

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**

In the Matter of:)
)
Mitchell Beverage of Maryland, LLC)
t/a Legends Distributing of Washington, DC)
)
Transferor)
Legends Distributing of Washington DC, LLC)
t/a Legends Distributing of Washington DC)
)
Temporary Operator’s Retail Permit of a)
Wholesalers Class A License)
)
at premises)
659 Taylor Street NE)
Washington, D.C. 20017)
_____)

Transferee’s License No.: ABRA-125729
Transferor’s License No.: ABRA-091433
Order No.: 2023-430

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Jeni Hansen, Member
Edward S. Grandis, Member

**ORDER APPROVING REQUEST FOR A
TEMPORARY OPERATOR’S RETAIL PERMIT**

On August 7, 2023, the Alcoholic Beverage and Cannabis Administration (ABCA) received an Application for a Transfer of Ownership of the Wholesalers Class A License No. ABRA-091433 from Legends Distributing of Washington DC, LLC t/a Legends Distributing of Washington DC (Transferor), to Mitchell Beverage of Maryland, LLC (Applicant).

The Applicant now comes before the Alcoholic Beverage and Cannabis Board (Board) for a Temporary Operator’s Retail Permit (TORP) in accordance with 23 D.C. Municipal Regulations (DCMR) § 703.

Under 23 DCMR § 703, the purchaser of an ABC licensed establishment awaiting Board approval on a transfer of ownership application where no substantial change will occur may apply to the Board for a permit to temporarily operate under the license pursuant to the following conditions:

- (a) the transfer application must be filed with or before the application for temporary authority;
- (b) the subject premises must not have been closed nor the sale or service of alcoholic beverages discontinued during the thirty (30) days immediately prior to the filing of the permit application; and
- (c) that no substantial changes to the licensed premises will occur.

On August 7, 2023, the Applicant filed its Transfer Application, along with a No Substantial Change affidavit indicating that there will be no change in the nature of the licensed premises. Additionally, by separate letter, the Transferor filed its consent to the issuance of the TORP.

Thus, the Board, in its discretion, finds that the Applicant has met the requirements and does approve the request for a TORP. The TORP is valid until the transfer application is either granted or denied by the Board or until the TORP is canceled or suspended by the Board pursuant to 23 DCMR § 703.5.

ORDER

The Board does hereby this 16th day of August 2023, **APPROVES** the Applicant's request for a Temporary Operator's Retail Permit.

It is understood that until the Transfer Application is approved, and the new license is issued by the Board, the Applicant will be operating under the Transferor's Retailer's Class A License No. ABRA-091433.

Copies of this Order shall be sent to the Applicant.

District of Columbia
Alcoholic Beverage and Cannabis Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: ac430b96b69d5f0e4b73006031dccc8

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547ac373f820de6ac8d1b332d42049ec

James Short, Member

Bobby Cato, Member

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Jeni Hansen, Member
Key: 8217293155508447491b56f6c2a41899

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda7ff9f0040ec14adeb52541ce5

Edward S. Grandis, 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 and Cannabis Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section II 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).