

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

**In the Matter of:**

Kiss, LLC  
t/a Kiss Tavern

Holder of a  
Retailer's Class CR License

2003 18th Street, N.W.  
Washington, D.C. 20009

Case Nos.: 18-CMP-00092  
18-CMP-000119  
License No.: 104710  
Order No: 2019-037

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

**ALSO PRESENT:** Kiss, LLC, t/a Kiss Tavern, Respondent

Sidon Yohannes, Esq., Counsel, on behalf of the Respondent

Rebecca Barnes, Assistant Attorney General  
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel  
Alcoholic Beverage Regulation Administration

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**ORDER APPROVING THE OFFER-IN-COMPROMISE**

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The above mentioned parties appeared before the Alcoholic Beverage Control Board on January 16, 2019. At the hearing, the parties proposed an offer-in-compromise to resolve Case Numbers 18-CMP-00092 and 18-CMP-000119, which was accepted by the Board.


**ORDER**

Therefore, on this 16th day of January 2019, the Board **APPROVES** the offer-in-compromise submitted by the parties, which resolves the matter as follows:

1. In Case Number 18-CMP-00119, the license holder admits to Charge I and agrees to pay a fine of \$2,500 within thirty (30) days from the date of this Order or its license shall be suspended indefinitely until all fines owed are paid. The violation shall be deemed a primary tier violation. Charges II through V are dismissed.
2. In Case Number 18-CMP- 00092, the license holder admits to Charge I and agrees to pay a fine of \$2,500 within thirty (30) days from the date of this Order or its license shall be suspended indefinitely until all fines owed are paid. The violation described by Charge I shall be deemed a primary tier violation. Charges II and III are dismissed.
3. Nothing in the OIC shall prevent the license holder from petitioning the Board to remove any conditions on its license or filing for a substantial change. All complete and properly filed requests to amend its license shall be addressed without unnecessary delay.

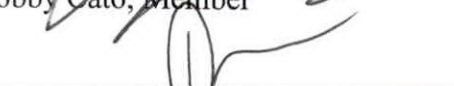
The ABRA shall deliver copies of this Order to the Government and the Respondent.

District of Columbia  
Alcoholic Beverage Control Board


  
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Donovan Anderson, Chairperson

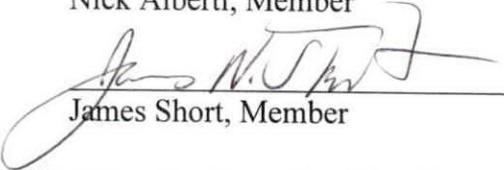
  
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Mike Silverstein, Member

  
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Bobby Cato, Member

  
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Rema Wahabzadah, Member

I dissent from the position taken by the majority of the Board.

  
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Nick Alberti, Member

  
\_\_\_\_\_  
James Short, 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, 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, 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 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).