

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

In the Matter of:)
)
PFM Restaurants LLC)
t/a District Anchor)
)
Holder of a)
Retailer's Class CN License)
)
at premises)
1900 M Street, NW)
Washington, D.C. 20036)
)

Case Nos.: 18-CMP-00029
License No.: ABRA-100517
Order No.: 2018-356

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

ALSO PRESENT: PFM Restaurants LLC, t/a District Anchor (Respondent)

Jonathan Farmer, Counsel, on behalf of the Respondent

Christopher Sousa, 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 PFM Restaurants LLC, t/a District Anchor (Respondent) located at 1900 M Street, NW, Washington, D.C. 20036.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case Number 18-CMP-00029 on the Respondent on April 23, 2018. *ABRA Show Cause File No., 18-CMP-00029*. The Notice charges the Respondent with four (4) 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. 18-CMP-00029 charged the Respondent with the following violations:

- Charge I: [On January 6, 2018], you failed to follow the terms of your license by operating outside of your approved hours, in violation of D.C. Official Code §§ 25-823(a)(7)...
- Charge II: [On January 12, 2018, and again on January 26, 2018], you failed to allow an ABRA investigator to examine the records of the business or you otherwise interfered with an investigation in violation of D.C. Official Code § 25-823(a)(5)...
- Charge III: [On January 6, 2018], you served or permitted the consumption of alcoholic beverages outside of approved hours, in violation of D.C. Municipal Regulations § 23-705.9...
- Charge IV: You failed to submit a Security Plan in violation of D.C. Official Code § 25-402(d)(1)...

ABRA Show Cause File Nos. 18-251-00029, Notice of Status Hearing and Show Cause Hearing, 2-4 (April 23, 2018).

At the Show Cause Status Hearing held on May 23, 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 – Dismissed.
4. For Charge IV – Warning.

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 23rd day of May 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 \$3,000 in Case No. 18-CMP-00029 payable on or before June 25, 2018. 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 and the OIC shall be sent to the Respondent and to the Government.

District of Columbia
Alcoholic Beverage Control Board



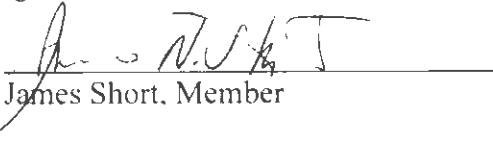
Donovan Anderson, Chairperson



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).