

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

IN THE MATTER OF:                   :  
   :  
H&H, LLC,                                   :  
t/a American Ice Company           :  
917 V Street NW                         : Show Cause  
Retailer CT - ANC 1B                 : Hearing (Status)  
License No. 84577                       :  
Case #18-CMP-00210                   :  
   :  
(Substantial Change in                 :  
Operation Without Board             :  
Approval)                               :

Wednesday,  
January 30, 2019

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:

- WALTER ADAMS, OAG
- JOSEF REZA, Licensee

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

9:49 a.m.

CHAIRPERSON ANDERSON: The next case on our calendar is Case No. 18-CMP-00210, American Ice Company, License No. 84577.

Will the parties, please, approach and identify themselves for the record, please?

MR. ADAMS: Good morning, Mr. Chairman. Walter Adams representing the District of Columbia.

CHAIRPERSON ANDERSON: Good morning, Mr. Adams.

MR. ADAMS: Good morning.

MR. REZA: Good morning. Josef Reza, owner.

CHAIRPERSON ANDERSON: Good morning, Mr. Reza. There is a sign-in sheet, could you, please, sign-in, please, sir?

Mr. Adams, are there any preliminary matters in this case?

MR. ADAMS: Yes, Mr. Chairman, there is a preliminary matter. The parties have

1 discussed this case and are in a position to  
2 propose an Offer in Compromise to the Board for  
3 its review. There is a single charge in this  
4 case for the establishment making a substantial  
5 change.

6 The parties have agreed to this being  
7 resolved with a fine in the amount of \$1,500 to  
8 be paid within a period of 30 days. If the  
9 establishment does not make such payment within  
10 the 30 days period, it understands that its  
11 license shall be suspended indefinitely until  
12 such fine is paid and that the establishment also  
13 submits a security plan.

14 CHAIRPERSON ANDERSON: When is that?

15 MR. ADAMS: As well that satisfies  
16 the, essentially, DC Statute that applies to the  
17 security plans.

18 CHAIRPERSON ANDERSON: What's the time  
19 period?

20 MR. ADAMS: I'm sorry?

21 CHAIRPERSON ANDERSON: What's the time  
22 period?

1 MR. ADAMS: For the submission of the  
2 security plan? Mr. Chairman, it appears that the  
3 security plan has already been submitted, so it  
4 would be the fine plus the already submitted  
5 security plan. And so that is the total fee of  
6 the offer.

7 So I'll amend that. So essentially,  
8 Mr. Chairman, we are asking for a fine in the  
9 amount of \$1,500.

10 CHAIRPERSON ANDERSON: The reason I  
11 was thinking is because if I make the security  
12 plan, it would be a legally sufficient security  
13 plan and there would have to be a certain time  
14 period.

15 MR. ADAMS: All right.

16 CHAIRPERSON ANDERSON: But since it is  
17 -- so that's why I was trying to think in my mind  
18 how -- if the security plan will be a part of it,  
19 how would I formalize it as a motion? But if  
20 it's not a part of the plan, if it's not a part  
21 of the OIC --

22 MR. ADAMS: Let me withdraw that

1 portion.

2 CHAIRPERSON ANDERSON: All right.

3 MR. ADAMS: So let's just make this an  
4 Offer in Compromise in the amount of \$1,500  
5 payable in 30 days.

6 CHAIRPERSON ANDERSON: All right. All  
7 right. Mr. Reza, it's my understanding that  
8 there is an Offer in Compromise and the Offer in  
9 Compromise is that there is a fine of \$1,500  
10 payable in 30 days. If the fine is not payable  
11 in 30 days, the license will be suspended.

12 Is this your understanding of the  
13 Offer in Compromise?

14 MR. REZA: Yes, it is.

15 CHAIRPERSON ANDERSON: All right. Are  
16 you aware that by accepting an Offer in  
17 Compromise, that you are giving up your right to  
18 a hearing?

19 MR. REZA: Yes.

20 CHAIRPERSON ANDERSON: Are you also  
21 aware that by accepting an Offer in Compromise,  
22 that you are giving up your right to appeal this

1 matter?

2 MR. REZA: Yes.

3 CHAIRPERSON ANDERSON: All right.

4 With that said, I make a motion that the Offer in  
5 Compromise of a fine of \$1,500 be accepted. The  
6 fine should be payable in 30 days. If the fine  
7 is not payable in 30 days, the license will be  
8 suspended until the fine has been paid. Is there  
9 a second?

10 MEMBER SHORT: Second.

11 CHAIRPERSON ANDERSON: Mr. Short has  
12 seconded the motion.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON ANDERSON: Those opposed?

16 The matter passes 5-0-0.

17 And also although -- Mr. Reza,  
18 although the security plan is not a part of the  
19 Offer in Compromise, I do hope that you are  
20 working with the Agency to make sure whatever  
21 plan that is submitted is legally compliant.

22 MR. REZA: Absolutely.

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CHAIRPERSON ANDERSON: All right.

MR. REZA: Thank you very much.

CHAIRPERSON ANDERSON: Thank you.

(Whereupon, the Show Cause (Status)

Hearing was concluded at 9:53 a.m.)

<b>A</b>	3:14,18,21 4:10	identify 2:7	<b>P-R-O-C-E-E-D-I-...</b>
a.m 2:2 7:5	4:16 5:2,6,15,20	indefinitely 3:11	2:1
<b>Absolutely</b> 6:22	6:3,11,15 7:1,3	<b>J</b>	<b>paid</b> 3:8,12 6:8
<b>accepted</b> 6:5	<b>change</b> 1:9 3:5	<b>JAMES</b> 1:19	<b>part</b> 4:18,20,20
<b>accepting</b> 5:16,21	<b>charge</b> 3:3	<b>January</b> 1:12	6:18
<b>Adams</b> 1:21 2:8,9	<b>Columbia</b> 1:1 2:10	<b>Josef</b> 1:21 2:14	<b>parties</b> 2:6,22 3:6
2:12,13,19,21	<b>Company</b> 1:6 2:5	<b>JR</b> 1:18	<b>passes</b> 6:16
3:15,20 4:1,15,22	<b>compliant</b> 6:21	<b>K</b>	<b>payable</b> 5:5,10,10
5:3	<b>Compromise</b> 3:2	<b>L</b>	6:6,7
<b>Agency</b> 6:20	5:4,8,9,13,17,21	legally 4:12 6:21	<b>payment</b> 3:9
<b>agreed</b> 3:6	6:5,19	let's 5:3	<b>period</b> 3:8,10,19,22
<b>ALBERTI</b> 1:17	<b>concluded</b> 7:5	license 1:7 2:5 3:11	4:14
<b>Alcoholic</b> 1:2,13,13	<b>Control</b> 1:2,13,13	5:11 6:7	<b>plan</b> 3:13 4:2,3,5,12
<b>amend</b> 4:7	<b>CT</b> 1:7	Licensee 1:21	4:13,18,20 6:18
<b>American</b> 1:6 2:5	<b>D</b>	LLC 1:5	6:21
<b>amount</b> 3:7 4:9 5:4	D.C 1:14	<b>M</b>	<b>plans</b> 3:17
<b>ANC</b> 1:7	days 3:8,10 5:5,10	making 3:4	<b>please</b> 2:6,7,18,18
<b>Anderson</b> 1:15,17	5:11 6:6,7	matter 1:4 2:22 6:1	<b>plus</b> 4:4
2:3,11,16 3:14,18	<b>DC</b> 3:16	6:16	<b>portion</b> 5:1
3:21 4:10,16 5:2,6	<b>discussed</b> 3:1	matters 2:20	<b>position</b> 3:1
5:15,20 6:3,11,15	<b>District</b> 1:1 2:9	MEETING 1:3	<b>preliminary</b> 2:19,22
7:1,3	<b>Donovan</b> 1:15,17	Member 1:17,18,18	<b>PRESENT</b> 1:16,20
<b>appeal</b> 5:22	<b>E</b>	1:19 6:10	<b>presiding</b> 1:15
<b>appears</b> 4:2	essentially 3:16 4:7	met 1:13	<b>propose</b> 3:2
<b>applies</b> 3:16	establishment 3:4	MIKE 1:18	<b>Q</b>
<b>approach</b> 2:6	3:9,12	mind 4:17	<b>R</b>
<b>Approval</b> 1:10	<b>F</b>	morning 2:8,11,13	reason 4:10
<b>asking</b> 4:8	favor 6:13	2:14,16	record 2:7
<b>aware</b> 5:16,21	fee 4:5	motion 4:19 6:4,12	<b>Reeves</b> 1:14
<b>aye</b> 6:13,14	fine 3:7,12 4:4,8 5:9	<b>N</b>	<b>representing</b> 2:9
<b>B</b>	5:10 6:5,6,6,8	N.W 1:14	<b>resolved</b> 3:7
<b>Beverage</b> 1:2,13,13	formalize 4:19	NICK 1:17	<b>Retailer</b> 1:7
<b>Board</b> 1:2,9,13 3:2	<b>G</b>	NW 1:6	review 3:3
<b>BOBBY</b> 1:18	giving 5:17,22	<b>O</b>	<b>Reza</b> 1:21 2:14,14
<b>Building</b> 1:14	Good 2:8,11,13,14	OAG 1:21	2:17 5:7,14,19 6:2
<b>C</b>	2:16	offer 3:2 4:6 5:4,8,8	6:17,22 7:2
calendar 2:4	<b>H</b>	5:13,16,21 6:4,19	<b>right</b> 4:15 5:2,6,7
case 1:8 2:3,4,20	H&H 1:5	OIC 4:21	5:15,17,22 6:3 7:1
3:1,4	hearing 1:7,13 5:18	Operation 1:9	<b>Room</b> 1:14
<b>CATO</b> 1:18	7:5	opposed 6:15	<b>S</b>
<b>Cause</b> 1:6 7:4	hope 6:19	owner 2:15	satisfies 3:15
certain 4:13	<b>I</b>	<b>P</b>	second 6:9,10
<b>Chairman</b> 2:9,21	Ice 1:6 2:5		seconded 6:12
4:2,8			security 3:13,17
<b>Chairperson</b> 1:14			4:2,3,5,11,12,18
1:17 2:3,11,16			6:18



sheet 2:17	<b>Y</b>
<b>Short</b> 1:19 6:10,11	
<b>Show</b> 1:6 7:4	<b>Z</b>
<b>sign-in</b> 2:17,18	
<b>SILVERSTEIN</b> 1:18	<b>0</b>
<b>single</b> 3:3	
<b>sir</b> 2:18	<b>1</b>
<b>sorry</b> 3:20	<b>1,500</b> 3:7 4:9 5:4,9
<b>Status</b> 1:7 7:4	6:5
<b>Statute</b> 3:16	<b>14th</b> 1:14
<b>Street</b> 1:6,14	<b>18-CMP-00210</b> 1:8
<b>submission</b> 4:1	2:4
<b>submits</b> 3:13	<b>1B</b> 1:7
<b>submitted</b> 4:3,4	
6:21	<b>2</b>
<b>substantial</b> 1:9 3:4	<b>2000</b> 1:14
<b>sufficient</b> 4:12	<b>20009</b> 1:14
<b>Suite</b> 1:14	<b>2019</b> 1:12
<b>sure</b> 6:20	
<b>suspended</b> 3:11	<b>3</b>
5:11 6:8	<b>30</b> 1:12 3:8,10 5:5
	5:10,11 6:6,7
<b>T</b>	
t/a 1:6	<b>4</b>
<b>Thank</b> 7:2,3	<b>400S</b> 1:14
<b>think</b> 4:17	
<b>thinking</b> 4:11	<b>5</b>
<b>time</b> 3:18,21 4:13	<b>5-0-0</b> 6:16
<b>total</b> 4:5	
<b>trying</b> 4:17	<b>6</b>
<b>U</b>	<b>7</b>
<b>understanding</b> 5:7	
5:12	<b>8</b>
<b>understands</b> 3:10	<b>84577</b> 1:7 2:5
<b>V</b>	<b>9</b>
<b>V</b> 1:6	<b>9:49</b> 2:2
	<b>9:53</b> 7:5
<b>W</b>	<b>917</b> 1:6
<b>W</b> 1:15,17	
<b>Walter</b> 1:21 2:9	
<b>Washington</b> 1:14	
<b>Wednesday</b> 1:11	
<b>withdraw</b> 4:22	
<b>working</b> 6:20	
<b>X</b>	

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: American Ice Company

Before: DC ABRA

Date: 01-30-19

Place: Washington, DC

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

*Neal R Gross*

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Court Reporter

**NEAL R. GROSS**

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