



## ORDER

Therefore, on this 1st day of May 2024, the Board **APPROVES** the OIC appended to this Order. The terms of the OIC are as follows:

1. The Respondent admits to a violation of the statutes or regulations listed in the OIC attached to this Order.
2. The Respondent shall follow and abide by the terms and conditions of the attached OIC in accordance with D.C. Official Code §§ 2-509(a), 25-447(f), and 25-823(a)(6).
3. The Respondent waives all rights to notice or appearance before the Board.
4. The Respondent waives the right to a hearing, call witnesses, present evidence, and otherwise contest the charges as provided in Title 25 and Title 23.
5. The Respondent waives the right to judicial review or appeal of this Order. The Respondent further agrees not to collaterally attack the disposition imposed by this Order.
6. The parties agree that the attached OIC constitutes the entire agreement of the parties.

The Show Cause Hearing in this matter is cancelled. The Alcoholic Beverage and Cannabis Administration (ABCA) shall deliver copies of this Order to the Government and the Respondent.

District of Columbia  
Alcoholic Beverage and Cannabis Board

eSigned via SeamlessDocs.com  
*Donovan Anderson*  
Key: ac43cb9b59d5f0e4b730003d1ccc88

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Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com  
*James Short*  
Key: 547ae373f820de6ac8d1b332d2049ec

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James Short, Member



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Silas Grant, Jr., Member

Pursuant to D.C. Official Code § 25-433(d)(1) (applicable to alcohol matters) or 22-C DCMR § 9720 (applicable to medical cannabis matters), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage and Cannabis Administration, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, DC 20009.

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

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION  
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**



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IN THE MATTER OF:

NUNEZ PROPERTY MANAGEMENT,  
LLC, t/a BUHO'S RESTAURANT,

Respondent.

Case No.: 22-CMP-00086

License No. 115711

Retailer Class CT

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**OFFER IN COMPROMISE FOR BOARD APPROVAL**

The District of Columbia, jointly with the licensee (Respondent), submits this Offer in Compromise (OIC) to the Alcoholic Beverage and Cannabis Board (Board), as authorized by 23 DCMR § 1611.5, for approval by the Board.

The parties understand that if the Board approves the OIC, the scheduled hearing will be vacated, the case will conclude, and appeal and judicial review are waived under 23 DCMR § 1611.6. Respondent will be obligated to abide by the OIC terms shown below. If the Board does not approve the OIC, the matter will proceed to a show cause hearing.

Respondent has been advised that there is no obligation to accept the OIC. Respondent has been advised, through service of the notice of status hearing and show cause hearing, that at a show cause hearing, Respondent may be represented by legal counsel, have subpoenas issued to require the production of witnesses and evidence, produce witnesses and evidence, cross-examine witnesses, and apply to the Board for a qualified interpreter.

The OIC terms are as follows.

Charge I: Operated Outside of Approved Hours—Second Primary Tier Violation

Statutory Authority: D.C. Code § 25-762(b)(13)

Fine: \$2,000 fine, payable within 30 days, or the license shall be suspended indefinitely until the fine is paid.

Charge II: Interfered with an ABCA Investigation by Providing False or Misleading Statements—Second Primary Tier Violation

Statutory Authority: D.C. Code § 25–823(a)(5)(C)

Fine: \$2,000 fine, payable within 30 days, or the license shall be suspended indefinitely until the fine is paid.

Charge III: Failed to Follow Settlement Agreement—First Secondary Tier Violation

Statutory Authority: D.C. Code § 25–823(a)(6)

Dismissal: This charge is dismissed.

Dated: \_\_\_\_\_, 2024.

Respectfully submitted,

BRIAN L. SCHWALB  
Attorney General for the District of Columbia

STEPHANIE E. LITOS  
Deputy Attorney General  
Civil Litigation Division

/s/ Kimberly M. Johnson  
KIMBERLY M. JOHNSON [435613]  
Chief, Civil Enforcement Section

/s/ Collin C. Cenci  
COLLIN C. CENCI [1673064]  
Assistant Attorney General  
Civil Litigation Division  
Civil Enforcement Section  
400 Sixth Street, N.W., Suite 10100  
Washington, D.C. 20001  
(202) 705-1894  
Collin.Cenci@dc.gov

ATTORNEYS FOR THE DISTRICT OF COLUMBIA

**CONSENT OF RESPONDENTS**

By consenting to this Offer in Compromise, I agree to accept and perform its terms. I acknowledge the validity of the OIC and waive a hearing to which I would have a right under D.C. Code § 25-826. I also recognize that I am waiving any right to appeal an adverse ruling of the Board that might have followed any such hearing. By this settlement, I waive all such rights. I sign this OIC without reservation, and I fully understand its meaning and my rights.



Respondent  
Francisco Nunez, Managing Member  
Nunez Property Management, LLC  
t/a Buho's Restaurant  
3521 14th Street, N.W.  
Washington, D.C. 20011  
franciskonunez1214@yahoo.com

09/23/2024  
DATE

**CERTIFICATE OF SERVICE**

On \_\_\_\_\_, 2024, the foregoing was served by email to:

Francisco Nunez, Managing Member  
Nunez Property Management, LLC  
t/a Buho's Restaurant  
3521 14th Street, N.W.  
Washington, D.C. 20011  
franciskonunez1214@yahoo.com

Gladys Nunez De Mendez, Managing Member  
Nunez Property Management, LLC  
t/a Buho's Restaurant  
3521 14th Street, N.W.  
Washington, D.C. 20011  
gladyspecial@icloud.com

*Respondents*

Martha Jenkins  
General Counsel, ABCA  
2000 14th Street, N.W., Suite 400 South  
Washington, D.C. 20009  
Martha.Jenkins@dc.gov

*/s/ Collin C. Cenci* \_\_\_\_\_  
Collin C. Cenci  
Assistant Attorney General