

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

In the Matter of:

Columbia Lodge #85/Joint Management
Team (IBPOEW), Inc.
t/a Columbia Lodge #85 I.B.P.E.O. of Wo

Petition to
Terminate Settlement Agreements
for a Retailer's Class CX Club License

at premises
1844 3rd Street, NW
Washington, D.C. 20001

License No.: ABRA-000237
Order No.: 2019-173

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

**ORDER DENYING PETITION TO TERMINATE
SETTLEMENT AGREEMENT**

The official records of the Alcoholic Beverage Control Board (Board) reflect that Columbia Lodge #85/Joint Management Team (IBPOEW), Inc., t/a Columbia Lodge #85 I.B.P.E.O. of Wo (Petitioner), entered into a Settlement Agreement with Advisory Neighborhood Commission (ANC) 1B and LeDroit Park Civic Association on December 1, 2016, and it was approved by the Board on December 7, 2016. The Petitioner now seeks to terminate its Settlement Agreement under D.C. Official Code § 25-446(d).

The Board notes that the Petitioner submitted an incomplete petition to terminate its Settlement Agreement. Nevertheless, the Board reviewed the petition and finds that it fails to comply with basic statutory requirements.

Specifically, the Board finds that the Petitioner's Settlement Agreement approved by the Board on December 7, 2016, does not meet the four (4) year criteria required by D.C. Official Code § 25-446(d)(2)(B).

D.C. Official Code § 25-446(d)(2) provides that “The Board may accept an application to amend or terminate a settlement agreement by fewer than all parties in the following circumstances: (A) During the license’s renewal period; and (B) After 4 years from the date of the Board’s decision initially approving the settlement agreement.”

Therefore, based upon the above, the Board denies the Petition to Terminate the Settlement Agreement because the Petitioner’s Petition is incomplete and the Settlement Agreement sought to be terminated is not four (4) years old or older as required by law.

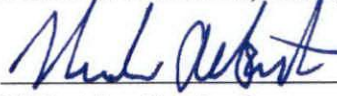
ORDER

The Board does hereby, this 3rd day of April, 2019, **DENY** the Petition to Terminate Settlement Agreement submitted by Columbia Lodge #85/Joint Management Team (IBPOEW), Inc., t/a Columbia Lodge #85 I.B.P.E.O. of Wo. Copies of this Order shall be sent to the Petitioner.


District of Columbia
Alcoholic Beverage Control Board



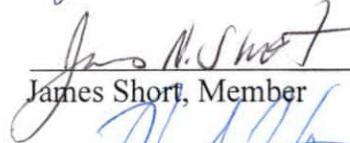
Donovan Anderson, Chairperson



Nick Alberti, Member



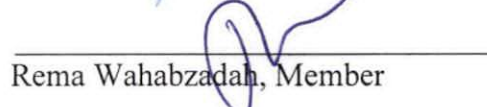
Mike Silverstein, Member



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 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).