

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

**In the Matter of:**

E and K, Inc.  
t/a Champion Kitchen

Holder of a  
Retailer's Class CR License

at premises  
7730 Georgia Avenue, NW  
Washington, D.C. 20012

Case Nos.: 18-CMP-00239  
18-CIT-00658  
License No.: ABRA-103055  
Order No.: 2019-189

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

**ALSO PRESENT:** E and K, Inc., t/a Champion Kitchen, Respondent  
  
Sidon Yohannes, Counsel, on behalf of the Respondent  
  
Fernando Rivero, Assistant Attorney General, on behalf of the  
District of Columbia  
  
Martha Jenkins, General Counsel  
Alcoholic Beverage Regulation Administration

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**ORDER APPROVING THE OFFER-IN-COMPROMISE**

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This matter arises from two (2) Notices of Status and Show Cause Hearing (Notices) issued by the Alcoholic Beverage Control Board (Board) in the matter of E and K, Inc., t/a Champion Kitchen Respondent), located at 7730 Georgia Avenue, NW, 20012.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case No. 18-CMP-00239 on the Respondent on February 22, 2019. *ABRA Show Cause File No. 18-CMP-00239*. The Notice charges the Respondent with two (2) 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. 18-CMP-00239, charged the Respondent with the following violations:

Charge I: [On Sunday, October 7, 2018], [y]ou failed to follow the terms of your license by exceeding capacity, in violation of D.C. Official Code § 25-823(a)(7). . .

Charge II: You failed to follow the terms of your Settlement Agreement by exceeding capacity and not having a Security Plan, in violation of D.C. Official Code § 25-823(a)(6)...

*ABRA Show Cause File No. 18-CMP-00239*, Notice of Status Hearing and Show Cause Hearing, 2-3 (February 18, 2019).

ABRA served the Notice in Case No. 18-CIT-00658 on the Respondent on February 15, 2019. *ABRA Show Cause File No. 18-CIT-00658*. The Notice charges the Respondent with one violation, which if proven true, would justify the imposition of a fine, as well as the suspension or revocation of the Respondent's license.

In Case No. 18-CIT-00658, the Notice charged the Respondent with the following violation:

Charge I: [On or before November 1, 2018], [y]ou failed to timely file with the Board the required quarterly statements reporting for the preceding quarter: gross receipts for the establishment; gross receipts for sales of alcoholic beverages; gross receipts for food sales; total expenses for the purchase of food and alcoholic beverages; and the expenses for purchases of food and alcoholic beverages separately, in violation of D.C. Official Code § 25-113(b)(2)(A) and 23 DCMR § 1207.1...

*ABRA Show Cause File No. 18-CIT-00658*, Notice of Status Hearing and Show Cause Hearing, 2 (February 13, 2019).

At the Show Cause Status Hearing held on April 10, 2019, the Respondent and the Government entered into an Offer-in-Compromise (OIC), which resolved the charges set forth above.

The terms of the OIC are as follows:

(1) In Case No. 18-CMP-00239:

- a. For Charge I – The Respondent shall pay a \$2,500 fine for the violation alleged in Charge I.
- b. For Charge II – Warning;
- c. In addition, the Respondent shall submit a Security Plan which shall comply with all applicable laws and regulations including all requirements for a Security Plan under Title 25 of the D.C. Official Code.

(2) In Case No. 18-CIT-00658:

- a. For Charge I – The Respondent shall pay a \$600 fine for the violation alleged in Charge I.

By agreeing to the terms of the OIC, the Respondent waives its right to a Show Cause Hearing and appeal. The OIC has been reduced to writing and is formally approved through this Order.

### **ORDER**

Therefore, the Board, on this 10th day of April, 2019, hereby **APPROVES** the OIC proffered by the Government and the Respondent and **ORDERS** E and K, Inc., t/a Champion Kitchen, to comply with the terms of the OIC.

**IT IS FURTHER ORDERED** that the Respondent will:

- (1) Remit the fine in the total sum of \$3,100 in Case Nos. 18-CMP-00239 and 18-CIT-00658, payable on or before May 10, 2019, failure to remit the amount in full within the time specified will result in the suspension of the license until the amount is paid; and.
- (2) Submit a Security Plan within thirty (30) days from the date of this Order, which shall comply with all applicable laws and regulations including all requirements for a Security Plan under Title 25 of the D.C. Official Code. Failure to file the Security Plan within thirty (30) days may subject the Respondent to further penalties pursuant to 23 DCMR § 800 et. seq.

A copy of this Order shall be sent to the Respondent and to the Government.

District of Columbia  
Alcoholic Beverage Control Board




Donovan Anderson, Chairperson



Nick Alberti, Member



Mike Silverstein, Member



James Short, 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).