

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

In the Matter of:)
)
Hiwot Ethiopian Restaurant & Market, LLC)
t/a Hiwot Ethiopian Restaurant & Market)
)
Applicant for Substantial Change)
(Increase Occupancy and Expansion))
Retailer's Class CR License)
)
at premises)
5333 Georgia Avenue, NW)
Washington, D.C. 20011)
)

Case No.: 21-PRO-00018
License No.: ABRA-100297
Order No.: 2021-320

Hiwot Ethiopian Restaurant & Market, LLC, t/a Hiwot Ethiopian Restaurant & Market,
Applicant

Erik Lindsjo, Commissioner, Advisory Neighborhood Commission (ANC) 4D

Aida and Bryan Cohen, on behalf of A Group of Five or More Individuals

Kenneth Johnson, Resident

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

ORDER ON DISMISSAL OF PROTESTS

The Application filed by Hiwot Ethiopian Restaurant & Market, LLC, t/a Hiwot Ethiopian Restaurant & Market (Applicant), for a Substantial Change to increase its occupancy and expand its operations to a second floor to its Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on June 7, 2021, in accordance with D.C. Official Code § 25-601 (2001).

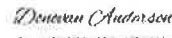
The Board received timely protests from Advisory Neighborhood Commission (ANC 4D) on May 7, 2021 and a Group of Five or More Individuals (Group) led by Aida and Bryan Cohen on May 10, 2021. The Board also received correspondence from Kenneth Johnson, Resident, on May 10, 2021, but the letter submitted by Mr. Johnson was not recognized as a protest because it failed to state the appropriateness standards as grounds for a protest pursuant to 25-313. Nevertheless, Mr. Johnson appeared at the Roll Call Hearing on June 7, 2021 and informed the Board's agent that he filed his letter in support of ANC 4D's protest. Regardless of his intent, his correspondence falls short of the statutory requirements for standing and he is dismissed.

Furthermore, notwithstanding the timely filing of their protests, the Board also dismissed the Protest of ANC 4D and the Cohen Group for failure to appear at the Roll Call Hearing on June 7, 2021. The ANC 4D and the Cohen Group may seek reinstatement of their protests with the Board by demonstrating good cause for their failure to attend the hearing within ten (10) days from the date of this Order.

ORDER

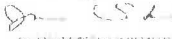
The Board does hereby, this 9th day of June 2021, **DISMISS** the Protests of ANC 4D and the Group of Five or More Individuals. Copies of this Order shall be sent to the Applicant and the Parties.

District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson

Donovan Anderson, Chairperson



James Short

James Short, Member



Bobby Cato

Bobby Cato, Member

Rema Wahabzadah, Member



Rafi Crockett, Member

Rafi Crockett, Member



Jeni Hansen, Member

Jeni Hansen, Member

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).