

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

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|-----------------------------|---|--------------------------|
| In the Matter of: |) | |
| |) | |
| Manhattan Laundry, LLC |) | Case No.: N/A |
| t/a Franklin Hall |) | License No.: ABRA-103899 |
| |) | Order No.: 2022-596 |
| Holder of a |) | |
| Retailer's Class CT License |) | |
| |) | |
| at premises |) | |
| 1346 Florida Avenue, N.W. |) | |
| Washington, D.C. 20009 |) | |

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

ALSO PRESENT: Manhattan Laundry, LLC, t/a Franklin Hall, Applicant

Matthew Minora, Counsel, on behalf of the Applicant

James Turner, Chair, on behalf of Advisory Neighborhood Commission (ANC) 1B

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER DENYING APPROVAL OF SETTLEMENT AGREEMENT

Manhattan Laundry, LLC, t/a Franklin Hall, (Applicant) and Advisory Neighborhood Commission (ANC) 1B filed a settlement agreement with the Alcoholic Beverage Regulation Administration (ABRA) that seeks to amend a prior agreement entered into by the parties, as well as another party, the Meridian Hill Neighborhood Association (MHNA). Nevertheless, the MHNA is not a party to the current amendment attempt, and it is argued that the MHNA has not responded to communications by the party. ABRA's Office of General Counsel reviewed the agreement and recommends denial because it does not comply with D.C. Official Code § 25-446, which only allows for forced amendments by the Board during the Applicant's renewal period

pursuant to D.C. Official Code § 25-446(d)(2), which has not occurred as of the date of this Order. See also 23 DCMR § 1610.1 (West Supp. 2022) (“The terms of a settlement agreement submitted by the parties shall be consistent with District of Columbia law . . .”).

ORDER

For these reasons, on this 10th day of August 2022, the request to approve the settlement agreement between ANC 1B and the Applicant is **DENIED**.

IT IS FURTHER ORDERED that the Settlement Agreement Review sheet dated August 2, 2022, and provided to the parties by ABRA, is incorporated by reference as additional findings of fact and conclusions of law made by the Board in this matter. The parties are further **ADVISED** to refer to the review sheet provided by ABRA for guidance on how to modify the agreement.

IT IS FURTHER ORDERED pursuant to 23 DCMR § 1610 that where Board has no proposed modifications and no application or protest is pending, this order represents the final agency action of the Board.

The parties are further **ADVISED** that this decision does not prejudice the filing of an entirely new settlement agreement, but a substantially similar agreement may be denied as a matter of res judicata until the MHNA confirms agreement with the proposed change or is formally removed as a party pursuant to D.C. Official Code § 25-446.

A copy of this Order shall be provided to the parties.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: ac43cb9eb9d45f09e4b730093d1dccc8

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547ae373f822de6ac8d1b332d22949ec

James Short, Member

Bobby Cato, Member

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Rafi Aliya Crockett, Member
Key: b560e91845e1f9e4016155e5c12f81cc

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 82172931f050447491b56f9c2a41899

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, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 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 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).