

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

In the Matter of:)
)
Ezra S, Inc.)
t/a Dix Market)
)
Applicant for Renewal of a)
Retailer's Class A License)
)
at premises)
6221 Dix Street, NE)
Washington, D.C. 20019)
)

Case No.: 21-PRO-00042
License No.: ABRA-116408
Order No.: 2021-436

Ezra S, Inc., t/a Dix Market, Applicant

Chrissie Chang, Designated Representative, on behalf of the Applicant

Antawan Holmes, Chairperson, Advisory Neighborhood Commission (ANC) 7C,
Protestant

Dr. Mary L. Gaffney, Designated Representative, on behalf of Northeast Boundary Civic
Association, Protestant

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rafi Aliya Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

ORDER DENYING MOTION FOR RECONSIDERATION

The Application filed by Ezra S, Inc., t/a Dix Market (Applicant), for renewal of its Retailer's Class A License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on July 12, 2021. On July 12, 2021, the Board dismissed the Application because the Applicant failed to appear at the Roll Call Hearing. Additionally, the Board dismissed the Protest of Northeast Boundary Civic Association (Association) because the Association's protest letter did not state that the Association was incorporated under the laws of the District of Columbia located within the affected area and did not provide evidence that the Applicant was given at least seven (7) days advanced notice of the Association meeting, in accordance with D.C. Official Code § 25-601(3).

Subsequently, the Applicant has filed a motion for reinstatement that is opposed by the Association and Advisory Neighborhood Commission (ANC). The Applicant avers that he did not receive notice of the required hearing. Nevertheless, the records of the agency show that notice of the hearing was properly provided by email at the email address on file with the agency, the posted placard, and by notice in the D.C. Register

ORDER

Therefore, the Board, on this 4th day of August 2021, hereby **DENIES** the motion for reconsideration. The remaining motions filed by the other parties are moot and do not require consideration at this time. Copies of this Order shall be sent to the Parties.

District of Columbia
Alcoholic Beverage Control Board

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Donovan Anderson
Key: ac43cb9696d5f0e4b730093d1dccc8

Donovan Anderson, Chairperson

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James Short
Key: 547ae3f3820de6ac8c1b332dd2849cc

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 258d3fca1fba148d7f4b75bd7917d20d

Bobby Cato, Member

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Rafi Aliya Crockett, Member
Key: b560e01845e1f9e4016155e5c1281cc

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 82172931c509447491b56f0c2a41899

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda7f9f0040ec14adeb52541ce5

Edward S. Grandis, 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).