

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

In the Matter of:)
)
Melben, Inc.)
t/a Flavio)
)
Holder of a)
Retailer's Class CR License)
)
at premises)
1069 31st Street, NW)
Washington, D.C. 20007)
)

Case No.: 22-CMP-00004
License No.: ABRA-008004
Order No.: 2022-126

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

ALSO PRESENT: Melben, Inc., t/a Flavio, Respondent

Collin Cenci, Assistant Attorney General
Office of the Attorney General for 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 Melben, Inc., t/a Flavio (Respondent) located at 1069 31st Street, NW, Washington, D.C. 20007.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case No. 22-CMP-00004 on the Respondent on February 24, 2022. *ABRA Show Cause File No. 22-CMP-00004*. The Notice charges the Respondent with a single violation,

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. 22-CMP-00004 charged the Respondent with the following violation:

Charge I: [On Tuesday, January 11, 2022], you failed to superintend in person or keep a licensed ABC Manager on duty at all times, in violation of D.C. Official Code § 25-701 and 23 DCMR § 707.1...

ABRA Show Cause File No. 22-CMP-00004, Notice of Status Hearing and Show Cause Hearing, 2 (February 19, 2022).

At the Status Hearing held on March 23, 2022, the Respondent and the Government entered into an Offer-in-Compromise (OIC), which resolved the charge set forth above.

The terms of the OIC are as follows:

1. For Charge I – The Respondent shall pay a \$2,000 fine for the violation alleged in Charge I.

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 March 2022, hereby **APPROVES** the OIC proffered by the Government and the Respondent.

IT IS ORDERED that the Respondent will:

- (1) Remit the total fine in the sum of \$2,000 in Case No. 22-CMP-00004 payable on or before July 25, 2022. Failure to remit the amount in full within the time specified will result in the suspension of the license until the amount is paid.

Acceptance of this OIC cancel all future hearings related to this matter.

A copy of this Order shall be sent to the Respondent and to the Government.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
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Donovan Anderson, Chairperson

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James Short
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James Short, Member

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Bobby Cato
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Bobby Cato, Member

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Rafi Aliya Crockett, Member
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Rafi Crockett, Member

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Jeni Hansen, Member

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Edward Grandis, Member
Key: 50278da7ff6f0042ec14adeb52541ca5

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 II 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).