

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

In the Matter of:)
)
Acostas Group Corporation)
t/a DC Grill Express)
)
Holder of a)
Retailer's Class CR License)
)
at premises)
1917 18th Street, NW)
Washington, D.C. 20009)
)

Case No.: 17-CMP-00688
License No.: ABRA-099452
Order No.: 2018-653

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

ALSO PRESENT: Acostas Group Corporation, t/a DC Grill Express (Respondent)

Walter Adams, II, Assistant Attorney General, on behalf of the
District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING THE OFFER-IN-COMPROMISE

This matter arises from a Notice of Status and Show Cause Hearing (Notice) issued by the Alcoholic Beverage Control Board (Board) in the matter of Acostas Group Corporation, t/a DC Grill Express (Respondent) located at 1917 18th Street, NW, Washington, D.C. 20009.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case No. 17-CMP-00688 on the Respondent on July 23, 2018. *ABRA Show Cause File*

No. 17-CMP-00688. The Notice charges the Respondent with three (3) violations, which if proven true, would justify the imposition of a fine, as well as the suspension or revocation of the Respondent's license.

Specifically, the Notice in Case No. 17-CMP-00688 charged the Respondent with the following violations:

- Charge I: [On Saturday, October 28, 2017], you failed to apply for and obtain approval of the Board before making a change that substantially changed the nature of the operation of the establishment, in violation of D.C. Official Code §§ 25-404(a) and 25-762(a)...
- Charge II: A transferred of the ownership of the establishment took place without completion of the required application and paperwork, in violation of D.C. Official Code § 25-405 and 23 DCMR § 601.1...
- Charge III: [On Saturday, October 28, 2017], you failed to superintend in person or keep a licensed ABC Manager on duty at all times, in violation of D.C. Official Code § 25-701(a) and 23 DCMR § 707.1...

ABRA Show Cause File No. 17-CMP-00688, Notice of Status Hearing and Show Cause Hearing, 2-4 (July 16, 2018).

At the Show Cause Hearing held on October 24, 2018, the Respondent and the Government entered into an Offer-in-Compromise (OIC), which resolved the charges set forth above.

The terms of the OIC are as follows:

1. For Charge I – The Respondent shall pay a \$1,500 fine for the violation alleged in Charge I.
2. For Charge II – The Respondent shall pay a \$1,500 fine for the violation alleged in Charge II.
3. For Charge III – The Respondent shall pay a \$350 fine for the violation alleged in Charge III.

By agreeing to the terms of the OIC, the Respondent hereby waives its right to a Show Cause Hearing and appeal.

ORDER

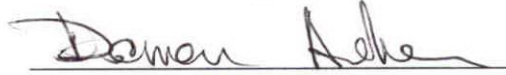
Therefore, the Board, on this 24th day of October, 2018, hereby **APPROVES** the OIC proffered by the Government and the Respondent.

IT IS ORDERED that the Respondent will:

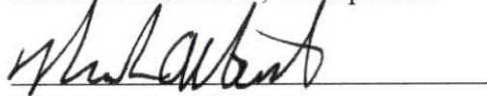
- (1) Remit the fine in the total sum of \$3,350 payable on or before January 24, 2019. Failure to remit the amount in full within the time specified will result in the suspension of the license until the amount is paid.

A copy of this Order shall be sent to the Respondent and to the Government.

District of Columbia
Alcoholic Beverage Control Board



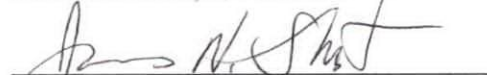
Donovan Anderson, Chairperson




Nick Alberti, Member



Mike Silverstein, Member



James Short, Member



Donald Isaac, 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).