

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

In the Matter of:)
)
2121 K Street, LLC)
t/a Homeslyce)
)
Applicant for a New)
Retailer's Class CR License)
)
at premises)
2121 K Street, NW)
Washington, D.C. 20037)
_____)

Case No.: 17-PRO-00087
License No.: ABRA-107912
Order No.: 2018-030

2121 K Street, LLC, t/a Homeslyce (Applicant)

Alexander Hersh, on behalf of A Group of Five or More Individuals (Protestant)

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

ORDER REVOKING APPLICANT'S STIPULATED LICENSE

2121 K Street, LLC, t/a Homeslyce (Applicant), has filed an Application for a new Retailer's Class CR License at 2121 K Street, NW, Washington, D.C., with the Alcoholic Beverage Control Board (Board). *See* ABRA Licensing File No. ABRA-107912. The Alcoholic Beverage Regulation Administration (ABRA) posted a Notice of Public Hearing on the Applicant's premises on October 27, 2017. *See* ABRA Licensing File No. ABRA-107912, Notice of Public Hearing. The last day to file a petition against the Application was on December 11, 2017, and the Roll Call Hearing in this matter was held on January 8, 2018.

Pursuant to 23 DCMR § 200, an applicant for a Manufacturer's license, Wholesaler's license or Retailer's license may request a stipulated license before the Board approves the

request for licensure. Under a Stipulated License, the Applicant is entitled to sell, serve, and permit the consumption of alcohol on its premises during the protest period. Once issued, the Applicant “must stop serving alcoholic beverages under the stipulated license if a valid protest is filed against the applicant during the 45-day protest period.” 23 DCMR § 200.1(c).

The Board issued a Stipulated License to the Applicant effective November 20, 2017. *See* Board Order No. 2017-584. On January 8, 2018, the Board Agent conducted the Roll Call Hearing and A Group of Five or More Individuals was granted conditional standing to protest the Application. The Board’s agent advised the Group of Five or More Individuals at the Roll Call Hearing that at least four (4) more individuals must appear at the Protest Status Hearing to be granted standing as A Group of Five or More Individuals.


The Board adopts the determination of the Board Agent at the Roll Call Hearing. Therefore, because the Group of Five or More Individuals has filed a valid protest against the Application, the Stipulated License is expired effective January 8, 2018, the date of the Roll Call Hearing under 23 DCMR § 200.1(c).

ORDER

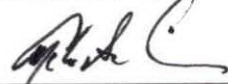
Therefore, the Board, on this 24th day of January, 2018, hereby **ORDERS** that the Stipulated License issued to 2121 K Street, LLC, t/a Homeslyce, has **EXPIRED**. The Applicant shall immediately **CEASE AND DESIST** selling, serving, or permitting the consumption of alcohol on its premises. The Board also adopts the finding and recommendations of its Agent at the Roll Call Hearing.

Copies of this Order shall be sent to the Applicant and Alexander Hersh, on behalf of the Group of Five or More Individuals.


District of Columbia
Alcoholic Beverage Control Board


Donovan Anderson, Chairperson

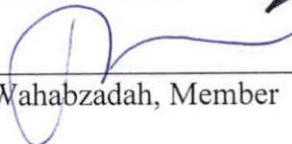

Nick Alberti, Member


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).