

**THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**

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In the Matter of: )  
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Moveius Contemporary Ballet, Inc ) Case No.: 26-PRO-00036  
t/a Dance Loft on 14 ) License No.: ABRA-134344  
) Order No.: 2026-508  
Application for a New )  
Retailer’s Class DX License )  
)  
at premises )  
4618 14th Street, NW )  
Washington, D.C. 20011 )  
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**BEFORE:** Donovan Anderson, Chairperson  
Silas Grant, Member  
Ryan Jones, Member

**PARTIES:** Moveius Contemporary Ballet, Inc, t/a Dance Loft on 14, Applicant  
  
Matthew Minora, Counsel, on behalf of Applicant  
  
Ann Garlow, Abutting Property Owner, Protestant  
Dana Baughns, Abutting Property Owner, Protestant  
Katherine Milikin, Abutting Property Owner, Protestant  
Warren Ryan, Protestant  
David Hollis, Protestant  
Ted Hallinan, Protestant

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**ORDER GRANTING APPLICANT’S MOTIONS**

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On April 20, 2026, the Alcoholic Beverage and Cannabis Board (Board) held a Roll Call hearing for an Application for a New Retailer’s Class DX license filed by Moveius Contemporary Ballet, Inc, t/a Dance Loft on 14 (hereinafter, “Applicant” or “Dance Loft”). Eleven Protestants filed protest petitions objecting the Application however, only four Protestants appeared before the Board’s Agent for the hearing. Out of the four Protestants, the Board’s Agent granted standing to three Protestants, Dana Baughns, Ann Garlow, and Katherin Milikin as abutting property owners; and dismissed one Protestant, David Hollis, as a resident or member of Group of Five or More Residents or Property Owners (hereinafter, “Group of Five or More).” The Board’s Agent

denied Mr. Hollis standing because the affected Advisory Neighborhood Commission (ANC), ANC 4E, had entered a Settlement Agreement with the Applicant mandating the dismissal of his protest under D.C. Official Code § 25-609(b). The remaining seven Protestants, Jan Rosenfeld, Katie Campo, Warren Ryan, H. Phillips Williams, Ted Hallinan, Luke Armerding, and Juliet Armerding failed to appear for the hearing therefore, the Board’s Agent dismissed their petitions.

Subsequently, Warren Ryan, Ted Hallinan, and David Hollis sought reinstatement of their protest petitions. Mr. Hallinan and Mr. Ryan sought reinstatement on grounds that a previous work commitment prevented them from attending the Roll Call hearing; and Mr. Hollis argued that reinstating his protest would not prejudice the Applicant.

While the motions for reinstatement were pending, the Applicant filed two motions: (1) a Motion to Dismiss the protests of Ann Garlow, Katherine Milikin, and Dana Baughns for lack of standing as abutting property owners; and (2) a Motion in Opposition to Motions for Reconsideration filed by Ted Hallinan, Warren Ryan, and David M. Hollis, seeking to maintain the dismissal of a Group of Five or More. Protestants Dana Baughns, Ann Garlow, and Katherin Milikin challenge the motions arguing that: (1) the Board through its Agent conferred legal standing; (2) a Settlement Agreement does not nullify the standing of an independent, non-signatory resident; (3) the timeline around the Settlement Agreement deprived the Protestants of notice and a meaningful opportunity to seek reconsideration or appeal; and (4) a public alley does not defeat standing under § 25-601. Having reviewed the arguments from all parties, the Board grants the Applicant’s motions.

#### **I. Dana Baughns, Ann Garlow, and Katherin Milikin Do Not Have Standing as Abutting Property Owners Under D.C. Official Code § 25-601(a).**

The Applicant argues that D.C. Official Code § 25-601(a) does not grant standing to a Protestant claiming the status of an abutting property owner if there is a public alley separating the Protestant’s property from the Applicant’s premises. *Applicant’s Mot. to Dismiss*, at 1. In response, Protestants Dana Baughns, Ann Garlow, and Katherin Milikin argue in relevant part that a public alley “does not defeat abutting-property standing under § 25-601, particularly where the Board already granted standing after consultation with ABCA Legal at Roll Call.” *Ann Garlow, Mot. for Recon.* The Board disagrees.

The Board is not bound by the Board’s Agent or its own determination at a Roll Call hearing when that determination conflicts with the strict requirements of D.C. Official Code § 25-601. *In re Spero, LLC t/a Reverie*, Case No. 17-PRO-00088, Board Order No. 2018-045, 2 (D.C.A.B.C.B. Jan. 31, 2018). The Board remains the final arbiter on matters of law and may review all factual and legal findings in a prior Order as part of the reconsideration process. D.C. Code § 25-433(d); 23 DCMR § 1719.2. Accordingly, D.C. Official Code § 25-601(a) allows an abutting property owner to “protest the issuance or renewal of a license, the approval of a substantial change in the nature of operation as determined by the Board under § 25-404, or the transfer of a license to a new location.” D.C. Code § 25-601(a)(1)(A). Subsection 25-601(a)(1)(B) defines an abutting property as, “any property where the property line has a boundary or boundary point in common with the property line of the licensed establishment.” D.C. Code § 25-601(a)(1)(B). In *The Dabney*, the Board held that a property “which is bounded by a public alley . . . does not share a touching property line with the establishment” therefore, it is not an abutting

property. *In re States & Letters Restaurant, LLC t/a The Dabney*, Case No. 15-PRO-00020, Board Order No. 2015-286, 2 (D.C.A.B.C.B. Jun. 3, 2015).

In the present case, the Board's Agent decision to grant standing to Protestants Dana Baughns, Ann Garlow, and Katherine Milikin at the Roll Call hearing did not consider this precedent. The Protestants own properties on 15th Street and Crittenden Street that are separated from the Applicant's premises by a public alley. Because the Protestants do not own the intervening public alley, their property lines do not share a common boundary point with the Applicant's premises. Consequently, they fail to qualify as abutting property owners and lack standing. Therefore, the Board finds the initial grant of standing in error and dismisses the Protestants for failing to qualify as abutting property owners.

## **II. Ted Hallinan and Warren Ryan Failed to Appear for the Roll Call Hearing and Did Not Demonstrate Good Cause for Failing to Appear.**

Protestants Ted Hallinan and Warren Ryan were dismissed at the Roll Call hearing for failing to appear. Mr. Hallinan and Mr. Ryan subsequently filed motions challenging the Applicant's motion on grounds that they had previous work commitments therefore, they were unable to appear. *Ted Hallinan, Mot. for Recon.*; *Warren Ryan, Mot. for Recon.* Specifically, Mr. Hallinan stated that he appeared but "was unable to stay on for the duration of the call due to a work commitment." *Warren Ryan, Mot. for Recon.*

Per D.C. Official Code § 25-441, "A hearing may be continued for good cause. A written motion for a continuance shall be filed with the Board at least 6 days before the scheduled hearing date and served upon all parties at least 6 calendar days before the hearing. To be granted, the motion shall, in the opinion of the Board, set forth good and sufficient cause for continuance or demonstrate that an extreme emergency exists." D.C. Code § 25-441(a). Failure to appear at a Roll Call hearing may ". . . result in denial of the license application or dismissal of a protest, unless, in the discretion of the Board, good cause is shown for the failure to appear . . ." 23 DCMR § 1603.6. Some examples of good and sufficient cause include, "(a) Sudden, severe illness or accident; (b) Death or sudden illness in the immediate family, such as spouse, partner children, parents, siblings; (c) Incarceration; (d) Severe inclement weather; or (e) Arriving after the roll call hearing has concluded." 23 DCMR § 1603.6.

Nothing in the record establishes that the Protestants filed a written motion for a continuance, served a motion for continuance on the Applicant at least six calendar days prior to the Roll Call hearing, or that an extreme emergency existed. The Protestants also did not provide sufficient evidence to support the record on why they failed to appear for the hearing. In the absence of exigent circumstances or a motion for continuance, the Board finds that the Protestants have not demonstrated good and sufficient cause, therefore, finds in favor of the Applicant on this claim.

## **III. Ted Hallinan, Warren Ryan, and David M. Hollis Do Not Have Standing as Residents or Members of a Group of Five or More Residents.**

Finally, Protestants Ted Hallinan, Warren Ryan, and David M. Hollis do not have standing as residents or members of a group of five or more under D.C. Official Code § 25-609(b). The

Protestants argue in relevant part that: (1) The Applicant’s reliance on its Settlement Agreement with ANC 4E cannot legally nullify or override the statutory protest standing of non-signatory resident; and (2) The compressed timeline of the ANC Settlement Agreement completely deprived Protestants of their rights to notice, reconsideration, or appeal. *David Hollis, Mot. for Recon.* The Board is not persuaded.

Under D.C. Official Code § 25-422(a), “Upon the receipt of an application for the issuance or renewal, for a substantial change in operation as determined by the Board under § 25-404, for the transfer of a retailer license to a new location, . . . the Board shall give notice, in accordance with subsection (e) of this section, of the application to the following parties: (1) The Council; . . . (4) Any ANC within 600 feet of where the establishment is or will be located; and (5) A citizens association . . .” D.C. Code § 25-422(a). Subsection (e) further states, “The Board shall give notice to the ANC by electronic mail on or before the first day of the 45-day comment period to: (1) The ANC office with a copy to each ANC member; (2) The ANC chairperson; and (3) The ANC member in whose single-member district the establishment is or will be located.” D.C. Code § 25-422(e). Consequently, the affected ANC and Applicant may then enter a Settlement Agreement and upon approval, “the Board . . . shall dismiss any protest of a group of no fewer than 5 residents or property owners meeting the requirements of § 25-601(2).” D.C. Code § 25-609(b).

The Board has no statutory authority to monitor, regulate, or manage the internal negotiation schedules, timelines, or procedural speed of an independent ANC entering into a Settlement Agreement, and these factors are not relevant under § 25-609(b), which is controlling in this case. Consequently, under D.C. Code § 25-609(b), the approved Agreement between ANC 4E and the Applicant operates and mandates the immediate dismissal of the protest filed by the residents as a matter of law. Therefore, the Board finds in favor of the Applicant on this claim.

### **ORDER**

The Board, on this 20th day of May 2026, **GRANTS** the Applicant’s Motion to Dismiss the protests of Ann Garlow, Katherine Milikin, and Dana Baughns. The Board further **DENIES** the motions for reinstatement filed by David Hollis, Ted Hallinan and Warren Ryan.

**IT IS FURTHER ORDERED** that all of the protestants identified in this order lack standing as abutting property owners or a group and that their protests are **DISMISSED**.

Copies of this Order shall be sent to the Parties.

District of Columbia  
Alcoholic Beverage and Cannabis Board

eSigned via SeamlessDocs.com  
*Donovan Anderson*  
Key: ac430b96c9d5f0e4b730093d1dccc8

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Donovan Anderson, Chairperson



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Silas Grant, Jr., Member

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Teri Janine Quinn, Member



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Ryan Jones, Member

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David Meadows, 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 and Cannabis Administration, 899 North Capitol Street, N.E, Suite 4200-B, Washington, D.C. 20002.

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 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).