

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

**In the Matter of:** )  
 )  
Georgetown Dining, Inc. )  
t/a Chanterelle )  
 )  
Application for a New )  
Retailer's Class CR License )  
 )  
at premises )  
3251 Prospect Street, NW )  
Washington, D.C. 20007 )  
 )

Case No.: 18-PRO-00059  
License No.: ABRA-109998  
Order No.: 2018-488

Georgetown Dining, Inc., t/a Chanterelle (Applicant)

Joe Gibbons, Chairperson, Advisory Neighborhood Commission (ANC) 2E (Protestant)

Karen Tammany Cruse, on behalf of Citizens Association of Georgetown (CAG)

**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 REINSTATING PROTESTANT**

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The Application filed by Georgetown Dining, Inc., t/a Chanterelle (Applicant), for a new Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on July 30, 2018. On August 1, 2018, the Board dismissed the Protest of the Citizens Association of Georgetown (CAG) because the Board's Agent found that CAG did not give the Applicant at least seven (7) days advanced notice of the CAG meeting by letter, pursuant to D.C. Official Code § 25-601(3)(B). CAG subsequently filed for reinstatement, which was unopposed.

Section 25-601 states that a citizens association may be granted standing to protest an application so long as it provides "notice of the meeting" to the applicant within the specified timeframe. D.C. Code § 25-301(3)(B). There is no requirement that the citizens association provide notice by letter; instead, actual notice, including oral notice, of the meeting is sufficient to satisfy § 25-301(3)(B).

In this case, the uncontested facts are that CAG timely called the Applicant's representative to advise them of CAG's meeting. As a result, CAG should have been granted standing at the Roll Call Hearing.

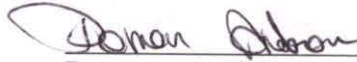
### **ORDER**

The Board does hereby, this 8th day of August, 2018, **REINSTATES** the Protest of CAG. Copies of this Order shall be sent to the Applicant, ANC 2E, and CAG.

The Board **ADVISES** the parties that while a phone call may suffice under § 25-601, best practices would entail maintaining written documentation (e.g., email or certified letter) showing proof of notice.

The Board advises the parties that the protest of ANC 2E remains, and the Protest Status Hearing is set for September 12, 2018, at 9:30 a.m. and the Protest Hearing for September 26, 2018, at 1:30 p.m.

District of Columbia  
Alcoholic Beverage Control Board



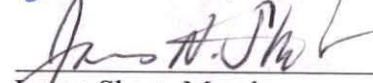
Donovan Anderson, Chairperson



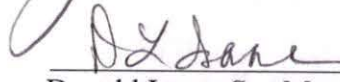
Nick Alberti, Member



Mike Silverstein, Member



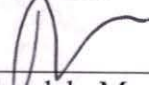
James Short, Member



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).