

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

In the Matter of:

1336 U Street, LLC
t/a Hawthorne

Holder of a
Retailer's Class CT License

at premises
1336 U Street, NW
Washington, D.C. 20009

Case No.: 19-CMP-00123
License No.: ABRA-099603
Order No.: 2020-713

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

ALSO PRESENT: 1336 U Street, LLC, t/a Hawthorne, Respondent

Stephen Ortiz, 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 1336 U Street, LLC, t/a Hawthorne (Respondent) located at 1336 U Street, NW, Washington, D.C. 20009.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case No. 19-CMP-00123 on the Respondent on October 8, 2020. *ABRA Show Cause File No. 19-CMP-00123*. 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. 19-CMP-00123 charged the Respondent with the following violation:

Charge I: [On Saturday, July 27, 2019], you failed to follow the terms of your Board-approved license by increasing the occupancy of the licensed establishment, in violation of D.C. Official Code § 25-823(a)(7)...

ABRA Show Cause File No. 19-CMP-00123, Notice of Status Hearing and Show Cause Hearing, 4 (December 24, 2019).

At the Show Cause Hearing held on November 4, 2020, 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.

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 4th day of November 2020, hereby **APPROVES** the OIC proffered by the Government and the Respondent.

The Board hereby **ORDERS** that the Respondent be **WARNED** not to commit this offense again.

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

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocx.com
Donovan Anderson
Key: ac430696b9c05f0e4b730603d1dccb8

Donovan Anderson, Chairperson

eSigned via SeamlessDocx.com
James Short
Key: 547aa37902060a2c8110332a224f0c

James Short, Member

eSigned via SeamlessDocx.com
Bobby Cato
Key: 25620ca0fba146d74d75ba7917d20d

Bobby Cato, Member

eSigned via SeamlessDocx.com
Rema Wahabzadah, Member
Key: bf2ca40b596b74099b19b35b730f16cf

Rema Wahabzadah, Member

eSigned via SeamlessDocx.com
Rafi Aliya Crockett, Member
Key: b6599f1845e1f0e4010155e5c120f10c

Rafi Crockett, Member

eSigned via SeamlessDocx.com
Jeni Hansen, Member
Key: 82172531f050447491b560c2a4189f

Jeni Hansen, Member

eSigned via SeamlessDocx.com
Edward Grandis, Member
Key: 5027bda7f19f0040ec143d9e52541ce5

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 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).