

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

**In the Matter of:** )

RS Liquors, Inc. )  
t/a Cap Liquors )

Holder of a )  
Retailer's Class A License )

at premises )  
1301 South Capitol Street, SW )  
Washington, D.C. 20024 )

License No.: ABRA-024522  
Order No.: 2018-158

RS Liquors, Inc., t/a Cap Liquors (Licensee)

Meredith Fascett and Dr. Coralie Farlee, on behalf of Advisory Neighborhood  
Commission (ANC) 6D

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

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**ORDER ON FIRST AMENDMENT TO COOPERATIVE AGREEMENT**

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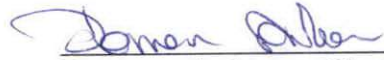
The official records of the Alcoholic Beverage Control Board (Board) reflect that RS Liquors, Inc., t/a Cap Liquors (Licensee), and ANC 6D entered into a Cooperative Agreement (Agreement), dated May 8, 2017, that governs the operation of the Licensee's establishment. This matter comes now before the Board to consider the Parties' First Amendment to Cooperative Agreement (First Amendment), dated April 9, 2018, in accordance with D.C. Official Code § 25-446 (2001).

The First Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson Meredith Fascett and Dr. Coralie Farlee, on behalf of ANC 6D, are signatories to the First Amendment.

Accordingly, it is this 11th day of April, 2018, **ORDERED** that:

1. The above-referenced First Amendment to Cooperative Agreement submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
2. All terms and conditions of the original Agreement, not amended by the First Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Licensee and ANC 6D.

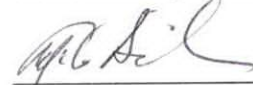
District of Columbia  
Alcoholic Beverage Control Board



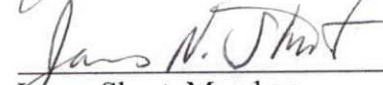
Donovan Anderson, Chairperson



Nick Alberti, Member



Mike Silverstein, Member



James Short, Member



Donald Isaac, Sr., Member



Bobby Cato, Member

Rema Wahabzadah, Member

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

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code §2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).

★ ★ ★ **Advisory Neighborhood**  
██████████  
██████████ **Commission 6D**

11014<sup>th</sup> Street SW, Suite W130, Washington, DC 20024  
ANC Office: 202 554-1795 [office@anc6d.org](mailto:office@anc6d.org)

## AMENDMENT #1 TO COOPERATIVE AGREEMENT

THIS AMENDMENT TO COOPERATIVE AGREEMENT is made on this 9th day of April, 2018, by and between RS Liquors, Inc. t/a Cap Liquors, 1301 South Capitol Street, SW Class A License #024522 (licensee) and Advisory Neighborhood Commission 6D (ANC6D) the ANC ("The ANC"), collectively, the Parties. This amendment modifies the Cooperative Agreement dated May 8, 2017, between Cap Liquors and ANC6D finalized by ABC Board Order 2017-336, dated June 7, 2017.

### RECITALS

WHEREAS, Licensee and ANC6D entered into new Cooperative Agreement dated May 8, 2017, for an establishment located at 1301 South Capitol Street, SW, Washington, D.C. 20024, and

WHEREAS, the Cooperative Agreement dated May 8, 2017, and the subsequent ABC Board Order provided for a one-year exception from the Ward 6 single sales ban (Title 25-346) which was to be reviewed in March 2018 at the time of the license renewal. This is the provision in the May 8, 2017 Cooperative Agreement as modified by the ABC Board:

"Licensee may have a one-year exception to the Ward 6 "single sales ban", Title 25-346, "Ward 6 restrictions for off-premises retailer's license" which permits the licensee to (1) divide a manufacturer's package of more than one container of beer, malt liquor, or ale, to sell an individual container of the package if the capacity of the individual container is 70 ounce or less; and (b) sell, give, offer, expose for sale, or deliver an individual container of beer, malt liquor, or ale with a capacity of 70 ounces or less as well as spirits (liquor) sold in half-pints or smaller volumes. This one-year exception from the prohibition of single sales shall be reviewed at the time of license renewal in March 2018." This was modified by Board Order of June 7, 2017 to indicate that "the Licensee may apply for, and the ANC will not object to, an exemption from the Ward 6 'single sales ban.'"

WHEREAS, the Parties request that the Alcoholic Beverage Control Board approve this Amendment #1 to Cooperative Agreement conditioned upon the Licensee's compliance with the terms of this written Amendment and the previously executed Cooperative Agreement and referenced Board Order and ABRA License; and

NOW, THEREFORE, in consideration of the recitals set forth above, it is mutually understood and agreed by and between the undersigned Parties to amend the previously executed Agreement as follows:

1. *Recitals Incorporated.* The recitals set forth above are incorporated herein by reference.



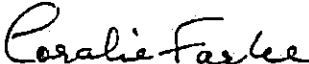
2. The Cooperative Agreement is modified to replace Paragraph 2, "Nature of the Business" as follows:

The Licensee manages and operates a Class A liquor store business establishment ("Establishment") located at 1301 South Capitol Street, SW, Washington, DC ("Premises") which includes the sales of spirits, beer, wine, and malt liquor or ale. Licensee may apply for a perpetual exception from the Ward 6 "single sales" provision in Title 25-346, "Ward 6 restrictions for off-premises retailer's license" which permits the licensee to (a) divide a manufatruere's package of more than one container of beer, malt liquor, or ale, to sell an individual container of the package if the capacity of the individual container is 70 ounces or less; and (b) sell, give, offer, expose for sale or deliver an individual container of beer, malt liquor, or ale with a capacity of 70 ounces or less as well as spirits (liquor) sold in half-pints or smaller volumes. The Licensee shall not sell or provide single cups of ice.

3. *Compliance with ABRA Regulations.* Licensee promises that it shall abide by all Alcoholic Beverage Regulations Administration (ABRA) regulations and all other provisions applicable to liquor licenses.
4. *Agreement Otherwise Unamended.* Except as otherwise provided herein, the terms and conditions of the previously executed Cooperative Agreement, Amendment #1 to the Cooperative Agreement, Board Order, and License are expressly reaffirmed and remain in full force and effect.

FOR ANC6D

FOR LICENSEE

Chair, ANC6D:		RS Liquors, Inc. t/a Cap Liquors	
	<u>4/9/18</u>		<u>4/9/18</u>
Meredith Fascett, ANC6D07	DATE	Sing Wat Lam, Owner	DATE
	<u>9 Apr 18</u>		
Coralie Farlee, Chair, ABC Committee	DATE		