

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

In the Matter of:)
)
New York Avenue Beach Bar, LLC)
t/a Halftime Sports Bar)
)
Holder of a)
Retailer's Class CT License)
)
at premises)
1427 H Street, NE)
Washington, D.C. 20002)
)

Case No.: 17-CMP-00617
License No.: ABRA-094107
Order No.: 2018-031

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Donald Isaac, Sr., Member
Bobby Cato, Member
Rema Wahabzadah, Member

ALSO PRESENT: New York Avenue Beach Bar, LLC, t/a Halftime Sports Bar,
Respondent

Amy Schmidt, Assistant Attorney General, on behalf of 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 New York Avenue Beach Bar, LLC, t/a Halftime Sports Bar (Respondent), located at 1427 H Street, NE Washington, D.C. 20002.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case No. 17-CMP-00617 on the Respondent on December 17, 2017. *ABRA Show Cause File No. 17-CMP-00617*. The Notice charges the Respondent with one (1) 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. 17-CMP-00617, charged the Respondent with the following violation:

Charge I: [On Friday, September 1, 2017], [y]ou substantially changed your method of operation by increasing the occupancy of the licensed establishment without Board approval, in violation of D.C. Official Code § 25-762(b)(3). . .

ABRA Show Cause File No. 17-CMP-00617. Notice of Status Hearing and Show Cause Hearing, 2-3 (December 12, 2017).

At the Show Cause Hearing held on January 24, 2018, 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 – Warning.

In addition to the Warning,

2. The Respondent shall cease and desist operating the second floor until an expansion to operate the second floor is approved by the Board.
3. The Respondent shall submit to the Board an expansion request to operate the second floor.

By agreeing to the terms of the OIC, the Respondent hereby waives its right to a Show Cause Hearing and appeal.

ORDER


Accordingly, the Board having found the terms of the OIC to be fair, reasonable and adequate, does hereby, this 24th day of January, 2018, **APPROVE** the terms of the Offer in Compromise entered into by the Government and New York Avenue Beach Bar, LLC, t/a Halftime Sports Bar, located at premises 1427 H Street, NE, Washington, D.C.

It is further **ORDERED** that the Respondent will operate in accordance with the terms of the OIC which are binding on the Respondent.

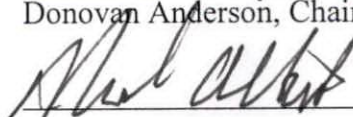
It is further **ORDERED** that the Respondent shall abide by all laws and regulations of the District of Columbia, shall operate its establishment in a safe and competent manner, and shall refrain from engaging in the type of activity that led to this disciplinary action.

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

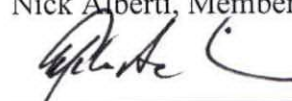
District of Columbia
Alcoholic Beverage Control Board



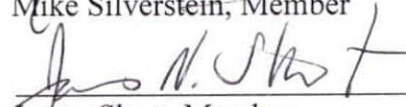
Donovan Anderson, Chairperson



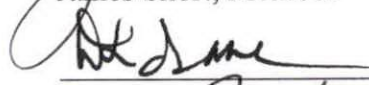
Nick Alberti, Member



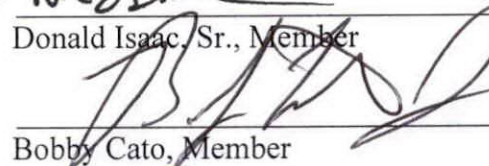
Mike Silverstein, Member



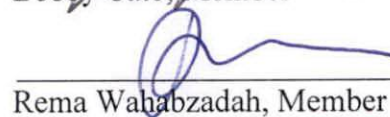
James Short, Member



Donald Isaac, Sr., Member



Bobby Cato, Member



Rema Wahabzadah, 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).