

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

In the Matter of:)	
)	
Hopeful, Inc.)	License Number: 91955
t/a To Be Determined)	Order Number: 2018-395
)	
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
Jake Perry, Member
Donald Isaac, Sr., Member

ALSO PRESENT: Lisa Drazin, Owner, on behalf of Hopeful, Inc., Licensee

ORDER DENYING MOTION FOR RECONSIDERATION

In Board Order No. 2018-370, the Board revived ABRA License No. 91955 in response to a voluntary remand from the District of Columbia Court of Appeals. *In re Hopeful, Inc., t/a To Be Determined*, ABRA License No. 91955, Board Order No. 2018-370, 1 (D.C.A.B.C.B. Jun. 6, 2018). In a motion for reconsideration, Hopeful, Inc. (Licensee) asks the Board to amend the license to indicate that ABRA License No. 91955 has “no address” or otherwise not consider the license located at its currently assigned location of 2006 18th Street, N.W. *Mot. for Recon.*, at 1. The motion is denied because under Title 25, all retail, wholesaler, and manufacturer licenses must have a premise address.

As noted previously,

The Board notes that ABRA License No. 91955 was initially issued to 2006 18th Street, N.W., and is still legally attached to that address regardless of any changes in the license number or a ministerial designation of “no address.” See D.C. Code § 25-317(a) (requiring the approval of an application before a licensee can change locations). As a result, the mere fact the Licensee has lost all legal right to occupy 2006 18th Street, N.W., does not take away the legal authorization to use the license at 2006 18th Street, N. W., under Title 25. *Second Mot. for Recon.*, at 3. As

a result, it is entirely appropriate for the Board to say that the license is still attached to 2006 18th Street, N.W., regardless of any “no address” designation.

In re Hopeful, Inc., t/a To Be Determined, ABRA License No. 91955, Board Order No. 2017-592, 2 (D.C.A.B.C.B. Nov. 29, 2017) (vacated on other grounds).¹

ORDER

Therefore, on this 20th day of June 2018, the Board hereby **DENIES** the motion for reconsideration.

The Licensee is further **ADVISED** that the Board does not approve of any license having “no address.” The failure to have the right to occupy and use the location assigned to the license and the failure to have any address at all are both separate and apart grounds for deeming the license abandoned in accordance with D.C. Official Code § 25-791 and would merit the cancellation of the license.

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

¹ It should also be noted that any application for a new retailer, wholesaler, or manufacturers license, or to renew such a license, that actually has “no address” should be deemed incomplete and abandoned. D.C. Code §§ 25-402(2) (requiring the application to contain the address of the premise); 25-403(a) (requiring applicant to verify initial application); 23 DCMR §§ 501.1-501.3 (requiring the Board to reject any incomplete application and deem the application abandoned if the applicant fails to provide the required information).

District of Columbia
Alcoholic Beverage Control Board

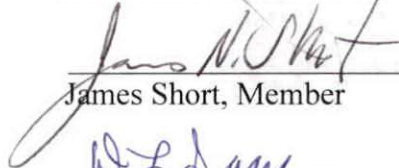


Donovan Anderson, Chairperson

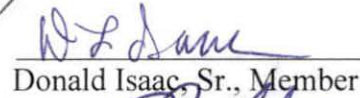


Nick Alberti, Member

Mike Silverstein, Member



James Short, Member



Donald Isaac, Sr., Member



Bobby Cato, Member

Rema Wahabzadah, Member

Pursuant to 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).