

2015) (“Once adequate opportunity to retain counsel has been provided, the Court is ‘free to deny a continuance to obtain additional counsel’ if it reasonably concludes that the delay would be unreasonable . . .”).

The Board further denies converting the matter into a noncontested hearing. The right to a contested hearing is created by D.C. Official Code § 25-791(a) and (b) and 23 DCMR § 1600.3(e). In the absence of specific regulations governing a hearing, the general trial rules provided by Title 25 of the D.C. Official Code, Title 23 of the D.C. Municipal Regulations, and the District of Columbia Administrative Procedure Act (D.C. APA) govern. D.C. Official Code § 2-509, *see also* 23 DCMR § 1600.5 (West Supp. 2018). The name chosen by the Board to identify the specific hearing is of no import; especially, when the notice describes and identifies the specific laws and regulations that control and the rights of the Licensee.¹

Finally, the Licensee’s claim that another type of hearing is required before the Board may issue the current notice or deny the safekeeping request is frivolous. The proposed Order itself provides specific and sufficient notice of the facts and legal claims that the Board may rely upon, as required by the D.C. APA. No additional hearing or other process is required to trigger the current matter.

ORDER

Therefore, the Board, on this 5th day of December 2018, hereby **DENIES** the motions filed by the Licensee. A copy of this Order shall be sent to the Licensee.

¹ Alternatively, the Board could have simply denied the safekeeping renewal application on the papers alone and allowed the Licensee to file for reconsideration; however, the Board’s view is that providing notice and providing an opportunity to be heard before making a decision on the application is ultimately more efficient and fair.

District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson

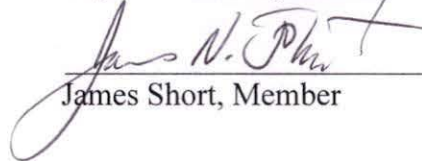
Nick Alberti, Member



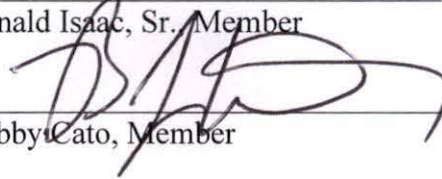
Mike Silverstein, Member



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).