

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

In the Matter of:

Mehyar, LLC
t/a Charcoal Town

Application for a New
Retailer's Class CR License

at premises
1027 31st Street, NW
Washington, D.C. 20007

License No.: ABRA-117535
Order No.: 2021-313

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member
Rafi Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

ORDER DENYING APPLICATION

The Application filed by Mehyar, LLC, t/a Charcoal Town (Applicant), for a New Retailer's Class CR License, was protested by Advisory Neighborhood Commission (ANC) 2E and the Citizens Association of Georgetown (CAG). See ABRA Protest File No. 21-PRO-00011. In addition, the Alcoholic Beverage Control Board (Board) scheduled a Qualifications Hearing for May 26, 2021, at 10:30 a.m. Prior to the Protest Hearing and the Qualifications Hearing, the Applicant submitted a written request, dated May 25, 2021, seeking the withdrawal of the Application for a new Retailer's Class CR License.

In Board Order No. 2021-260, issued on May 12, 2021, the Board notified the Applicant of a pending action challenging the qualifications of the Applicant and providing Proposed Findings of Fact and Conclusions of Law. *In re Mehyar, LLC, t/a Charcoal Town*, ABRA License No. 117535, Board Order No. 2021-260, 1-9 (D.C.A.B.C.B. May 12, 2021). The Board further notified the Applicant that "if the Parties . . . withdraw their application, or do not challenge [the Board's] Proposed Findings of Fact and Conclusions of Law . . ." then the Board would deny the Application and the denial would be final. *Id.*

The Board stated on the record on March 26, 2021, that it approved the withdrawal. Nevertheless, before the issuance of the written Order, the Board determined that the

correct action is to deny the Application in accordance with Board Order No. 2021-260 where the Applicant has waived the right to defend the challenge to its qualifications for licensure.

ORDER

Therefore, on this 9th day of June 2021, the Board hereby **DENIES** the Application filed by Mehyar, LLC, t/a Charcoal Town, for the reasons stated in Board Order No. 2021-260.

IT IS FURTHER ORDERED, pursuant to D.C. Official Code § 25-338(a), that no “application for the same class of license, permit, endorsement, or substantial change [filed] by the same applicant” shall be considered by the Board for a period of five years from the date of this Order.

IT IS FURTHER ORDERED that the motion to withdraw is **MOOT** based on the Board’s denial of the Application.

Copies of this Order shall be sent to the Applicant.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: ac43cb9b59d5f00e4c730093d1dccc8

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547ae373f8205e6ac8d1b332ed2d49ec

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 2b5d3fcad7be146d7f4b75bd7917d2bd

Bobby Cato, Member

Rema Wahabzadah, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b5f0e81845e1f8e4016155e8c12f81cc

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 821729315f509447491b56ff9c2a41899

Jeni Hansen, Member

Edward S. Grandis, 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 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 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).