

ALSO PRESENT:

JOSE ACOSTAS, APPLICANT

WALTER ADAMS

ERIK SEJAS

1 P-R-O-C-E-E-D-I-N-G-S

2 11:06 a.m.

3 CHAIRPERSON ANDERSON: All right.

4 We're back on the record. Our next case is Case
5 No. 17-CMP-00688, DC Grill Express, License No.
6 99452.

7 Will the parties, please, approach and
8 identify themselves for the record, please?

9 MR. ADAMS: Good morning, Mr. Chairman
10 and Members of the Board. I'm Walter Adams. I
11 represent the District of Columbia.

12 CHAIRPERSON ANDERSON: Good morning,
13 Mr. Adams. Oh, I'm sorry, we have a translator
14 here?

15 INTERPRETER SEJAS: Yes.

16 CHAIRPERSON ANDERSON: What language
17 is this?

18 INTERPRETER SEJAS: Yes, Mr.
19 President. My name is Erik Sejas and I'm the
20 Spanish interpreter assigned by the DC Government
21 today.

22 CHAIRPERSON ANDERSON: Hold on one

1 minute, please. Raise your right hand sir.

2 Do you solemnly swear and affirm that
3 you will faithfully and accurately interpret
4 these proceedings in this matter from English to
5 Spanish and from Spanish into English to the best
6 of your ability?

7 INTERPRETER SEJAS: Yes, I do, Mr.
8 Chairman.

9 CHAIRPERSON ANDERSON: All right.
10 Thank you. Can you give me your name again, sir?

11 INTERPRETER SEJAS: Erik Sejas. The
12 last name Sejas, S-E-J-A-S.

13 CHAIRPERSON ANDERSON: Good morning,
14 Mr. Sejas. Could he identify himself for the
15 record, please?

16 MR. ACOSTAS: Jose Acostas.

17 CHAIRPERSON ANDERSON: Good morning,
18 Mr. Acostas.

19 MR. ACOSTAS: Good morning, Chair.

20 CHAIRPERSON ANDERSON: All right. Mr.
21 Adams, are there any preliminary matters in this
22 case?

1 MR. ADAMS: Yes, there are a couple
2 preliminary matters in this case, Mr. Chairman.

3 First of all, I thank the Board for
4 allowing the parties a couple of moments. We
5 just needed to discuss the case in person. As a
6 result, we are able to make an offer. The
7 parties have - are able to propose an Offer in
8 Compromise in this case.

9 In this case, the establishment is
10 charged with -- has three charges.

11 (1) For Charge 1 is for the
12 establishment making a substantial change to the
13 establishment by being open after hours.

14 (2) Charge 2 is that the establishment
15 transferred the ownership of the establishment
16 without the completion of the required
17 application paperwork.

18 (3) And Charge 3 is that the
19 establishment failed to superintend having the
20 place superintended by ABC Manager.

21 The total fine that the parties are
22 recommending is a fine of -- in the amount of

1 \$3,350 to be paid in a period of 90 days.

2 A brief Board's indulgence. Sorry.

3 This -- a fine in the amount of \$3,350 to be paid
4 in a period of 90 days. If the licensee does not
5 pay the fine in the 90 day period, the
6 establishment is aware that the license will be
7 suspended indefinitely until such time as the
8 fine is paid.

9 And how that breaks down, Mr.

10 Chairman, is that -- that is for Charge 1, that
11 is a fine in the amount of \$1,500.

12 Charge 2 is also a fine of \$1,500.

13 And Charge 3, the fine is \$350.

14 I have been informed by the
15 establishment that they have already filed a
16 transfer application with the Board that would
17 satisfy the issue that they have had in terms of
18 the transfer. Is that -- and I'll just confirm
19 to establish that is correct.

20 Has the establishment filed a transfer
21 application?

22 MR. ACOSTAS: Yes, we have filled out

1 an application.

2 MR. ADAMS: So with that, Mr.
3 Chairman, again we will -- the parties off the
4 \$3,350 fine to be paid in 90 days.

5 CHAIRPERSON ANDERSON: Okay. Mr.
6 Acostas?

7 MR. ACOSTAS: Yes, sir.

8 CHAIRPERSON ANDERSON: It's my
9 understanding that there is an Offer in
10 Compromise. And the Offer in Compromise is that
11 for Charge 1, there is a fine of \$1,500.

12 For Charge 2, there is a fine of
13 \$1,500.

14 For Charge 3, there is a fine of \$350
15 for a total fine of \$3,350 to be paid in 90 days.

16 Is this your understanding of the
17 Offer in Compromise?

18 MR. ACOSTAS: Yes, I do understand.

19 CHAIRPERSON ANDERSON: Are you aware
20 that by accepting an Offer in Compromise, that
21 you are giving up your right to a hearing?

22 MR. ACOSTAS: Yes, because I need to

1 close this case and transfer this license.

2 CHAIRPERSON ANDERSON: All right. Are
3 you also aware that by accepting an Offer in
4 Compromise, that you are giving up your right to
5 appeal this matter?

6 MR. ACOSTAS: Yes, I understand.

7 CHAIRPERSON ANDERSON: All right.
8 With that said, I then make a motion that the
9 Offer in Compromise of a fine of \$1,500 for
10 Charge 1, a fine of \$2,000 -- \$1,500 for Charge 2
11 and a fine of \$350 for Charge 3 for a total fine
12 of \$3,350 to be paid in 90 days be accepted. Is
13 there a second?

14 MEMBER SILVERSTEIN: Second.

15 CHAIRPERSON ANDERSON: Mr. Silverstein
16 has seconded the motion.

17 All those in favor say aye.

18 ALL: Aye.

19 CHAIRPERSON ANDERSON: All those
20 opposed? The matter passes 6-0-0.

21 Thank you very much for agreeing to
22 this matter.

1 MR. ADAMS: And, Mr. Chairman, will
2 the Board be issuing an order?

3 CHAIRPERSON ANDERSON: That's what I'm
4 trying to find out. All right. The Board will
5 issue a Board Order.

6 MR. ADAMS: All right. Okay.

7 CHAIRPERSON ANDERSON: So what this
8 means, Mr. Acostas is that once you receive the
9 order in writing, that's when the 90 days takes
10 effect.

11 MR. ACOSTAS: Could I change the
12 address, because when mail arrives to D.C., I
13 don't -- I'm not acknowledged.

14 CHAIRPERSON ANDERSON: All right. I
15 will -- we will -- all right. So can -- how can
16 we change, how can we make sure that we have the
17 correct address? All right. So Ms. Jenkins will
18 talk to you to make sure that she has your
19 correct address.

20 MR. ACOSTAS: Thank you.

21 CHAIRPERSON ANDERSON: Okay. Thank
22 you. I thank the parties.

1 MR. ADAMS: Thank you, Mr. Chairman.

2 CHAIRPERSON ANDERSON: All right. The
3 Board then is in recess until our 1:30 hearing.

4 (Whereupon, the Show Cause Hearing was
5 concluded at 11:21 a.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: DC Grill Express

Before: DC ABRA

Date: 10-24-18

Place: Washington, DC

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
true and accurate record of the proceedings.

Neal R Gross

Court Reporter

NEAL R. GROSS

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