

**THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**

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In the Matter of: )	
Grow Club, LLC )	Case No.: 24-ULC-00015
t/a Grow Club D.C. )	License No.: N/A
Cease and Desist )	Order No.: 2024-556
at premises )	
2337 18th Street, N.W. )	
Washington, D.C. 20009 )	
_____ )	

**BEFORE:** Donovan Anderson, Chairperson  
James Short, Member  
Silas Grant, Jr., Member

**PARTIES:** Edward William  
Grow Club, LLC, t/a Grow Club D.C., Respondent  
2337 18th Street, N.W.  
Washington, D.C. 20009  
  
2337 18th Street LLC  
3232 Garfield Street, N.W.  
Washington, D.C. 20008-3513

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**ORDER TO CEASE AND DESIST**

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On August 7, 2024, the Alcoholic Beverage and Cannabis Board (Board) reviewed compelling evidence that Edward William; Grow Club, LLC, t/a Grow Club D.C.; and 2337 18th Street LLC, engaged in a violation of Chapter 16B of Title 7 of the D.C. Official Code or permitted such illegal activity to occur. These persons and entities are hereby ordered to cease the illegal purchase, sale, exchange, delivery, or any other form of commercial transaction involving cannabis immediately, including testing services.

**FINDINGS OF FACT**

The following statements represent the Board’s findings of fact based on the evidentiary record.

1. The Board incorporates by reference the facts and evidence presented in Case Report No. 24-ULC-00015.

2. On May 2 2024, Alcoholic Beverage and Cannabis Administration (ABCA) Supervisory Investigator (SI) Jason Peru and other District agencies inspected 2337 18th Street, N.W., related to illegal cannabis activities. *Case Report No. 24-ULC-00015*, at 1. The premises were being occupied and run by a business identifying itself as Grow Club, LLC, t/a Grow Club D.C, owned by Edward William. *Id.* The landlord of the premises is 2337 18th Street LLC. *Id.* at 1. During the inspection, the establishment was found to have engaged in illegal cannabis activity. *Id.* In response, a warning letter was issued advising of violations regarding the illegal sale and distribution of cannabis. *Id.* at *Exhibit No. 1*.

3. On July 26, 2024, SI Peru returned to the premises for a follow up inspection. *Id.* Inside, he found that the establishment was engaging in commercial cannabis activity. *Id.* Advertising material shows a picture of a cannabis leaf on a poster displayed by the business. *Id.* at *Exhibit No. 2*. The same poster advertises cannabis testing services for a fee of \$100 or \$150 for 10g of cannabis product, depending on the type of product. *Id.* The Board takes administrative notice that an ounce is approximately 28.35 grams and 2 ounces is approximately 56.70 grams; therefore, if the business were to possess more than 6 cannabis products weighing approximately 10 grams, then it would possess more than the possession limit contained in the decriminalization statute at § 48-904.1(a)(1)(A). The same poster further indicates that the business expects to hold samples for approximately 2-3 days. *Id.* Exhibit 4 shows a social media page showing a package labelled “Capitol Silkey” that has a picture of a triangle with a cannabis leaf, exclamation mark, and the letters CA below it, which is the universal label symbol for cannabis used by the California Department of Cannabis Control. *Id.* at *Exhibit No. 4*.<sup>1</sup>

4. There is no indication that the products being displayed for sale conform with Chapter 16B and the associated regulations’ manufacturing, testing, labeling, and packaging requirements.

5. There is no indication in ABCA’s records that any of the Respondents have been issued any license, permit, endorsement, or other authorization from the Board that would authorize commercial cannabis operations.

## CONCLUSIONS OF LAW

6. Under § 7-1671.12a(a) of Chapter 16B of Title 7 of the D.C. Official Code,

If the ABC Board, after investigation but before a hearing, has cause to believe that a person is violating a provision of this chapter and the violation has caused or may cause, immediate and irreparable harm to the public, the ABC Board may issue an order requiring the alleged violator to cease and desist immediately from the violation.

D.C. Code § 7-1671.12a(a).

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<sup>1</sup> California Department of Cannabis Control, “Labeling: Universal Symbol,” <https://cannabis.ca.gov/2023/10/universal-symbol/> (last visited August 6, 2024).

7. Under § 7-1671.08(f),

Beginning January 31, 2024, the ABC Board may issue the following fines to an unlicensed establishment that violates § 7-1671.06(c-1) or § 7-1671.06b(e), or has not filed an accepted and pending application with the ABC Board and knowingly engages or attempts to engage in the purchase, sale, exchange, delivery, or any other form of commercial transaction involving cannabis that is not purchased, sold, exchanged, or delivered in accordance with the provisions of this chapter or § 48-904.01.

D.C. Code § 7-1671.08(f).

8. Under § 7-1671.08(a),

Any person who manufactures, cultivates, possesses, administers, dispenses, distributes, or uses cannabis, or manufactures, possesses, distributes, or uses paraphernalia, in a manner not authorized by this chapter or the rules issued pursuant to § 7-1671.13 shall be subject to criminal prosecution and sanction under subchapter I of Chapter 11 of Title 48 [§ 48-1101 et seq.].

D.C. Code § 7-1671.08(a).

9. Under § 48-904.1(a)(1),

Except as authorized by this chapter or Chapter 16B of Title 7 [§ 7-1671.01 et seq.], it is unlawful for any person knowingly or intentionally to manufacture, distribute, or possess, with intent to manufacture or distribute, a controlled substance. Notwithstanding any provision of this chapter to the contrary, it shall be lawful, and shall not be an offense under District of Columbia law, for any person 21 years of age or older to:

- (A) Possess, use, purchase, or transport marijuana weighing 2 ounces or less; [or]
- (B) Transfer to another person 21 years of age or older, without remuneration, marijuana weighing one ounce or less . . . .

D.C. Code § 48-904.1(a)(1).

10. An “Unlicensed establishment” is

a sole proprietorship, partnership, or other business entity that:

- (A) Sells, exchanges as part of a commercial transaction, or delivers cannabis and cannabis products;
- (B) Operates at or delivers from a specific location in the District; and

- (C) Is not licensed by ABCA as a cultivation center, retailer, internet retailer, manufacturer, courier, or testing laboratory.

D.C. Code § 7-1671.01(22).

11. Under § 7-1671.12e(a),

Any building, ground, or premises where cannabis is sold, exchanged as part of a commercial transaction, delivered, or permitted to be consumed by an unlicensed establishment shall be a nuisance, except any building, ground, or premises of an applicant that filed an accepted and pending application with the Board during the 90-calendar day open application period.

D.C. Code § 7-1671.12e(a).

12. The Board is persuaded that Edward William; Grow Club, LLC, t/a Grow Club D.C; and 2337 18th Street LLC and their agents operate unlicensed establishment or allowed an unlicensed establishment to operate and engage in illegal commerce related to cannabis. *Supra*, at ¶¶ 2-3. In this case, based on the advertising observed by SI Peru, the unlicensed business admits that it offers cannabis testing services for a fee, which qualifies it as an unlicensed establishment that illegally engages in commercial cannabis transactions in violation of § 7-1671.08(f) and illegally possesses cannabis in violation of § 7-1671.08(a). The Board further notes that the business is not in compliance with the decriminalization statute because offering testing services for a fee constitutes a transfer of cannabis for compensation.

13. The Board further notes that the sale and distribution of illegal cannabis immediately threatens the health and safety of the public because unregulated product may contain inappropriate and harmful substances (e.g., pesticides, other narcotics). In addition, unlicensed businesses are at risk of selling cannabis to persons that should not have access to cannabis, such as minors. Finally, such activity constitutes a nuisance under D.C. Official Code § 7-1671.13e. *See also Com. ex rel. Preate v. Danny's New Adam & Eve Bookstore*, 625 A.2d 119, 122 (1993) (It is well-settled that even a lawful business may be enjoined from operation if it is shown that, under the particular circumstance, its operation constitutes a public nuisance); *Camp v. Warrington*, 227 Ga. 674, 674, (1971) (“where it is made to appear with reasonable certainty that irreparable harm and damage will occur from the operation of an otherwise lawful business amounting to a continuing nuisance, equity will restrain the construction, maintenance or operation of such lawful business.”). Therefore, the immediate cessation of all cannabis activity at the premises is appropriate under § 7-1671.12a(a).

## ORDER

Therefore, the Board, on this 7th day of August 2024, hereby **ORDERS** Edward William; Grow Club, LLC, t/a Grow Club D.C; and 2337 18th Street LLC, and their agents to immediately **CEASE AND DESIST** the illegal purchase, sale, exchange, delivery, or any other form of commercial transaction involving cannabis, including testing services.

The ABCA shall deliver a copy of this order to the Parties by hand delivery or certified mail in accordance with D.C. Official Code § 7-1671.12a(a).

District of Columbia  
Alcoholic Beverage and Cannabis Board

eSigned via SeamslessDocx.com  
*Donovan Anderson*  
Key: ac430b9b59d5f0e4b730060d1dccc8

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Donovan Anderson, Chairperson

eSigned via SeamslessDocx.com  
*James Short*  
Key: 547ac373f820de0ac8d1b3325d2049ec

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James Short, Member



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Silas Grant, Jr., Member

Pursuant to D.C. Official Code § 7-1671.12a(b)(1), “[t]he alleged violator [or violators] may, within 15 days after the service of the order, submit a written request to the ABC Board to hold a hearing on the alleged violation.” D.C. Code § 7-1671.12a(b)(1). Upon receipt of the request, the Board will provide the requestor with a “a hearing in accordance with the procedures set forth in Chapter 5 of Title 2” to challenge the cease and desist and the Board shall “issue a decision within 90 days after the hearing.” D.C. Code § 7-1671.12a(b)(2).

The requestor may also request an expedited hearing if they submit a written request “within 10 days after the service of an order” and “request [that] the ABC Board [hold] an expedited hearing on the alleged violation.” D.C. Code § 7-1671.12a(c)(1). If a timely request for an expedited hearing is made, the “Board shall conduct a hearing within 10 days after the date of receiving the request and shall deliver to the alleged violator at their last known address a written notice of the hearing by any means guaranteed to be received at least 5 days before the hearing date.” D.C. Code § 7-1671.12a(c)(2). After the expedited hearing, the Board shall issue a decision within 30 days. D.C. Code § 7-1671.12a(c)(3).

Please note that the failure to request a hearing shall result in the order being deemed final. Please further note that if you fail to comply with the order of the Board, the Board may file a petition against you with the Superior Court of the District of Columbia and seek compliance by judicial order in addition to other enforcement actions permitted by law. D.C. Code § 7-1671.12a(f)(3).

If you request a hearing, you may appear at the virtual hearing unless other instructions to appear are provided, and you and the establishment, may be represented by legal counsel. You have the right to produce witnesses and evidence on your behalf and to cross-examine witnesses. You may examine evidence produced.

All hearings are conducted in the English language. If you, any corporate officer, or any witnesses to be called are deaf, have a hearing impediment, or cannot readily understand or communicate the spoken English language, an application may be made to the Board for the appointment of a qualified interpreter.

Your failure to appear at the time and place set for the hearing, if requested, either in person or through counsel, or both, will not preclude the Board from proceeding in this matter. Should you have any questions, contact ABRA Adjudication Specialist Danette Walker at 202-442-4418.

Finally, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. 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. However, the timely filing of a Motion for Reconsideration 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).