

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF: :
: :
District Taco, LLC, :
t/a District Taco :
656 Pennsylvania Ave, SE : Show Cause
Retailer DR - ANC 6B : Hearing (Status)
License No. 92791 :
Case #18-CMP-00158 :
:
(No ABC Manager on Duty) :

Wednesday,
October 3, 2018

The Alcoholic Beverage Control Board
met in the Alcoholic Beverage Control Hearing
Room, Reeves Building, 2000 14th Street, N.W.,
Suite 400S, Washington, D.C. 20009, Chairperson
Donovan W. Anderson, presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson
NICK ALBERTI, Member
BOBBY CATO, Member
MIKE SILVERSTEIN, Member
JAMES SHORT, Member

ALSO PRESENT:

CHRIS MEDHURST, Applicant
CHRISTINE GEPHARDT, OAG

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

2 1:46 p.m.

3 CHAIRPERSON ANDERSON: What's the next
4 case, Ms. Gephardt?

5 MS. GEPHARDT: 18-CMP-00158. There is
6 a preliminary matter in this case.

7 And that is also a \$2,000 fine to be
8 paid within 30 days. If it is not paid within 30
9 days, the license would be suspended indefinitely
10 until the fine is paid.

11 CHAIRPERSON ANDERSON: Mr. Medhurst,
12 it's also my understanding that there is an Offer
13 in Compromise for this case, Case No. 18-CMP-
14 00158. And the Offer in Compromise is that there
15 is a fine of \$2,000 payable in 30 days. If the
16 fine is not payable in 30 days, the license will
17 be suspended until the fine has been paid.

18 Is there a second?

19 MEMBER ALBERTI: Second.

20 CHAIRPERSON ANDERSON: I'm sorry. No,
21 I'm sorry. Is this your understanding of the
22 Offer in Compromise, sir?

1 MR. MEDHURST: Yes.

2 CHAIRPERSON ANDERSON: Are you aware
3 that by accepting an Offer in Compromise, that
4 you are giving up your right to a hearing?

5 MR. MEDHURST: Yes, sir.

6 CHAIRPERSON ANDERSON: Are you also
7 aware that by accepting an Offer in Compromise,
8 that you are giving up your right to appeal this
9 matter?

10 MR. MEDHURST: Yes.

11 CHAIRPERSON ANDERSON: With that said,
12 I make a motion that the Offer in Compromise of a
13 fine of \$2,000 payable in 30 days be accepted.
14 If the fine is not payable in 30 days, the
15 license will be suspended until the fine has been
16 paid. Is there a second?

17 MEMBER ALBERTI: Second.

18 CHAIRPERSON ANDERSON: Mr. Alberti has
19 seconded the motion.

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON ANDERSON: Those opposed?

1 The matter passes 5-0-0.

2 Thank you. I thank the parties for
3 agreeing to this matter. I'll have you sign-off
4 on some paperwork, sir. And I know you said that
5 the check is in the mail, but if for some reason
6 we don't get it by 30 days, the license will be
7 suspended.

8 Thank you. Have a good day.

9 MEMBER ALBERTI: Can I ask --

10 CHAIRPERSON ANDERSON: Yes, go ahead,
11 Mr. Alberti.

12 MEMBER ALBERTI: I just can't help
13 this, Mr. Medhurst, I mean, you have a series of
14 having -- not having a manager on duty and this
15 goes back a year and a half, all right? And it's
16 just -- are you doing anything to rectify this?

17 I mean it seems -- I know it's hard to
18 keep employees on, so you don't want to get --
19 pay for someone to get a license and then, you
20 know, they leave, but this is something that I
21 think you really need to pay attention to. I
22 mean, it's costly. I'm trying to help you out

1 here. This just cost you \$4,000 and it looks
2 like you have another pending allegation.

3 MR. MEDHURST: Yes. I agree that it
4 is costly and yes, we are doing something about
5 it. Until this point, we had relied on our
6 managers to pay attention and be aware and make
7 sure that they were scheduling people who have a
8 license.

9 We have made it very clear to our
10 staff that we will always pay for training and
11 always pay for the license, so we have encouraged
12 them to do that, but regardless sometimes I think
13 they don't understand what is at stake or see the
14 value in it.

15 So instead of relying on people to
16 follow-up, we are going to use our scheduling
17 system to alert us whenever a schedule is created
18 for the next week that doesn't have an ABC
19 Manager on it.

20 MEMBER ALBERTI: Good, good. Because
21 I know you guys are busy and I hope that you will
22 remain successful in your current location. I go

1 by there all the time, so I wish you well and
2 hopefully you will get this taken care of.

3 MR. MEDHURST: Yes, I hope so, too.

4 MEMBER ALBERTI: All right.

5 CHAIRPERSON ANDERSON: Thank you.

6 MR. MEDHURST: Thank you.

7 CHAIRPERSON ANDERSON: All right.

8 (Whereupon, the Show Cause (Status)

9 Hearing was concluded at 1:49 p.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: District Taco (158)

Before: DCABRA

Date: 10-03-18

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.



Court Reporter

NEAL R. GROSS

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