

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

In the Matter of:)	
)	
Hopeful, Inc.)	License Number: 91955
t/a To Be Determined)	Order Number: 2019-107
)	
Holder of a)	
Retailer's Class CR License)	
at premises)	
2006 18th Street, N.W.)	
Washington, D.C. 20009)	

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

ALSO PRESENT: Hopeful, Inc., t/a To Be Determined, Licensee

Lisa Drazin, License Holder, on behalf of the Licensee

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER DENYING MOTION FOR RECONSIDERATION

The Alcoholic Beverage Control Board denies the motion for reconsideration filed by the Licensee. Briefly, the Licensee's contention in her motion that the license was initially issued "with no location" is incorrect and irrelevant.¹ *Mot. for Recon.*, at 3-4. The Board adopts by reference its prior discussion of this issue in Board Order Nos. 2017-592 and 2018-395, which adequately explains why the Licensee's argument is incorrect. The Licensee's second contention that the Board only applied the rebuilding and reconstruction grounds to 2006 18th Street, N.W., is incorrect, as the discussion contained

¹ Indeed, even if the Licensee were correct, the point is irrelevant because it has no bearing on the issue of whether there has been reasonable progress at the new location. As paragraph 21 of Board Order No. 2019-076, the Board has multiple separate and independent grounds for reaching its conclusion. Consequently, even if the Board did not consider activity at 2006 18th Street, N.W., at all, it would not change the outcome of this matter.

in paragraph 21 in Board Order No. 2019-076 shows the contrary.² The Licensee further refers the Board to other licenses that have held in safekeeping; however, this comparison is irrelevant, as the Board made its determination based on the unique factual circumstances of this case. Finally, the Board notes that the Licensee's contention regarding her ability, readiness, and willingness to obtain permits or engage in construction at the property were not credible or persuasive for the reasons cited in paragraph 21 of Board Order No. 2019-076. *Mot. for Recon.*, at 13.

ORDER

Therefore, on this 27th day of February 2019, the Board hereby **DENIES** the motion for reconsideration filed by the Licensee. Based on prior submissions by the Licensee in past proceedings, the Board further advises the Licensee that further motions for reconsideration in this matter are out of order and will not be addressed by the Board unless so ordered by a court of law.

A copy of this Order shall be delivered to the Licensee.

² The Board notes that the language referenced by the Licensee appears in paragraph 9 of the Proposed Order contained in Board Order No. 2018-654, but this specific interpretation or statement of the law was not included in Board Order No. 2019-076. Therefore, as noted in paragraph 21 of Board Order No. 2019-076, the Board considered progress at the new proposed location, but was not persuaded by the Licensee's factual presentation on the merits.

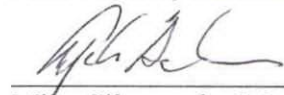
District of Columbia
Alcoholic Beverage Control Board



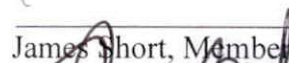
Donovan Anderson, Chairperson




Nick Alberti, Member



Mike Silverstein, Member



James Short, Member



Bobby Cato, Member

Rema Wahabzadah, Member

Pursuant to 23 DCMR § 1719.1 (2008), 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, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. 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).