THE DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:

Chaia Mount Vernon Triangle, LLC

t/a Chaia

Holder of a

Retailer's Class CR License

at premises

615 I Street, NW

Washington, D.C. 20001

Case No.:

20-CMP-00067

License No.: ABRA-112653

Order No.:

2021-018

BEFORE:

Donovan Anderson, Chairperson

James Short, Member Bobby Cato, Member

Rema Wahabzadah, Member Rafi Aliya Crockett, Member

Jeni Hansen, Member

Edward S. Grandis, Member

ALSO PRESENT: Chaia Mount Vernon Triangle, LLC, t/a Chaia, Respondent

Jessica Krupke, Assistant Attorney General

Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel

Alcoholic Beverage Regulation Administration

ORDER APPROVING THE OFFER-IN-COMPROMISE

This matter arises from a Notice of Status and Show Cause Hearing (Notice) issued by the Alcoholic Beverage Control Board (Board) in the matter of Chaia Mount Vernon Triangle, LLC, t/a Chaia (Respondent) located at 615 I Street, NW, Washington, D.C. 20001.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case No. 20-CMP-00067 on the Respondent on December 28, 2020. ABRA Show Cause File No. 20*CMP-00067.* The Notice charges the Respondent with four (4) violations, which if proven true, would justify the imposition of a fine, as well as the suspension or revocation of the Respondent's license.

Specifically, the Notice in Case No. 20-CMP-00067 charged the Respondent with the following violations:

- Charge I: [On Tuesday, March 10, 2020], you failed to have the establishment's owner or an ABC Board-approved manager present on the premises during the establishment's hours of sale, in violation of D.C. Official Code § 25-701...
- Charge II: [On Tuesday, March 10, 2020], you failed to post the license in the licensed establishment, in violation of D.C. Official Code § 25-711...
- Charge III: [On Tuesday, March 10, 2020], you failed to keep and maintain on the premises for a period of three years adequate books and records showing all purchase invoices, including purchase information that includes the date and quantity of the purchase, the name, address, and phone number of wholesaler and or vendor with the original invoice, in violation of D.C. Official Code § 25-113...
- Charge IV: [On Tuesday, March 10, 2020], you failed to keep and maintain available upon the licensed premises for a period of three years, either physically or electronically, records, as defined in 23 DCMR § 1204.2, which include invoices and delivery slips and which adequately and fully reflect all purchases, sales, and deliveries of all alcoholic beverages, except beer, made to it, in violation of 23 DCMR § 1204...

ABRA Show Cause File No. 20-CMP-00067, Notice of Status Hearing and Show Cause Hearing, 2-3 (August 7, 2020).

At the Show Cause Hearing held on January 6, 2021, the Respondent and the Government entered into an Offer-in-Compromise (OIC), which resolved the charge set forth above.

The terms of the OIC are as follows:

- 1. For Charge I The Respondent shall pay a \$250 fine for the violation alleged in Charge I.
- 2. For Charge II Warning.
- 3. For Charge III Warning.
- 4. For Charge IV Warning.

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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 14th 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 thilty (30) days of the date of service of this Order, with the District of Columbia Coult of Appeals, 430 E StTeet, 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).