

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

**In the Matter of:** )  
 )  
ChoDaeBak, Inc. )  
t/a Mart Liquors )  
 )  
Applicant for Renewal of a )  
Retailer's Class A License )  
 )  
at premises )  
2931 Martin Luther King Jr. Avenue, SE )  
Washington, D.C. 20032 )  
 )

Case No.: 21-PRO-00031  
License No.: ABRA-108836  
Order No.: 2021-393

**BEFORE:** Donovan Anderson, Chairperson  
James Short, Member  
Bobby Cato, Member  
Rema Wahabzadah, Member  
Rafi Aliya Crockett, Member  
Jeni Hansen, Member  
Edward S. Grandis, Member

**ALSO PRESENT:** ChoDaeBak, Inc., t/a Mart Liquors, Applicant

Salim Adofo, Chairperson, Advisory Neighborhood Commission  
(ANC) 8C, Protestant

Sharif Omar, Designated Representative, on behalf of a Group of  
Five or More Individuals (Sharif Omar Group), Protestant

Joyce Doyle, Designated Representative, on behalf of a Group of  
Five or More Individuals (Joyce Doyle Group), Protestant

James Ray, Designated Representative, on behalf of a Group of Five  
or More Individuals (James Ray Group), Protestant

Kristi Love, President, Association of Black Social Workers

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**ORDER DENYING MOTION FOR REINSTATEMENT**

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The Application filed by ChoDaeBak, Inc., t/a Mart Liquors, for renewal of its Retailer's Class A License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on June 21, 2021.

On June 21, 2021, the Board dismissed the Protest of the Association of Black Social Workers (ABSW) because it is not a citizens association. D.C. Official Code § 25-601(3). Indeed, the protest letter dated June 1, 2021, makes it appear that ABSW attempted to obtain standing as a citizens association due to the reference to voting “with a quorum present.” *Letter from Association of Black Social Workers*, 1 (Jun. 1, 2021). There is no indication that the ABSW sought standing under another ground, such as a group of residents or property owners or abutting property owners.

Subsequently, the ABSW filed a motion for reconsideration asking to be recognized as a group of residents or property owners. This is not permitted. According to § 25-602, all protests must be filed “within the protest period.” D.C. Code § 25-602(a). It is the precedent of the Board that parties are not permitted to switch or change their method of obtaining standing after the protest petition deadline because this would violate the terms of § 25-602 and violate the due process rights of the Applicant. *In re Howard Theatre Entertainment, LLC, t/a Howard Theatre*, Case No. 19-PRO-00090, Board Order No. 2019-587, 2 (D.C.A.B.C.B. Aug. 19, 2019) citing *In re The Blagden Alley Entertainment, LLC, t/a The American*, Case No. 14-PRO-00019, Board Order No. 2014-238, 2 (D.C.A.B.C.B. May 28, 2014). As a result, because ABSW's proposed amendment to its petition came after the protest petition deadline, its protest must be rejected.

### **ORDER**

Therefore, the Board, on this 15th day of July 2021, hereby **DENIES** the motion for reinstatement. The Board further **ADVISES** the parties that this order does not prevent any remaining party with standing from calling any member of ABSW as a witness or relying on evidence provided by ABSW during the hearing if any party chooses to do so. Copies of this Order shall be sent to the Parties.

District of Columbia  
Alcoholic Beverage Control Board

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*Donovan Anderson*  
Key: ac43cb966d5f09e4b73069d1dccc8

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Donovan Anderson, Chairperson

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*James Short*  
Key: 547ae3735229e6ac81b332ad2949c

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James Short, Member

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*Bobby Cato*  
Key: 286d3fcad7be146d7f4b75bd7917d2bd

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Bobby Cato, Member

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*Rafi Aliya Crockett, Member*  
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Rafi Crockett, Member

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*Jeni Hansen, Member*  
Key: 82172631f5509447491b56f9c2a4189f

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Jeni Hansen, Member

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*Edward Grandis, Member*  
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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 Regulation Administration, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, DC 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 (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).