

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

_____)
In the Matter of:)
)
2040, LLC)
t/a Escape Restaurant and Lounge)
)
Holder of a Retailer's)
Class CT License)
)
at premises)
2040 West Virginia Avenue, NE)
Washington, D.C. 20002)
_____)

License No.: ABRA-105812
Order No.: 2019-901

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member
Rafi Crockett, Member

ORDER RESCINDING APPROVAL OF ABRA LICENSE NO. ABRA-105812

2040, LLC, t/a Escape Restaurant and Lounge (Applicant), filed an Application for a Retailer's Class CT License (Application) at 2040 West Virginia Avenue, NE, Washington, D.C. The Application was approved under Title 23 of the District of Columbia Municipal Regulations (DCMR) § 405.1, which authorizes the Alcoholic Beverage Control Board (Board) to issue a license to an applicant that lacks a certificate of occupancy for the premises so long as the applicant satisfies the requirements of Title 23 of DCMR 405.1.

However, approval of an application under § 405.1 is conditioned on the Applicant's payment of the annual license fee. Title 23 DCMR § 405.4. In this case, the Applicant failed to renew its license and pay the annual license fee by September 30, 2019; therefore, the Applicant is not eligible to hold its License No. ABRA-105812 under § 405.1.

Therefore, on this 4th day of December, 2019, the Board **RESCINDS** its previous approval of ABRA License No. ABRA-105812, held by the Applicant, and the license shall be deemed **CANCELLED**. A copy of this Order shall be sent to the Applicant.

District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson



James Short, Member



Bobby Cato, Member

Rema Wahabzadah, Member



Rafi Crockett, 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).