

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

_____ )	
In the Matter of: )	
Yegna Restaurant and Lounge, Inc. )	Case Nos.: 22-CMP-00044
t/a Asefu's Palace )	License No.: ABRA-112748
Retailer Class CT )	Order No: 2022-567
1920 9 <sup>th</sup> Street, N.W. )	
Washington, DC 20001 )	
_____ )	

**BEFORE:** Donovan Anderson, Chairperson  
James Short, Member  
Bobby Cato, Member  
Rafi Aliya Crockett, Member  
Jeni Hansen, Member  
Edward S. Grandis, Member

**PARTIES:** Yegna Restaurant and Lounge, Inc. t/a Asefu's Palace, Respondent

---

**CEASE AND DESIST ORDER**

---

**INTRODUCTION**

On July 27, 2022, the Alcoholic Beverage Control Board (Board) reviewed compelling evidence that Yegna Restaurant and Lounge, Inc., t/a Asefu's Palace (Respondent) improperly transferred its license, Retailer Class CT, ABRA-112748, to a third party without Board approval, illegally shared the profits of the licensed business with non-owners of record, and permitted or allowed the illegal sale, service, and consumption of alcohol.

In light of these violations, the parties are ordered to cease and desist the sale, service, and consumption of alcohol at 1920 9<sup>th</sup> St., N.W., and any other location that is not authorized by a valid alcohol license. The Board further advises the Respondent that its application for Safekeeping of the license was approved by the Board on July 27, 2022, and that the Respondent must surrender its license to the Alcoholic Beverage Regulation Administration immediately upon receipt of this Order.

## FINDINGS OF FACT

1. Yegna Restaurant and Lounge, Inc., t/a Asefu's Palace (Respondent) holds a Retailer's Class CT License, ABRA-112748, located at 1920 9<sup>th</sup> Street, N.W., Washington, D.C.
2. On Saturday, September 4, 2021, ABRA Lead Investigator (LI) Felicia Dantzler visited the licensed premises while conducting noise enforcement on 9<sup>th</sup> Street N.W. LI Dantzler found the Respondent in violation for operating without an ABC Manager during their licensed hours of sale. *Case Report*, 22-CMP-00060, at 2 (July 6, 2022). During the visit, LI Dantzler met with Phoebe Beasley, who identified herself as the manager in charge. *Id.* It was determined that Ms. Beasley did not possess an ABC Manager's License. *Id.* LI Dantzler was advised that neither the owner nor an ABC Manager was present at the premises during her inspection of the licensed premises. *Id.*
3. On Saturday, September 17, 2021, LI Dantzler returned to the licensed premises to issue a citation for the No ABC Manager violation observed on September 4, 2022. *Id.* During this visit, LI Dantzler found the establishment in violation again for failure to have an owner or ABC Manager present during the hours of sale, service and consumption of alcoholic beverages. *Id.*
4. On Thursday, January 27, 2022, ABRA Supervisory Investigator (SI) Mark Brashears and ABRA Investigator Mikea Nelson met with Asefu Alemayehu, the owner of the licensed establishment. *Id.* Ms. Alemayehu disclosed to the investigators that she hired Erica Oliver and Tiara Halmon by verbal contract to manage the licensed establishment in her absence. *Id.* Under the terms of this management contract, Ms. Alemayehu was to be paid \$50,000 in exchange for allowing Ms. Oliver and Ms. Halmon to manage the business and to collect a percentage of the establishment's profits. *Id.*
5. Ms. Alemayehu informed the investigators that Ms. Oliver and Ms. Halmon breached the agreement by only paying \$30,000 and that they damaged the establishment. *Id.* Ms. Alemayehu then attempted to terminate the management arrangement and changed the locks on the business. *Id.* Ms. Alemayehu alleged that Ms. Oliver and Ms. Halmon unlawfully accessed the building, trespassed and refused to leave. *Id.*
6. Following the January 27, 2022, meeting between the ABRA investigators and Ms. Alemayehu, the license was submitted to ABRA's Licensing Division for safekeeping which was approved by the Board on February 2, 2022. *ABRA Licensing File No. 112748*. Ms. Alemayehu then subsequently sought to remove the license from safekeeping which was approved by the Board on June 29, 2022. *Id.*
7. On July 6, 2022, SI Brashears independently determined that the Respondent's establishment was operating under new ownership without Board approval. *Case Report*, 22-CMP-00060, at 2. Specifically, SI Brashears confirmed that the owner, Ms. Alemayehu, continued to lease the license and the licensed premises to Ms. Oliver and Ms. Harmon who were in turn, operating and managing the ABC business. *Id.* On several occasions ABRA investigators

found Ms. Oliver and Ms. Halmon operating the establishment using a Caterer’s License while the Retailer Class CT license was held in safekeeping. *Id.*

8. On July 22, Ms. Alemayehu filed a second Application for Safekeeping of her license. *ABRA Licensing File No. 112748.* On July 27, 2022, the Board approved the Application to maintain the license in safekeeping with ABRA’s Licensing Division through September 30, 2022. *Id.*

## **CONCLUSIONS OF LAW**

9. Title 25 of the District of Columbia (D.C.) Official Code (Title 25) provides the Board with the authority to order any individual or licensee to immediately cease “. . . violating any provision of . . . [Title 25 when] the violation has caused, or may cause, immediate and irreparable harm to the public . . .” D.C. Official Code § 25-829(a).

### **I. THE RESPONDENT HAS PERMITTED VARIOUS VIOLATIONS OF THE DISTRICT’S ALCOHOL LAWS TO OCCUR.**

10. The Respondent is ordered to stop operating the licensed premises at 1920 9<sup>th</sup> Street, N.W. Under § 25-102(d), “No person operating any premises . . . where facilities are especially provided and service is rendered for the consumption of alcoholic beverages who does not possess a license under this title shall permit the consumption of alcoholic beverages on the premises.” D.C. Code § 25-102(d). Moreover, the Respondent’s license has been approved by the Board for safekeeping and operating an establishment while the license is in safekeeping is prohibited by law. D.C. Code § 25-830(i).

11. The Board further notes that the Respondent knowingly and willfully transferred the operations of her licensed establishment and allowed other parties to also engage in the illegal sale of alcohol. Under D.C. Official Code § 25-102, “No person shall sell any alcoholic beverage in the District without having first obtained an appropriate license as required by this title.” D.C. Code § 25-102(a). Consequently, there is sufficient evidence in the record to find that the unlicensed operation constituted a violation of D.C. Official Code §§ 25-102(d).

### **II. THE CONTINUED OPERATION OF THE PREMISES CREATES IRREPERABLE HARM TO THE PUBLIC.**

12. The Board finds that unlawful transfer of the license as well as the sale, service, and consumption of alcohol by unlicensed individuals potentially threatens the health, safety, and welfare of the public. It is evident from the record that the Respondent transferred the license to individuals without Board approval, resulting in an unauthorized operation that places the public at risk where the establishment is not properly superintended by individuals who are familiar with the law and regulations that govern ABC licensees.

## **ORDER**

Therefore, the Board on this 27th day of July 2022, hereby orders the Respondent to **CEASE AND DESIST** permitting the sale, service, or consumption of alcohol at 1920 9<sup>th</sup> Street, N.W.

**IT IS FURTHER ORDERED**, pursuant to D.C. Official Code § 25-801(e), that ABRA refer this matter to the Office of the Attorney General for the District of Columbia (OAG) for prosecution. The Board further requests that OAG seek the enforcement of this Order in the Superior Court of the District of Columbia under D.C. Official Code §§ 25-829(f) (cease and desist orders) and 25-805 (nuisance) should it be deemed necessary.

**IT IS FURTHER ORDERED**, that the Retailer Class CT License ABRA-112748 be surrendered to ABRA's Licensing Division upon receipt of this Order.

Please be **ADVISED** that a copy of this Order is being forwarded to the Metropolitan Police Department to ensure compliance. If it is found that you are continuing to sell, serve, or permit the consumption of alcoholic beverages without approval from the Board, you and all other persons involved may be subject to both civil and criminal penalties.

ABRA shall serve notice by certified mail or personal delivery on the parties.

District of Columbia  
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com  
*Donovan Anderson*  
Key: ac43cb86b9ed5f09e4b730093d1dccc8

---

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com  
*James Short*  
Key: 547ae373f920de6ac8d1b3325d2949ec

---

James Short, Member

eSigned via SeamlessDocs.com  
*Bobby Cato*  
Key: 266d3fca7be146d7f4b75bd7917d20d

---

Bobby Cato, Member

eSigned via SeamlessDocs.com  
*Rafi Aliya Crockett, Member*  
Key: b560e91845e1f0e4016155e5c12f81cc

---

Rafi Crockett, Member

eSigned via SeamlessDocs.com  
*Jeni Hansen, Member*  
Key: 82172931f050447491b56f9c2a41890

---

Jeni Hansen, Member

eSigned via SeamlessDocs.com  
*Edward Grandis, Member*  
Key: 5027bda7f9f0040ec14adeb52541ce5

---

Edward S. Grandis, Member

You have the right to request a hearing before the Board conducted in accordance with subchapter I of Chapter 5 of Title 2. Pursuant to D.C. Official Code § 25-829(b)(1), you may submit a written request to the Board for a hearing within fifteen (15) days of service of this Order. Additionally, you also have the option of submitting a written request to the Board for an expedited hearing pursuant to D.C. Official Code § 25-829(c)(1) within ten (10) days of service of this Order. Please note that if you fail to request a hearing, this Order shall be deemed final. D.C. Official Code § 25-829(d).

If you request a hearing, you may appear personally at the hearing, and you and the establishment, may be represented by legal counsel. You have the right to produce witnesses and evidence on your behalf and to cross-examine witnesses. You may examine evidence

produced, and have subpoenas issued on your behalf to require the production of witnesses and evidence.

All hearings are conducted in the English language. If you, any corporate officer, or any witnesses to be called are deaf, have a hearing impediment, or cannot readily understand or communicate the spoken English language, an application may be made to the Board for the appointment of a qualified interpreter.

Your failure to appear at the time and place set for the hearing, if requested, either in person or through counsel, or both, will not preclude the Board from proceeding in this matter. Should you have any questions, contact ABRA Adjudication Specialist Danette Walker at 202-442-4418.

Finally, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, District of Columbia 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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 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).