Someone has
6 to work out there now.

7 But I want to paint a quick picture to
8 the Board regarding these events that are
9 occurring in Adams Morgan and some of the other
10 areas, especially the party areas in Washington,
11 D.C., because these two events are the only two
12 events that we actually, you know, assisted with,
13 you know, the ABRA Investigators.

14 However, we had gotten wind, actually
15 Investigator Puente and, you know, Investigator
16 Brashears both had informed us, regarding lines
17 outside of the place, that they were receiving
18 complaints regarding these events transpiring.

19 So these two days were the only two
20 days that we actually entered there and did the
21 business check with ABRA.

22 So there was other events that were

1 happening on a daily basis to -- not just a
2 weekly basis, but five to six days out of the
3 week where they were receiving, you know,
4 compensation for -- I'm sorry, they are
5 facilitating distribution of marijuana, okay,
6 from their establishment. So I want to make sure
7 that is super-clear, that it's just not these two
8 events that were transpired, that there were
9 several events.

10 We had passed there before and there
11 was lines down the street, so I want to make sure
12 that was clear.

13 CAPTAIN AUGUSTINE: How are you, Mr.
14 Chair? Captain Augustine. I oversee Sector 3 in
15 the 3rd District, which includes Adams Morgan and
16 some of the testimony I want to give to you today
17 deals with just, based off of what Sergeant
18 Rooney said, this is not the only two events they
19 have had. I have documentation that shows they
20 have had events at least all the way up from the
21 beginning of January through there.

22 We documented one that we assisted

1 with ABRA in an ABC check on January 5th where
2 they were found to be having a marijuana party.
3 We also have documentation from DCRA where they
4 also went on a separate night, I believe it was
5 around, January 30th, where they also observed
6 another marijuana party going.

7 The full effect of this, as Sergeant
8 Rooney also said and some of the reasons in my
9 opinion why they put the ABC License in
10 safekeeping, is because they are making a lot of
11 money off of this. People are paying them large
12 amounts of money to sit there and rent out their
13 restaurant to have these parties.

14 I think that they are fully-
15 knowledgeable of having the party and what was
16 going on downstairs by the mere fact that on
17 March 7th while we were walking down the
18 restaurant, the -- I'm not sure if you're
19 familiar with Ababa, but it's actually a two-tier
20 restaurant. There is an upstairs and a
21 downstairs.

22 They were having a marijuana party

1 downstairs. When you walked upstairs, there was
2 a cloth sheet at the bottom of the door, all
3 right? And when you opened, moved the sheet and
4 you go into the door, you had a fully-functioning
5 restaurant going on while this marijuana party
6 was going.

7 Does anybody want to take a guess why
8 that sheet was there? You can only assume that
9 they were probably also consuming marijuana and
10 that was helping preventing the smell from going
11 upstairs.

12 Manpower. We have dealt with these
13 events not only at this establishment, but other
14 ones. We have a Nightlife Unit and these
15 officers are a part of that Nightlife Unit, which
16 consists of eight -- 20 officers. All right.

17 Generally, these establishments happen
18 on busy nights and it takes anywhere, at least I
19 would say, at least 10 officers just to process
20 the scene. Most of these officers will be held
21 out. They work 10-hour tours and most of them
22 will be held out the entire tour, all right,

1 their entire working schedule that day just to
2 process this scene.

3 That takes away at least 10 bodies in
4 the Adams Morgan area, as you know, especially on
5 the week nights, can get very, very busy and
6 sometimes out of control. That then makes me
7 have to make manpower decisions and have other
8 officers come throughout the District just to man
9 an area where we have officers dedicated to just
10 do that. And I think that's all I have.

11 CHAIRPERSON ANDERSON: All right.
12 Yeah, go ahead.

13 SERGEANT ROONEY: Go ahead, Mark.

14 INVESTIGATOR BRASHEARS: All right.
15 I just wanted to add like the --

16 CHAIRPERSON ANDERSON: No, introduce
17 yourself again, so we can get it for the
18 transcript.

19 INVESTIGATOR BRASHEARS: Okay. I'm
20 sorry, Investigator Brashears with ABRA.

21 As the Captain said, there was a cloth
22 at the top of the stairs blocking the door. When

1 I was one of the first people in the downstairs,
2 when we came in, there was a strong odor of
3 marijuana in the air.

4 The other thing I wanted to point out,
5 the individual we made contact with upstairs, the
6 ABC Manager, claimed to have no knowledge of what
7 was going on downstairs. And we couldn't find
8 anyone downstairs who stated that they were
9 involved with the establishment or in charge of
10 the event, which led us to believe that, you
11 know, things were just being ran wide open
12 without anyone watching or anyone basically being
13 in charge of the establishment.

14 SERGEANT ROONEY: I just wanted to add
15 something here. Sergeant Shawn Rooney, MPD.

16 That at the base, the Captain gave you
17 a description of the establishment, kind of like
18 a split level. The downstairs was -- had a bar
19 where they would have vending tables setup. And
20 at that particular door, there was also a
21 security guard. They are facilitating people
22 coming in. They would close the door on the

1 downstairs portion, so if we tried to enter
2 through that location, this is police trying to
3 enter from that location, they wouldn't open up
4 the door.

5 So in fact, I think it was either
6 myself and Investigator Puente on one of the
7 nights, I think it was March 7th, we had to go
8 through the restaurant, through the back
9 stairwell to go down into the lower level where
10 they were having a marijuana event just to go
11 ahead and let the other officers in through that
12 location.

13 Not to mention when we went through
14 the restaurant, you know, there were people
15 drinking. I remember we had asked someone there
16 why is it that you are -- you know, how do you
17 have alcohol here? He said oh, it's BYOB here.
18 So I said well, what's that mean? Bring Your Own
19 Beer or bring your own alcohol to the
20 establishment. So there was other patrons
21 drinking as well.

22 So I just want to make sure that that

1 note was in as well.

2 CHAIRPERSON ANDERSON: Let me ask you
3 a question. Sorry. Are you saying that the
4 drinking was in the restaurant or in the
5 marijuana party?

6 SERGEANT ROONEY: Both.

7 INVESTIGATOR BRASHEARS: Both.

8 SERGEANT ROONEY: I think there was
9 like one Heineken on the lower level and then in
10 the upstairs, there was a couple of people
11 drinking, I recall, but I didn't really stop in
12 the restaurant --

13 CHAIRPERSON ANDERSON: Right.

14 SERGEANT ROONEY: -- because I really
15 wanted to get to the distribution of marijuana
16 happening downstairs, so I didn't get a chance to
17 really handle that. Go ahead, I'm sorry, Mr.
18 Anderson.

19 CHAIRPERSON ANDERSON: I was just
20 trying to find out about what date? If you can
21 give me a specific date?

22 SERGEANT ROONEY: That was March 7th.

1 CHAIRPERSON ANDERSON: March 7th was
2 when you saw folks drinking in the restaurant?

3 SERGEANT ROONEY: Yes, sir.

4 CHAIRPERSON ANDERSON: All right. Mr.
5 Kassaye?

6 MR. KASSAYE: Sir.

7 CHAIRPERSON ANDERSON: Now, this is a
8 Fact-Finding Hearing. I mean, this is just we
9 are gathering -- trying to find out what is going
10 on. And I think maybe you can tell me, at least
11 from your perspective, I mean, you placed your
12 license in safekeeping, so tell me from the
13 safekeeping perspective. I mean, I'm -- I don't
14 know what implications regard the marijuana. You
15 can talk about that, about whether or not you are
16 the owner of the establishment, so maybe you can
17 tell us about what else is going on there.

18 But I'm trying to find out from your
19 perspective your license is in safekeeping. When
20 was it placed in safekeeping? And what is going
21 on with the process and why is it that you
22 decided -- why was your license placed in

1 safekeeping and your intent of keeping or
2 removing the license from safekeeping, sir?

3 MR. KASSAYE: Thank you. Personally,
4 the last year and two months, I have health
5 issues, so I travel to Canada back and forth.
6 And I have a very bad debilitating vertigo and
7 other issues, health issues, so I put my wife and
8 this other guy to take care of the business
9 there. Only his name is Hinshu and my wife.

10 Anyway, to the more -- I don't --
11 because I wasn't at the -- like you said, I
12 wasn't there. I cannot --

13 CHAIRPERSON ANDERSON: Well, I guess,
14 I want you to start out from the perspective of
15 the license in safekeeping.

16 (Simultaneous speaking)

17 MR. KASSAYE: But the safekeeping --

18 CHAIRPERSON ANDERSON: When was it
19 placed -- when did you place it in safekeeping?
20 Why was it placed in safekeeping? And what is
21 your -- from that perspective, you can address
22 the other issues, but let's start there.

1 MR. KASSAYE: The safekeeping happened
2 at one point. The other came, I can say, to
3 write us a citation, because there was no ABC
4 Manager on the spot. And at that time, I was
5 very weak and I couldn't do anything about it, so
6 I just give it to ABRA for safekeeping, because
7 I'm not going to be there, so nobody is going to,
8 you know, control or regulate or anything like
9 that. That's my main reason. It's not because I
10 get anything out of it or get any money out of --
11 that's the main case.

12 And about this thing from upstairs to
13 downstairs, we always put the sheet to cover the
14 heat. Usually we don't have any customers
15 downstairs, so the downstairs always takes the
16 heat down, so we need to plug it, that's why it's
17 always there that day.

18 I don't know. I mean, this is -- I'm
19 not prepared on this or anything.

20 CHAIRPERSON ANDERSON: Well, let me
21 ask you a question. So you are saying that -- so
22 who is -- but -- all right. What does it mean to

1 you that your license is placed in safekeeping?
2 What does that mean to you?

3 MR. KASSAYE: Until I get better and
4 then can start up the business, it's in
5 safekeeping.

6 CHAIRPERSON ANDERSON: So but does
7 that -- but what I'm asking you is that you said
8 that after you got the violations, you put your
9 license in safekeeping. That was the purpose.
10 But what does that mean to you? Does that mean
11 when you put -- if you put your license in
12 safekeeping, does that mean that you can
13 facilitate the serving of alcohol, although you
14 are not selling alcohol that people can bring in
15 alcohol?

16 I'm asking you what does that mean to
17 you if you --

18 MR. KASSAYE: Oh, my --

19 CHAIRPERSON ANDERSON: -- don't -- if
20 your license is in safekeeping? What does that
21 mean to you?

22 MR. KASSAYE: Yeah, my understanding

1 about people BYOB is you don't need a license or
2 anything for people to bring their alcohol.
3 Again, that you don't sell them or you don't sell
4 it to them, that's my understanding.

5 CHAIRPERSON ANDERSON: So you are
6 saying that you can -- if you don't have a
7 license, anyone can bring alcohol into your
8 facility and serve themselves? That's what that
9 means, you can have BYOBs, that anyone can bring
10 in alcohol from the street and drink it in your
11 facility and that's okay? Is that what you are
12 saying your understanding of BYOB is?

13 MR. KASSAYE: Our customers were
14 ordering food. They always ask us to get wine,
15 so they just go out and mix -- I broke down and
16 bring wines and we open it for them, that's how
17 we are doing it.

18 CHAIRPERSON ANDERSON: Well, do you
19 charge them to open the wine for you?

20 MR. KASSAYE: Excuse me?

21 CHAIRPERSON ANDERSON: Do you charge
22 them a corkage fee to open the wine?

1 MR. KASSAYE: Yes, sir.

2 CHAIRPERSON ANDERSON: Why?

3 MR. KASSAYE: I think that's normal.

4 CHAIRPERSON ANDERSON: I'm asking you.

5 MR. KASSAYE: Right.

6 CHAIRPERSON ANDERSON: I'm not -- I'm
7 just -- from your perspective.

8 MR. KASSAYE: My understanding is
9 that's how the business is, that's what everybody
10 is doing. That's how.

11 CHAIRPERSON ANDERSON: All right.
12 Well, why did you -- why do you have an alcohol
13 license?

14 MR. KASSAYE: To sell alcohol.

15 CHAIRPERSON ANDERSON: To sell and
16 serve alcohol?

17 MR. KASSAYE: Alcohol, yes, sir.

18 CHAIRPERSON ANDERSON: So what do you
19 consider serving alcohol?

20 MR. KASSAYE: What do you mean?

21 CHAIRPERSON ANDERSON: I'm asking you.
22 I'm asking you, what does it mean to you to serve

1 alcohol?

2 MR. KASSAYE: I don't understand the
3 question.

4 CHAIRPERSON ANDERSON: All right.
5 Someone brings wine into your establishment.

6 MR. KASSAYE: Yes, sir.

7 CHAIRPERSON ANDERSON: You charge them
8 a fee, why do you charge them a fee?

9 MR. KASSAYE: Normally, they are
10 eating and they are using our --

11 CHAIRPERSON ANDERSON: Yeah?

12 MR. KASSAYE: -- tables and services.

13 CHAIRPERSON ANDERSON: So you are
14 charging them a fee, they are bringing a line?

15 MR. KASSAYE: Yes, sir.

16 CHAIRPERSON ANDERSON: Why do you
17 charge them a fee?

18 MR. KASSAYE: Because we give them
19 service.

20 CHAIRPERSON ANDERSON: And you give
21 them service to serve what, the food or the
22 alcohol?

1 MR. KASSAYE: The food and alcohol.

2 CHAIRPERSON ANDERSON: So --

3 MR. KASSAYE: Oh, like they use our
4 glasses, ice and whatever they ask.

5 CHAIRPERSON ANDERSON: -- but aren't
6 you serving alcohol if you -- you said that they
7 come into your restaurant.

8 MR. KASSAYE: Yes.

9 CHAIRPERSON ANDERSON: They bring in
10 their wine.

11 MR. KASSAYE: Yes, sir.

12 CHAIRPERSON ANDERSON: You charge them
13 a fee for service. So what service are you
14 charging them a fee for?

15 MR. KASSAYE: For opening the bottle,
16 give them glasses, for stand that holding the
17 chair, you know.

18 CHAIRPERSON ANDERSON: So you are not
19 serving alcohol because you are opening the
20 bottle, you are serving it to them and you are --

21 MR. KASSAYE: Yes, sir.

22 CHAIRPERSON ANDERSON: -- so you are

1 not -- so you don't -- so that's -- you are not
2 serving alcohol there?

3 MR. KASSAYE: (No audible answer.)

4 CHAIRPERSON ANDERSON: Someone comes
5 into your restaurant, they bring a bottle of
6 wine. You charge them a fee and so what is it
7 that you -- what is it that your server do with
8 the bottle? I come into your restaurant with a
9 bottle of wine. What is it that your server do?

10 MR. KASSAYE: We ask you want you
11 want. Unless you order food to go with it --

12 CHAIRPERSON ANDERSON: Right.

13 MR. KASSAYE: -- we are not going to
14 just --

15 CHAIRPERSON ANDERSON: All right. I
16 come into your restaurant for dinner.

17 MR. KASSAYE: Yes, sir.

18 CHAIRPERSON ANDERSON: I bring my
19 bottle of wine.

20 MR. KASSAYE: Uh-huh.

21 CHAIRPERSON ANDERSON: What happens?
22 Tell me what happens.

1 MR. KASSAYE: You sit down. We -- you
2 order.

3 CHAIRPERSON ANDERSON: Yes.

4 MR. KASSAYE: And then you ask us to
5 open the -- us as us for glasses and we open the
6 bottle for you.

7 CHAIRPERSON ANDERSON: So I ask you --
8 so I bring a bottle. I come in with -- you open
9 it for me.

10 MR. KASSAYE: Yes.

11 CHAIRPERSON ANDERSON: You bring me
12 glasses?

13 MR. KASSAYE: Yes.

14 CHAIRPERSON ANDERSON: So who pours
15 it?

16 MR. KASSAYE: Us.

17 CHAIRPERSON ANDERSON: So why are you
18 not serving alcohol then? If the bottle comes
19 in, you open it, you bring glasses and you are
20 serving it, aren't you serving alcohol, sir?

21 MR. KASSAYE: Technically, I think
22 yeah.

1 CHAIRPERSON ANDERSON: I'm asking you.
2 You tell me. I'm just -- that's what I'm asking
3 you. What do you -- so what are you doing? I'm
4 not -- it's not a trick question.

5 MR. KASSAYE: I understand. My
6 understanding is if a client bring or customer
7 brings their own drinks --

8 CHAIRPERSON ANDERSON: Yes.

9 MR. KASSAYE: -- you charge them cork
10 fee.

11 CHAIRPERSON ANDERSON: Right.

12 MR. KASSAYE: And then whether you
13 have a license or not, they can do that. That's
14 my understanding.

15 CHAIRPERSON ANDERSON: But you are
16 serving them alcohol.

17 MR. KASSAYE: Yeah. Yes, sir.

18 CHAIRPERSON ANDERSON: But you have a
19 liquor license to sell and to serve alcohol. So
20 if you are serving alcohol, you have to have a
21 license. And that's -- I'm just asking, because
22 you didn't tell me that, you know, I come into

1 your restaurant with my bottle of wine. I bring
2 my own glasses. I bring my own wine opener. And
3 that's what it is.

4 I mean, you are even facilitating, but
5 if you said to me that, you know, people come
6 into my restaurant and they bring their own
7 bottle, they bring their own glasses, they serve
8 themselves, I'm not saying that's right, but you
9 could say well, I'm not involved. There is
10 BYOBs. They come in here with a bottle. I don't
11 touch it. I don't pay no attention to them, you
12 know. It's a BYOB, so I'm not involved.

13 But you are telling me that you are
14 actively involved in this person drinking. So
15 you are telling me that I come in her with my
16 bottle, with my glass and I have five bottles of
17 wine and I leave, go outside and someone kills
18 somebody, what are you going to say? Well, I
19 didn't have a liquor license, I never served it.
20 I'm not responsible?

21 Would you be responsible if I came
22 into your establishment with my own bottle of

1 wine, you opened it, you served me and your
2 server poured me five bottles of wine, I drank
3 five bottles of wine and although I had a nice
4 dinner and I stumbled out going to my car, I kill
5 somebody, would you be responsible if --

6 MR. KASSAYE: No, the alcohol --
7 specifically speaking, I never told this is
8 illegal or out of the BYOB thing is -- doing it
9 is legal or not right or I never thought of that
10 way.

11 CHAIRPERSON ANDERSON: How long have
12 you been in business?

13 MR. KASSAYE: Almost two years now.

14 CHAIRPERSON ANDERSON: How many years?

15 MR. KASSAYE: Two years.

16 CHAIRPERSON ANDERSON: Have you ever
17 come here for a training?

18 MR. KASSAYE: No, sir, because like I
19 said, I have a very debilitating health issue.

20 CHAIRPERSON ANDERSON: But, all right,
21 so currently --

22 MR. KASSAYE: Yes.

1 CHAIRPERSON ANDERSON: -- who is
2 running the business?

3 MR. KASSAYE: My wife.

4 CHAIRPERSON ANDERSON: Has she ever
5 come here for training?

6 MR. KASSAYE: No. We have three kids
7 and between here and I and the kids, there is no
8 time and there is no help, so we are trying, you
9 know, run the house and the business.

10 CHAIRPERSON ANDERSON: So who
11 facilitates these -- the stuff that goes on in
12 the basement? Who facilitates all of that? Who
13 advertises that? I'm not asking you what it is.
14 I'm just asking you, you know, there is stuff
15 going on in the basement. So who organizes that?

16 MR. KASSAYE: The guy that -- the
17 other ABC Manager there who start working there
18 in January. I think --

19 CHAIRPERSON ANDERSON: So you are
20 telling me --

21 MR. KASSAYE: -- he is working now
22 with me about it.

1 CHAIRPERSON ANDERSON: All right. You
2 have a business. Do you make -- you have a
3 business. There is a back room, stuff are going
4 on. You don't know what is going on?

5 MR. KASSAYE: I guess to the most
6 part.

7 CHAIRPERSON ANDERSON: Gee, I would
8 like to live in your house. I'm trying to be
9 facetious, sir, I'm not -- because you are
10 telling me that you have a business and I'm
11 hearing from the officers that there is all this
12 stuff that is going on downstairs. And I'm not
13 saying you're lying. I'm not saying that. But
14 it's hard to believe, sir, that you can have --
15 I'm hearing the officers saying that there is
16 lines of people to go into your establishment and
17 you don't know what is going on?

18 Now, the allegation, as Mr. Puente
19 stated, that he had -- have you ever spoken to
20 Mr. Puente?

21 MR. KASSAYE: Yes, I did.

22 CHAIRPERSON ANDERSON: And so he

1 talked about that he called you and spoke to you
2 and then you put your license in safekeeping
3 after that. Can you explain to me?

4 MR. KASSAYE: No, I think before we
5 keep on the license in safekeeping, I spoke to
6 him. And he told me there is marijuana sales
7 goes on in the basement.

8 CHAIRPERSON ANDERSON: Right.

9 MR. KASSAYE: I told him no, not to my
10 knowledge. And while we were speaking, I got --
11 I think we got disconnected. That I remember.

12 CHAIRPERSON ANDERSON: All right. So
13 he told you that there was marijuana sales. And
14 again, I'm not -- this is not the purpose
15 necessarily of this hearing, so I'm not saying
16 you are guilty or anything. I'm just talking
17 about process.

18 MR. KASSAYE: Yes, sir.

19 CHAIRPERSON ANDERSON: So he told you
20 that marijuana sales was going on in your
21 business and you said well, you wasn't aware of
22 it. Have you asked anybody to say, you know,

1 somebody called me, the ABRA guy told me that
2 there is marijuana going on in my business. I
3 mean, what's going on?

4 MR. KASSAYE: Yeah, I talked to them,
5 my guy, and then he say no, we don't do that. We
6 just accept. At that time, what they say, we
7 take donations or we don't --

8 CHAIRPERSON ANDERSON: Donations for
9 what?

10 MR. KASSAYE: I don't know how they do
11 it. He told me --

12 CHAIRPERSON ANDERSON: Do you --

13 MR. KASSAYE: -- a bunch of guys get
14 together. Among themselves they do -- there is
15 no selling or buying going on, according to him,
16 that's what he told me. That's what I know.

17 CHAIRPERSON ANDERSON: And so you
18 allow that to happen in your house? Your
19 business is your house.

20 MR. KASSAYE: I understand. He told
21 me nothing is illegal here.

22 CHAIRPERSON ANDERSON: And you believe

1 him? You allow all these -- there is lines of
2 people coming on -- coming into your house.
3 Somebody is accepting donations. You get a cut
4 out of it. Does this guy give you some of the
5 donations?

6 MR. KASSAYE: No, we sell food
7 actually.

8 CHAIRPERSON ANDERSON: You sell food?

9 MR. KASSAYE: We sell a lot of food
10 for those people.

11 CHAIRPERSON ANDERSON: Oh. Any
12 questions by any of the Board Members? Go ahead,
13 Mr. Alberti.

14 MEMBER ALBERTI: So I just want to
15 follow-up on this. So you say you are not
16 running the business, your wife is?

17 MR. KASSAYE: Yes.

18 MEMBER ALBERTI: Okay. So how often
19 are you there? Are you there at all?

20 MR. KASSAYE: I am time-to-time I'm
21 there.

22 MEMBER ALBERTI: What's that mean,

1 time-to-time?

2 MR. KASSAYE: Let's say last month I
3 wasn't there the whole time, because I had to do
4 surgery. And the last time I was there in March
5 and then now --

6 MEMBER ALBERTI: So in March, how
7 often were you there?

8 MR. KASSAYE: If I'm feeling better,
9 I'm there every day, but --

10 MEMBER ALBERTI: Well, wait. Look,
11 you should know how much you were there in March.
12 It was only two months ago. How much were -- how
13 often were you there in March?

14 MR. KASSAYE: Every week.

15 MEMBER ALBERTI: Every week.

16 MR. KASSAYE: Yes.

17 MEMBER ALBERTI: When? During the
18 day, in the evenings? When were you there?

19 MR. KASSAYE: Day. I do the groceries
20 and the supply and then I let them run it and
21 leave.

22 MEMBER ALBERTI: Okay. So you leave.

1 MR. KASSAYE: And with the kids.

2 MEMBER ALBERTI: What time do you
3 usually leave?

4 MR. KASSAYE: Morning time.

5 MEMBER ALBERTI: Okay. So you are
6 only there in the morning?

7 MR. KASSAYE: Yes, sir.

8 MEMBER ALBERTI: Okay. All through
9 March pretty much you were only there --

10 MR. KASSAYE: Yes.

11 MEMBER ALBERTI: -- in the morning?
12 All right. And when is your wife there?

13 MR. KASSAYE: Nighttime when the
14 restaurant opens from 5:00 to closing.

15 MEMBER ALBERTI: Until closing, your
16 wife is there?

17 MR. KASSAYE: Yes.

18 MEMBER ALBERTI: All right. So
19 presumably, she knew that some event was going on
20 in the evening, right?

21 MR. KASSAYE: I'm sure, yes.

22 MEMBER ALBERTI: All right. Did you

1 talk to her about it?

2 MR. KASSAYE: Yes.

3 MEMBER ALBERTI: So you knew --

4 MR. KASSAYE: Yes.

5 MEMBER ALBERTI: -- the nature of what
6 was going on in the basement?

7 MR. KASSAYE: Yes.

8 MEMBER ALBERTI: All right. And when
9 did -- Investigator Puente, when did you speak to
10 him?

11 INVESTIGATOR PUENTE: I spoke to him
12 on Wednesday, January 18th.

13 MEMBER ALBERTI: And what did you tell
14 him then?

15 INVESTIGATOR PUENTE: I advised him of
16 the visit by MPD and ABRA regarding the marijuana
17 event in the basement. Mr. Kassaye stated there
18 was no such event in the establishment. I
19 advised him I had photographs as well as body-
20 worn camera coverage from MPD.

21 MEMBER ALBERTI: Okay. So, Mr.
22 Kassaye, you spoke with Investigator Puente on

1 January 18th, correct?

2 MR. KASSAYE: I don't remember the
3 date. Yes, but I talked to him.

4 MEMBER ALBERTI: But it was in
5 January?

6 MR. KASSAYE: Yes.

7 MEMBER ALBERTI: All right. And he
8 alerted you to the fact that maybe this wasn't
9 legal. I mean, did you -- what did you
10 understand from your conversation with
11 Investigator Puente?

12 MR. KASSAYE: There is selling of
13 marijuana going on.

14 MEMBER ALBERTI: And why would he be
15 telling you that? Why did you think he was
16 telling you that?

17 MR. KASSAYE: I don't know.

18 MEMBER ALBERTI: I mean, would he tell
19 you that -- do you believe that he would tell you
20 that if there was nothing wrong with it? If it
21 was perfectly legal, do you think he would have
22 told you that?

1 MR. KASSAYE: Sir, if you go over to
2 Adams Morgan right now --

3 MEMBER ALBERTI: No, no, no, no, no.
4 I'm asking you about your conversation with Mr.
5 Puente.

6 MR. KASSAYE: Yes.

7 MEMBER ALBERTI: Why do you think he
8 was telling you that there was marijuana sales in
9 the basement?

10 MR. KASSAYE: Probably so the vendors
11 there, I don't know.

12 MEMBER ALBERTI: Well, why would he
13 think that you would need to know?

14 MR. KASSAYE: Because I'm the owner of
15 the business, I think.

16 MEMBER ALBERTI: All right. So you
17 were told on January 18. And did you look into
18 whether this was proper or not, at that point?

19 MR. KASSAYE: No.

20 MEMBER ALBERTI: You didn't? You just
21 assumed that the ABRA -- so let me get this
22 right. You just assumed that the ABRA

1 Investigator was telling you that there is
2 marijuana sales in the basement just because he
3 thinks you need to know, not because it's
4 illegal, just cause he wants you to know?

5 MR. KASSAYE: (No audible answer.)

6 MEMBER ALBERTI: It didn't raise any
7 suspicions in your mind on January 18th?

8 MR. KASSAYE: It did.

9 MEMBER ALBERTI: Ah, and what did you
10 do about it?

11 MR. KASSAYE: I talked to the guys who
12 were working there and he said they are not doing
13 it. Nothing is going on inside.

14 MEMBER ALBERTI: Did you talk to your
15 wife? Did you talk to your wife?

16 MR. KASSAYE: Yeah.

17 MEMBER ALBERTI: And she said what?

18 MR. KASSAYE: She is always up working
19 at the restaurant, but downstairs she pretty much
20 -- this guy is running it, so --

21 MEMBER ALBERTI: I know, but she is
22 there.

1 MR. KASSAYE: Yeah.

2 MEMBER ALBERTI: Did she tell you it
3 was happening or not? These guys say it's not
4 happening. What does your wife tell you about
5 it?

6 MR. KASSAYE: She didn't say. I mean,
7 she -- people are coming, I mean, these groups
8 are coming and going, that's about it.

9 MEMBER ALBERTI: And you think nothing
10 of this? All right. I have no further
11 questions.

12 CHAIRPERSON ANDERSON: Mr. Short?
13 Hold on, hold on. Go ahead, sir.

14 MR. KASSAYE: Adams Morgan, this thing
15 I didn't start -- to start with these guys. It
16 came from restaurant-to-restaurant. They jumping
17 and then we -- still they are doing it, but I --
18 at that point, the donation thing, the selling --
19 there is no selling going on, you know, that was
20 what the -- what we were doing and that was my
21 understanding and that was everybody was doing
22 it. That that's why we did it and we are -- I

1 don't know any -- I don't see any -- I didn't see
2 any.

3 MEMBER ALBERTI: But didn't you
4 suspect anything after the Investigator spoke
5 with you? I mean, that's the part that I am
6 having trouble with. Up until the Investigator
7 called you on January 18th, what you are saying
8 has a ring of truth, that you don't think
9 anything is wrong, because everyone else is doing
10 it and the guys that are doing it are telling you
11 it's okay, right?

12 But then the Investigator calls you on
13 January 18th and you still don't look into or
14 suspect that maybe something is wrong?

15 MR. KASSAYE: I did, but like I said
16 a lot of my personal problems, I mean, took my --
17 I don't know how to put this.

18 MEMBER ALBERTI: But your wife is
19 there. She is running the business.

20 MR. KASSAYE: Yes, yes.

21 MEMBER ALBERTI: So hopefully your
22 wife is responsible, right? And --

1 MR. KASSAYE: I don't know.

2 MEMBER ALBERTI: All right. I have no
3 further questions.

4 CHAIRPERSON ANDERSON: I'm going to
5 call Mr. Short, but I just want to ask you a
6 follow-up question. You said everybody in Adams
7 Morgan is doing it. What time is your restaurant
8 supposed to close?

9 MR. KASSAYE: 11:00.

10 CHAIRPERSON ANDERSON: 11:00?

11 MR. KASSAYE: Yes, sir.

12 CHAIRPERSON ANDERSON: What time --
13 you close at 11:00?

14 MR. KASSAYE: Yes.

15 CHAIRPERSON ANDERSON: Suppose
16 everybody in Adams Morgan and -- so who told you
17 you need to close at 11:00?

18 MR. KASSAYE: Our ABRA License says.

19 CHAIRPERSON ANDERSON: Your ABRA
20 License said you need to

21 MR. KASSAYE: Until 10:00 weekdays and
22 week nights -- weekdays until 12:00.

1 CHAIRPERSON ANDERSON: Until 12:00.

2 MR. KASSAYE: And weekends is until

3 1:45.

4 CHAIRPERSON ANDERSON: Until 1:45.

5 MR. KASSAYE: So we usually don't have

6 customers after 11:00, so we close at 11:00 --

7 CHAIRPERSON ANDERSON: So you close.

8 MR. KASSAYE: -- 11:30.

9 CHAIRPERSON ANDERSON: But on the
10 weekends you have until 1:45?

11 MR. KASSAYE: We don't stay open.

12 CHAIRPERSON ANDERSON: But everybody--
13 everybody that is in Adams Morgan closes at 4:00
14 a.m., but your license tells you that you are
15 supposed to close at 11:45. Are you going to
16 stay open until 4:00, because everybody else is
17 doing it?

18 MR. KASSAYE: No, no, no.

19 CHAIRPERSON ANDERSON: Okay. Go
20 ahead, Mr. Short.

21 MEMBER SHORT: Good afternoon, Mr.
22 Kassaye.

1 MR. KASSAYE: Yes, sir.

2 MEMBER SHORT: What I'm hearing sounds
3 very troubling to me. Are you familiar with the
4 regulations of ABRA?

5 MR. KASSAYE: I'm not to familiar,
6 sir.

7 MEMBER SHORT: Okay. So you -- okay.
8 I'm just asking. I want this on the record.

9 MR. KASSAYE: All right. Go ahead.

10 MEMBER SHORT: Are you familiar with
11 the rules that regulate your license to sell
12 alcohol in Washington, D.C.?

13 MR. KASSAYE: (No audible answer.)

14 MEMBER SHORT: Do you think you should
15 be?

16 MR. KASSAYE: I should be.

17 MEMBER SHORT: Okay. Thank you.
18 Good. Okay. I'm going to read something to you
19 that I, as a Board Member, am going to take very
20 seriously.

21 Chapter 25-05 Nuisance: "Any
22 building, ground or premises where an alcoholic

1 beverage is manufactured, sold, kept for sale or
2 permitted to be consumed in violation of this
3 title, shall be a nuisance." That's (A).

4 (B) "An action to enjoin any nuisance
5 defined in the subsection (a) of this section may
6 be brought in the name of the District of Columbia
7 by the corporation counsel in the civil branch of
8 the Superior Court of the District of Columbia
9 against any person conducting or maintaining such
10 nuisance or knowingly admitting such nuisance to
11 be conducted or maintained."

12 Will you tell me what you think of
13 that statement? Were you in violations of the
14 Nuisance Laws for this by allowing this to happen
15 in your business, whether you -- did you permit
16 this to happen in your business?

17 MR. KASSAYE: What nuisance I created,
18 sir?

19 MEMBER SHORT: Selling or permitting
20 alcohol to be consumed in your business without a
21 license.

22 MR. KASSAYE: I didn't sell alcohol

1 without a license.

2 MEMBER SHORT: Was anybody consuming
3 alcohol in your place without a license?

4 MR. KASSAYE: They bring their own
5 drinks, yes.

6 MEMBER SHORT: You can't do that.

7 MR. KASSAYE: Okay.

8 MEMBER SHORT: No, no, no. Let me ask
9 you a question. Do you realize that a liquor
10 license is a privilege?

11 MR. KASSAYE: Yes.

12 MEMBER SHORT: Just like a driver's
13 license.

14 MR. KASSAYE: Yes, sir.

15 MEMBER SHORT: And so when you go too
16 fast and you get too many tickets, what happens
17 to your driver's license?

18 MR. KASSAYE: (No audible answer.)

19 MEMBER SHORT: Excuse me, for the
20 record, please, speak up.

21 MR. KASSAYE: You lose your driving
22 license.

1 MEMBER SHORT: You lose your license.
2 Okay. Well, I'm going to read one other section
3 of this code that deals with Mandatory
4 Revocation, Section 25-822. And I want all this
5 on the record.

6 Section 2 says "The licensee has
7 knowingly permitted in the licensed
8 establishment:

9 (A) The illegal sale or negotiation
10 for sale or the use of any controlled substance
11 identified in CSA; or

12 (B) The possession or sale of
13 negotiations for sale of drug paraphernalia in
14 violation of the CSA." And I'll explain it
15 later.

16 Okay. This says Chapter 11, Title 48,
17 "Successive sales or negotiations for sale over a
18 continuous period of time shall be deemed
19 evidence of knowing permission."

20 Those are reasons that your license
21 can be revoked by this Board. Do you
22 understand that?

1 MR. KASSAYE: Yes.

2 MEMBER SHORT: So if everybody else in
3 Adams Morgan is speeding in their car with their
4 driver's license and you get caught speeding with
5 your driver's license and they don't, what do you
6 think is going to happen to you?

7 MR. KASSAYE: (No audible answer.)

8 MEMBER SHORT: Please, speak up. You
9 have to --

10 MR. KASSAYE: Can you re-ask the
11 question?

12 MEMBER SHORT: Yes. I'm asking you if
13 -- you said because everybody else was doing it.
14 So if everybody else was speeding on 18th Street
15 and got -- and didn't get a ticket, but you were
16 speeding and got caught and you got a ticket,
17 would you be responsible for that ticket?

18 MR. KASSAYE: Yes, I am.

19 MEMBER SHORT: I'm just trying to tell
20 you, as one Board Member, I don't understand how
21 you think that you can take a liquor license, put
22 it in safekeeping, allow people to bring alcohol

1 into your business establishment, consume it on
2 top of other things going on, that it takes 20
3 police officers -- well, they said 10 officers,
4 the Captain testified, that now the other people
5 in the 3rd District aren't getting service,
6 because they have come to your business
7 establishment.

8 So the other people are being then not
9 served appropriately by MPD if something happened
10 to them. That's a nuisance. That's all I have,
11 Mr. Chair. Thank you very much.

12 CHAIRPERSON ANDERSON: Mr.
13 Silverstein?

14 MEMBER SILVERSTEIN: Thank you, Mr.
15 Chair. Mr. Kassaye, you said that the folks who
16 were coming in downstairs and were involved down
17 there were making donations. Is that correct in
18 order to access the property?

19 MR. KASSAYE: Not to me, to each
20 other.

21 MEMBER SILVERSTEIN: I'm sorry?

22 MR. KASSAYE: Not to me. To each

1 other, we send them food.

2 MEMBER SILVERSTEIN: They were making
3 -- yes, sir?

4 CAPTAIN AUGUSTINE: Would you like me
5 to clarify the donations?.

6 MEMBER SILVERSTEIN: Yes.

7 CAPTAIN AUGUSTINE: Okay. So
8 basically, some of the parties in -- and this
9 actually, we have -- DCRA actually has
10 documentation of actually one of the events that
11 occurred on January 30th at the establishment.

12 What folks were doing was they were
13 coming and presenting an ID to enter. All right.
14 Then they would sit there and it appears they
15 would buy like a baseball card or a coin and that
16 would be their donation. Then they would trade
17 that for another -- for a THC product.

18 MEMBER SILVERSTEIN: So in other
19 words, there was an exchange of money that was
20 required for them to enter?

21 CAPTAIN AUGUSTINE: There was, yes.
22 In the grand scheme of things, yes.

1 MEMBER SILVERSTEIN: Whether they
2 were --

3 CAPTAIN AUGUSTINE: They were
4 basically --

5 MEMBER SILVERSTEIN: -- buying a grain
6 of sand or --

7 CAPTAIN AUGUSTINE: And I think it was
8 on March 7th at the event that we made an arrest
9 there. We actually, Officer Padilla and I, spoke
10 to one of the vendors there and they were doing
11 the same thing. They were selling you like I
12 have a \$50 T-shirt, you buy my \$50 cotton T-
13 shirt, all right, and then I'm going to also give
14 you some marijuana as a gift.

15 MEMBER SILVERSTEIN: Oh.

16 CAPTAIN AUGUSTINE: And I can tell you
17 right now that none of these T-shirts are worth
18 \$50.

19 MEMBER SILVERSTEIN: Of course, it's
20 a ruse. Thank you very much.

21 And if someone came in off the street
22 to go to your restaurant on that day and brought

1 their own bottle of wine and sat down and said I
2 don't want to eat anything and I don't want you
3 to open up my bottle of wine, I just want to sit
4 here and I want to drink my wine. Would you have
5 accepted that?

6 MR. KASSAYE: No.

7 MEMBER SILVERSTEIN: So you would have
8 required them to eat, to buy --

9 MR. KASSAYE: Yes.

10 MEMBER SILVERSTEIN: -- to make a
11 purchase or at least --

12 MR. KASSAYE: They come --

13 MEMBER SILVERSTEIN: -- to pay a
14 corkage fee. Is that correct for service?

15 MR. KASSAYE: They come to eat. They
16 come to eat, not to sit and drink.

17 MEMBER SILVERSTEIN: So there is -- as
18 with downstairs, in order to get in, you must
19 provide some money? There must be an exchange of
20 money for them to come in there and access your
21 restaurant and drink the wine, correct?

22 MR. KASSAYE: No, they need to buy

1 food.

2 MEMBER SILVERSTEIN: Right. They have
3 to --

4 MR. KASSAYE: Order food, yeah.

5 MEMBER SILVERSTEIN: -- or a grain of
6 sand or a T-shirt. All this has to do with
7 fitness for licensure, sir.

8 MR. KASSAYE: Huh?

9 MEMBER SILVERSTEIN: Whether you get
10 it back or not. So you recorded income from both
11 the -- the people downstairs recorded income from
12 people being allowed in. And you recorded income
13 from the sale of alcohol. You recorded income
14 with the corkage fee and the fact that people
15 coming into your restaurant had to pay money for
16 something in order to come into your restaurant
17 to drink, correct?

18 MR. KASSAYE: No.

19 MEMBER SILVERSTEIN: No? They didn't
20 have to buy anything? They didn't have to pay a
21 corkage fee?

22 MR. KASSAYE: They come and drink, to

1 pay to come and -- I don't get that question,
2 sir.

3 MEMBER SILVERSTEIN: I would suggest
4 you get a lawyer and find out. No further
5 questions.

6 MEMBER ALBERTI: One quick question.

7 CHAIRPERSON ANDERSON: Yes, just hold
8 on. Hold on a minute, please. Do you have any
9 questions, Bobby?

10 MEMBER CATO: No, I don't.

11 CHAIRPERSON ANDERSON: Go ahead, Mr.
12 Alberti.

13 MEMBER ALBERTI: So any of the
14 officers can answer this. It's my understanding
15 that possession of a couple ounces of marijuana,
16 I think it's 4 ounces, is not illegal in the
17 District, right, of the weed or the leaf, the
18 plant. All right?

19 CAPTAIN AUGUSTINE: 2 ounces of the
20 plant material --

21 MEMBER ALBERTI: So it's 2 ounces?
22 Okay. It's 2 ounces.

1 CAPTAIN AUGUSTINE: -- is legal to
2 possess, yes.

3 MEMBER ALBERTI: And so possession of
4 that is not illegal, right?

5 MR. KASSAYE: To possess.

6 MEMBER ALBERTI: All right. But
7 possession of the edibles and the tinctures and
8 the oils and all those byproducts, processed
9 byproducts that is illegal to possess in the
10 District. Am I correct? Other than if you have
11 purchased it from a medical marijuana facility.

12 CAPTAIN AUGUSTINE: I would say in
13 part. I can tell you that, yes, anything that
14 contains a THC oil in itself is illegal.

15 MEMBER ALBERTI: Unless you have a
16 medical marijuana license and purchased it from a
17 medical marijuana --

18 MEMBER SHORT: Dispensary.

19 MEMBER ALBERTI: -- dispensary. Is
20 that correct?

21 CAPTAIN AUGUSTINE: I have never ran
22 into that situation, so I can't speak of fact,

1 but, yes, that would sound reasonable.

2 MEMBER ALBERTI: Okay. So the
3 allegation is that Mr. Kassaye or his agents
4 knowingly facilitated the possession of an
5 illegal controlled substance. Am I correct?

6 CAPTAIN AUGUSTINE: I would say yes.

7 MEMBER ALBERTI: I just want to
8 summarize this, so we are all on the same page.

9 CAPTAIN AUGUSTINE: As long as you are
10 saying -- yes, by having the party at the
11 restaurant, they are facilitating this.

12 MEMBER ALBERTI: Right. And knowingly
13 facilitating the possession of something that is
14 aside from the plant, something which is,
15 obviously and not unquestionably, illegal to
16 possess in the District.

17 CAPTAIN AUGUSTINE: And I would also
18 sit there and say no food keeps coming up and
19 somebody needs to have food in order to enter, at
20 least in my experience on March 7th, which we were
21 there pretty early when that place -- when the
22 event started, there was actually nobody -- none

1 of the vendors appeared to have any food from the
2 restaurant. There was actually only one person
3 downstairs and he was waiting for food that he
4 ordered.

5 MEMBER ALBERTI: Okay.

6 CAPTAIN AUGUSTINE: Just for
7 clarification.

8 MEMBER ALBERTI: All right. Thank you
9 so much.

10 MEMBER SHORT: I just have one follow-
11 up.

12 CHAIRPERSON ANDERSON: Mr. Short?

13 MEMBER SHORT: I would be remiss if I
14 didn't thank you Officers for taking time out of
15 your schedules to be here. To have a Captain and
16 a Lieutenant and a Sergeant and the other three
17 officers here means that this brings us to a
18 different type of level of licensure misuse.

19 And I would like to thank Investigator
20 Puente for the excellent report. I can only say
21 for the record that I read into the record what a
22 nuisance means to this code. I do know that

1 nuisance is in the Police Code and I know it's in
2 the Fire Code and I know that the city at one
3 time really, really were closed down a lot of
4 nuisance businesses.

5 And I would like to ask the Captain,
6 if I could, that you check with your regulations
7 on nuisance properties and find out whether or
8 not you could get that information to this Board,
9 so when this license does come up for any
10 actions, which I can't say it will or won't, this
11 is just a Fact-Finding Hearing, that we would
12 have some ammunition, we would have something to
13 work with besides alcohol.

14 CAPTAIN AUGUSTINE: Yes, sir. It's
15 a pleasure being here and I just --

16 MEMBER SHORT: Thank you.

17 CAPTAIN AUGUSTINE: -- and to your
18 point, I just want to sit there and say that's
19 why it was actually -- why we are all here is
20 because this is a very important matter. You are
21 correct, there are instances going on in Adams
22 Morgan where we have actually taken legal action

1 against those establishments also.

2 And I -- just to your point, Mr.
3 Short, is that my, as a supervisor overseeing a
4 large section, biggest thing is you absolutely
5 are taking resources away from the other
6 residents in the District of Columbia.

7 From your viewpoint, if I take 10 of
8 my Adams Morgan officers away on a Friday night
9 and there is a fight that happens on the 2300
10 Block of 18th Street and I don't have all the
11 resources to go down there, then I have to take
12 them from other parts of the District and I think
13 that's very important for everybody to
14 understand, the manpower that this takes just to
15 investigate.

16 MEMBER SHORT: Thank you, Captain.
17 And also, I would be remiss if I didn't mention
18 and give honor to the officer who lost his life
19 on 18th Street and allegedly the person who was
20 driving a car that hit him had just left a
21 business in Washington, D.C. where they had
22 smoked illegal drugs and they didn't know that

1 they had even killed the officer when they took
2 him away.

3 So these kinds of things have to be,
4 as far as I'm concerned as a Board Member, dealt
5 with swiftly and correctly using all the force of
6 the city's laws. Thank you very much for your
7 service, all of you.

8 CAPTAIN AUGUSTINE: Thank you.

9 SERGEANT ROONEY: Thank you.

10 OFFICER BRAY: Thank you very much.

11 OFFICER GRABOWSKI: Thank you.

12 CHAIRPERSON ANDERSON: Do you want to
13 say something, Mr. Silverstein?

14 MEMBER SILVERSTEIN: Yes, I want to
15 echo Mr. Short's words. And, Captain and
16 gentlemen, I want to thank you and especially
17 commend our Investigators, Mr. Brashears and Mr.
18 Puente, this is the kind of thing where we need
19 to work together. We know that often agencies
20 within a Government will stovepipe and will guard
21 their own turf or don't want to step on one
22 another and this is one of those many cases that

1 we have where you are helping us and we are
2 helping you. And together, we are helping the
3 public.

4 Thank you and commendations to you
5 all.

6 CHAIRPERSON ANDERSON: All right. I'm
7 gong to close this hearing, but prior to closing
8 the hearing, I would like -- we will start with
9 the Investigators and so I'll give everyone an
10 opportunity to make a closing statement, if you
11 so desire.

12 INVESTIGATOR PUENTE: No, I'm good,
13 sir.

14 CHAIRPERSON ANDERSON: Huh?

15 INVESTIGATOR PUENTE: I'm good.

16 CHAIRPERSON ANDERSON: Okay. Mr.
17 Brashears?

18 INVESTIGATOR BRASHEARS: I'm
19 Investigator Brashears from ABRA. Just, you
20 know, a lot was mentioned about donations and
21 things. Just for the record, I would like to say
22 that I believe it was on the incident on the 3rd

1 of March, I believe one of the individuals that
2 was arrested, approximately, \$5,000 was taken off
3 his person. And I want to say that night in the
4 District everything else was --

5 CHAIRPERSON ANDERSON: I think --

6 INVESTIGATOR BRASHEARS: -- a pound of
7 marijuana.

8 MEMBER SHORT: Which date was that?

9 INVESTIGATOR BRASHEARS: I believe it
10 was the 3rd. Was it the 3rd of March, Investigator
11 Puente?

12 INVESTIGATOR PUENTE: Yes, March 3rd.

13 INVESTIGATOR BRASHEARS: March 3rd.

14 MEMBER SHORT: March 3rd. \$5,000 was
15 taken off of someone arrested?

16 INVESTIGATOR BRASHEARS: Yes, sir.

17 MEMBER SHORT: Thank you.

18 CHAIRPERSON ANDERSON: Officers? Yes?

19 SERGEANT ROONEY: I want to make sure
20 -- thanks again so much for having us, especially
21 all of us being able to talk and we do work as a
22 team. I know we worked the last like few years,

1 I'm actually talking four or five years, I have
2 gotten to know both the Investigators. Your
3 Investigators do a fantastic job.

4 Also, I appreciate both of you guys
5 when you guys come up there with -- I wanted to
6 kind of close by saying, you know, whenever money
7 becomes an issue, in my experience, I found that
8 owners throw all caution to the wind to make the
9 almighty dollar, the almighty buck.

10 And I have been approached by other
11 business owners who have said hey, Sergeant
12 Rooney, can I talk to you really quickly
13 regarding these guys, these guys are approaching
14 me regarding marijuana on their slow nights,
15 Monday, Tuesday, Wednesday, Thursday or what have
16 you. And the amount of money that is brought up
17 is always eye opening to a business owner.

18 So in meeting with them on an
19 individual level or, you know, nothing outside of
20 like I want to say under the radar type of thing,
21 the money that is being offered to some of the
22 business owners are upwards of, I have heard of,

1 thousands starting off and once it grows in
2 popularity moves up to the hundred thousand
3 dollar and plus per month.

4 So if that's not eye opening to a
5 business owner that is running slow Monday,
6 Tuesday, Wednesday, Thursday, we -- the reason
7 why we are all here is because of the almighty
8 dollar. You know, when it is -- when it goes out
9 the wayside or things are going slow, they throw
10 all caution to the wind, in my experience, so
11 that's one of the things.

12 Also, both the Investigators had
13 warned, not to mention some of the officers that
14 aren't here did warn, everybody and we also go
15 over and the Captain and I had flyers that show
16 you the initiative regarding marijuana, what is
17 illegal, what is not illegal.

18 Donations, you know, as a ruse, as Mr.
19 Silverstein said, to facilitate the transaction
20 of marijuana is illegal and very, very clear it
21 doesn't matter what you are exchanging, whether
22 it is money, whether it is a line, whether it is

1 like a T-shirt, like Captain Augustine said, that
2 is illegal. That is the sale of narcotics, okay,
3 according to the law and it's very, very clear.

4 The other thing is that some questions
5 that you might want to think about is that
6 although those warnings were given by the
7 Investigators and police alike, he continued to
8 have the marijuana events.

9 So on March 3rd, even when we made
10 arrests, I know it was super, super clear that
11 hey, we mean business now. We made several
12 arrests. They continued to have them. So we
13 made more arrests on March 7th.

14 So to just keep that in the back of
15 your minds, but once again, I just want to say
16 thanks both to you, Investigator Puente and
17 Brashears. You guys do a fantastic job and I
18 really appreciate the opportunity to speak before
19 you today, so thank you so much.

20 CHAIRPERSON ANDERSON: Okay. Thank you.

21 MEMBER SHORT: Mr. Chair?

22 CHAIRPERSON ANDERSON: Hold on, hold

1 on, Mr. Short.

2 MEMBER SHORT: Can I say this,
3 Sergeant?

4 SERGEANT ROONEY: Yes, sir, Mr. Short.

5 MEMBER SHORT: Your testimony is that
6 you have written literature that was passed out
7 to businesses on 18th Street?

8 SERGEANT ROONEY: Sure, yes, sir.

9 MEMBER SHORT: Did this particular
10 business get that information?

11 SERGEANT ROONEY: I believe so.

12 MEMBER SHORT: To your knowledge?

13 SERGEANT ROONEY: We -- I'm not sure,
14 but we -- every business out there should have
15 received one. In fact, I also went through the
16 BID and had the BID, you know, send those out, so
17 that each business in the Adams Morgan community
18 received it, whether you are a laundromat or
19 whether you were an alcohol establishment or a
20 restaurant alike, you all received it.

21 So I'm sorry, go ahead, Captain.

22 CAPTAIN AUGUSTINE: And just to answer

1 that point, I know the -- I have the letter. If
2 you want me to send it, I can send that, but the
3 Department of Health and him being a restaurant,
4 I can only assume, received this letter.

5 But in 2016, the Department of Health
6 sent the letter out cautioning businesses about
7 these marijuana events and the penalties from
8 each Agency that they could suffer.

9 CHAIRPERSON ANDERSON: Yes, and the
10 Agency has -- we do have a copy of the letter
11 from the Department of Health, so we do have
12 that. So thank you for that.

13 MEMBER ALBERTI: Mr. Puente.

14 INVESTIGATOR PUENTE: I gave the
15 letter personally to the ABC Manager.

16 CHAIRPERSON ANDERSON: What letter was
17 that?

18 INVESTIGATOR PUENTE: The DoH letter.

19 CHAIRPERSON ANDERSON: Okay.

20 INVESTIGATOR PUENTE: About the
21 marijuana to the ABC Manager, Shawn Kim, on
22 January 18th, to the establishment.

1 CHAIRPERSON ANDERSON: All right.

2 Thank you for that. Mr. Kassaye, you have the
3 last word.

4 MR. KASSAYE: I have never received
5 these things from Kim Shawn or anybody about the
6 regulations about these things.

7 For me, other than penalizing me for
8 something that I don't know is better business
9 like me educate and, you know, show them how
10 things are working is much better than ruining
11 the business or ruining lives. I mean, that's how
12 I see it. I thought I am doing the right thing.

13 CHAIRPERSON ANDERSON: That's it?

14 MR. KASSAYE: That's it, sir.

15 CHAIRPERSON ANDERSON: Well, and by
16 saying you don't know, and one thing I'll say to
17 you for you to know, this Agency is having a
18 training in June --

19 MR. KASSAYE: Okay.

20 CHAIRPERSON ANDERSON: -- about the
21 dos and don'ts of earning -- of having an ABC
22 License. And I would strongly urge you, your

1 wife and other -- your ABC Managers that they
2 attend this training that this Agency is having
3 in June.

4 So I'm putting a notice that we are
5 having a training in June, so you can't say I did
6 not know. I'm not aware of the rules and
7 regulations. And if you don't know what you need
8 to do, this Agency is -- you can always walk in
9 to say I'm not here.

10 There are two Investigators who are
11 sitting here who you know, you have spoken to
12 them. If you don't know, you ask them. I
13 wouldn't have a problem if you stated that I
14 spoke to Mr. Puente and Mr. Puente told me that I
15 could do it.

16 MR. KASSAYE: Okay.

17 CHAIRPERSON ANDERSON: I'm just
18 saying. If you said I spoke to him, he told me I
19 could do it, I didn't understand about BYOB, I
20 reached out to ABRA, they told me I can do that,
21 and so I would grant that to you if you were to
22 tell me today that, you know, I reached out to

1 the Agency, asked for clarification, because I
2 did not know what it means to be a BYOB and they
3 told me that.

4 One thing that I want you also, sir,
5 to be mindful of, the status of your license.
6 Your license is in safekeeping. And what it says
7 is that by having a license, alcohol license is
8 to sell or serve. You cannot facilitate the
9 service of alcohol in your facility if you do not
10 have a license.

11 So if your -- while your liquor
12 license is in safekeeping, I'm not even talking
13 about the marijuana stuff, that's another
14 bullwhack, but you cannot facilitate the service
15 of alcohol.

16 You cannot allow BYOB. Whatever your
17 understanding of BYOB is, you cannot do that. So
18 I'm not going to go any further. You said you
19 know what BYOB is, well, I'm telling you today
20 BYOB, you cannot do that. Okay? So that's all
21 I'll say.

22 I was told there is someone else in

1 the audience who wants to speak. Can you come
2 forward and identify yourself for the record,
3 please? You can sit at the table. You can sit
4 at the table and identify yourself for the
5 record, please.

6 MR. FAKHRIYAZDI: My name is Farsaad
7 Fakhriyazdi. I'm the owner of the property.

8 CHAIRPERSON ANDERSON: Yes, sir.

9 MR. FAKHRIYAZDI: And I was told that
10 the situation -- I received a phone call.
11 Unfortunately, I don't know which one of the
12 gentlemen I talked with, but when I received the
13 phone call, I was shocked that they told me do
14 you know what is going on in your property? I
15 had no idea.

16 So and then they informed me that they
17 had a raid at such and such a time, which I was
18 happy to hear that. And then they said it's
19 canceled, you shouldn't be there. I was trying
20 to cooperate in any way that I can.

21 And what I wanted to let the Board
22 know is that I have an attorney that we are

1 pushing for eviction immediately and we will put
2 a stop to this, because this was not our
3 intention as a landlord to lease our property for
4 such use.

5 And for someone who knows that
6 property very well, there is impossible for you
7 to pay your rent and to come to that property and
8 don't know what is going on. So you must have a
9 full knowledge of everything. And by doing so,
10 you are jeopardizing and you are putting people's
11 life in danger.

12 Aside from all of the indemnification
13 on the alcohol license, but I have tenants in
14 that property. There are people there, people
15 live there and I am not tolerating it as a
16 landlord. So we are going full force for
17 eviction for this, because we have -- as a
18 landlord it is my duty to put a stop to this.

19 CHAIRPERSON ANDERSON: Okay.

20 MR. FAKHRIYAZDI: So I wanted the
21 Board to know that.

22 CHAIRPERSON ANDERSON: All right.

1 Thank you, sir.

2 MEMBER SILVERSTEIN: Thank you.

3 MR. FAKHRIYAZDI: Yes.

4 CHAIRPERSON ANDERSON: And I want to
5 say there are two -- so there are six officers
6 here for this Fact-Finding Hearing and that just
7 says to this licensee that the District of
8 Columbia believes that this is a serious
9 infraction for six officers to show up at a Fact-
10 Finding Hearing.

11 And this is not a hearing where we are
12 going to bring -- in the sense that we are going
13 to make a decision to say you lose your license
14 or anything like that. This is just a Fact-
15 Finding for us presenting information. And I
16 want you to know, sir, how important it is,
17 that's why all these officers are here today.

18 I want to thank the officers for being
19 here today. It shows us how seriously that this
20 matter is.

21 I also would like to thank the
22 landlord. I'm bad with names, so thank you for

1 his representation.

2 And also, sir, Mr. Kassaye, I want to
3 thank you for appearing here today, because
4 sometimes we have a Fact-Finding Hearing and the
5 licensee is not here. So I need you, sir, to
6 know that you have a license and you have a
7 business. You are a businessman. And you have
8 to pay attention to what is going on in your
9 business, sir, because you are responsible,
10 whether or not it's your wife, whether or not
11 it's some guy who is telling you, the only person
12 that we can hold accountable, sir, is you,
13 because it's your license.

14 You are ultimately responsible for
15 everything that happens there. So if you here
16 today to say I don't know, I don't know, and that
17 could be true and I'm sitting here and I'm
18 looking at your face, sir, and you know, it
19 appears to me, sir, I'm going to say this, that
20 you are being honest when you say you don't know.
21 I have a problem with that, but just your body or
22 your facial to me it says to me that you are

1 unaware.

2 You cannot be unaware of what is going
3 on in your business, because as you are today,
4 you are the one who is here and you are the one
5 who is responsible, because we gave you a license
6 and we gave you the license. And so if we are
7 going to hold anyone accountable, you are the
8 only person we can hold accountable.

9 So I'm just saying that to you, sir.
10 It's that the Board will take this matter under
11 advisement and try to figure out what is it that
12 we are going to do, but you have to pay more --
13 you need to talk to your wife. You need to talk
14 to this -- whoever this guy is. You need to say
15 that you have a business. You need to know what
16 is going on in your business, because there are
17 some serious charges and you are the one who, at
18 least from the ABC Liquor License perspective, we
19 are going to hold responsible.

20 We are not going to hold your wife or
21 anyone else. You are the one we are going to
22 hold responsible. Okay? So we will take this

1 matter under advisement.

2 And the landlord, I forgot your name.
3 Can you, please, sign, put your name on the sign-
4 in sheet. On the sign-in sheet, sir, just put
5 your --

6 MR. FAKHRIYAZDI: This one?

7 CHAIRPERSON ANDERSON: Yes.

8 MR. FAKHRIYAZDI: Yes, sir.

9 CHAIRPERSON ANDERSON: And if the
10 officers, if you have not done that, please,
11 there is a sign-in sheet on the table, please,
12 sign-in your names on the sign-in sheet, so that
13 the court reporter will -- so when you see your
14 name in lights, at least it's spelled properly.
15 It's from that perspective.

16 So I want to thank everyone for being
17 here today and have a great day and be safe.

18 ALL OFFICERS: Thank you.

19 MEMBER SHORT: Be safe out there,
20 officers.

21 (Whereupon, the Fact-Finding Hearing
22 was concluded at 2:46 p.m.)

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Before: DCABRA

Date: 05-23-18

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