

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

In the Matter of:

Applicant)
MHF 2nd NOMA Operating Tenant VII, LLC)
t/a Courtyard by Marriott Washington DC/)
US Capitol)

Transferor)
DC CY Owner, LLC)
t/a Courtyard by Marriott Washington DC/)
US Capitol)

Temporary Operator's Retail Permit of a)
Retailer's Class CH License)

at premises)
1325 2nd Street, NE)
Washington, D.C. 20002)

Applicant's License No.: ABRA-118032
Transferor's License No.: ABRA-079854
Order No.: 2021-152

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

**ORDER APPROVING REQUEST FOR A
TEMPORARY OPERATOR'S RETAIL PERMIT**

On March 12, 2021, the Alcoholic Beverage Regulation Administration (ABRA) received an Application for a Transfer of Ownership of the Retailer's Class CH License ABRA-079854 from DC CY Owner, LLC, t/a Courtyard by Marriott Washington DC/US Capitol (Transferor), to MHF 2nd NOMA Operating Tenant VII, LLC, t/a Courtyard by Marriott Washington DC/US Capitol (Applicant).

The Applicant now comes before the Alcoholic Beverage Control Board (Board) for a Temporary Operator's Retail Permit (TORP) in accordance with 23 D.C. Municipal Regulations (DCMR) § 703.

Under 23 DCMR § 703, the purchaser of an ABC licensed establishment awaiting Board approval on a transfer of ownership application where no substantial change will occur may apply to the Board for a permit to temporarily operate under the license pursuant to the following conditions:

- (a) the transfer application must be filed with or before the application for temporary authority;
- (b) the subject premises must not have been closed nor the sale or service of alcoholic beverages discontinued during the thirty (30) days immediately prior to the filing of the permit application; and
- (c) that no substantial changes to the licensed premises will occur.

On March 12, 2021, the Applicant filed its Transfer Application, along with a No Substantial Change affidavit indicating that there will be no change in the nature of the licensed premises. Additionally, by separate letter, the Transferor filed its consent to the issuance of the TORP.

Thus, the Board, in its discretion, finds that the Applicant has met the requirements and does approve the request for a TORP. The TORP is valid until the transfer application is either granted or denied by the Board or until the TORP is cancelled or suspended by the Board pursuant to 23 DCMR § 703.5.

ORDER

The Board does hereby, this 25th day of March 2021, **APPROVES** the Applicant's request for a Temporary Operator's Retail Permit.

It is understood that until the Transfer Application is approved and the new license is issued by the Board, the Applicant will be operating under the Transferor's Retailer's Class CH License No. ABRA-079854.

Copies of this Order shall be sent to the Applicant.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com

Donovan Anderson

Key: ac43b09b5d5f0e4b730993d1d0c19f

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com

James Short

Key: 547ae373f920de5a8dd1b333d52249e4

James Short, Member

eSigned via SeamlessDocs.com

Bobby Cato

Key: 255d3fca1be146d7f4b75bd7917d2c1

Bobby Cato, Member

eSigned via SeamlessDocs.com

Rema Wahabzadah, Member

Key: bf2ca40b596b74099b19b35b738f16f

Rema Wahabzadah, Member

eSigned via SeamlessDocs.com

Rafi Alaya Crockett, Member

Key: b580e91b45e1f0e4016155e5c12f81c6

Rafi Crockett, Member

eSigned via SeamlessDocs.com

Jeni Hansen, Member

Key: 82172631f050947491b5d9e2a4185e

Jeni Hansen, Member

eSigned via SeamlessDocs.com

Edward Grandis, Member

Key: 5027bda7f9f0040ec14adeb52541ce5

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).