

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

_____)
In the Matter of:)
)
Mr. Chen's, Inc.)
t/a Mr. Chen's)
)
Holder of a)
Retailer's Class CR License)
)
at premises)
3419 Connecticut Avenue, NW)
Washington, D.C. 20008)
_____)

License No.: ABRA-107059
Order No.: 2019-629

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member
Rafi Crockett, Member

**ORDER DENYING THE PETITIONER'S REQUEST FOR REINSTATEMENT
OF CANCELLED LICENSE**

On May 15, 2019, the Alcoholic Beverage Control Board (Board) issued Board Order No. 2019-414 cancelling Mr. Chen's, Inc., t/a Mr. Chen's (Petitioner), License No. ABRA-107059.

The Board cancelled the license because the Petitioner failed to renew its license by March 31, 2019, the deadline for all Retailer's Class CR licenses to renew, despite being notified of the renewal date. *See* Board Order No. 2019-414.

On June 28, 2019, Shiaufeng Tom Chen, on behalf of the Petitioner, sought reinstatement of the cancelled Retailer's Class CR License No. ABRA-107059. On July 10, 2019, the Board finds that the Petitioner's Request for Reinstatement was untimely filed and thus, denied the reinstatement of Mr. Chen's, Inc.'s Retailer's Class CR License No. ABRA-107059.

On August 16, 2019, Mr. Chen, again sought reinstatement of the cancelled Retailer's Class CR License No. ABRA-107059. In support of his second request for reinstatement, Mr. Chen stated that the Petitioner was unable to renew its license in March due to issues with the Office of Tax and Revenue. Mr. Chen now informs the Board that the issues have been resolved and that he has procured the Petitioner's Clean Hands certificates.


The Board finds that the resolution of Mr. Chen's tax issues in August is too late to reinstate the license cancelled six month earlier. Therefore, the Board reaffirms its decision dated July 10, 2019, in Board Order No. 2019-537. The Petitioner's Request for Reinstatement remains untimely filed.

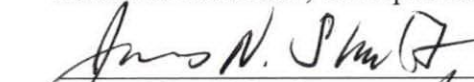
ORDER

For these reasons, the Board does hereby, this 11th day of September, 2019, **DENY** the reinstatement of Mr. Chen's, Inc.'s Retailer's Class CR License No. ABRA-107059.

Copies of this Order shall be sent to the Petitioner.

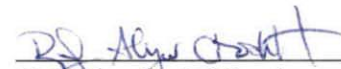
District of Columbia
Alcoholic Beverage Control Board


Donovan Anderson, Chairperson


James Short, Member


Bobby Cato, Member

Rema Wahabzadah, Member


Rafi Crockett, 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 14th 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).