

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

In the Matter of:)
)
Alexander Market, Inc.)
t/a Newton Food Mart)
)
Holder of a)
Retailer's Class B License)
)
at premises)
3600 12th Street, NE)
Washington, D.C. 20017)
)

Case No.: 19-CMP-00386
License No.: ABRA-094313
Order No.: 2020-712

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: Alexander Market, Inc., t/a Newton Food Mart, Respondent

Stephen Ortiz, Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING THE OFFER-IN-COMPROMISE

This matter arises from a Notice of Status and Show Cause Hearing (Notice) issued by the Alcoholic Beverage Control Board (Board) in the matter of Alexander Market, Inc., t/a Newton Food Mart (Respondent) located at 3600 12th Street, NE, Washington, D.C. 20017.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case No. 19-CMP-00386 on the Respondent on October 8, 2020. *ABRA Show Cause File No. 19-CMP-00386*. The Notice charges the Respondent with a single violation, which if proven true,

would justify the imposition of a fine, as well as the suspension or revocation of the Respondent's license.

Specifically, the Notice in Case No. 19-CMP-00386 charged the Respondent with the following violation:

Charge I: [On Thursday, July 25, 2019], you failed to superintend in person or keep a licensed ABC Manager on duty at all times, in violation of D.C. Official Code § 25-701 and 23 DCMR § 707.1...

ABRA Show Cause File No. 19-CMP-00386, Notice of Status Hearing and Show Cause Hearing, 2 (December 24, 2019).

At the Show Cause Hearing held on November 4, 2020, the Respondent and the Government entered into an Offer-in-Compromise (OIC), which resolved the charge set forth above.

The terms of the OIC are as follows:

1. For Charge I – The Respondent shall pay a \$250 fine for the violation alleged in Charge I.

By agreeing to the terms of the OIC, the Respondent hereby waives its right to a Show Cause Hearing and appeal.

ORDER

Therefore, the Board, on this 4th day of November 2020, hereby **APPROVES** the OIC proffered by the Government and the Respondent.

IT IS ORDERED that the Respondent will:

- (1) Remit the fine in the sum of \$250 in Case No. 19-CMP-00386 payable on or before February 4, 2021. Failure to remit the amount in full within the time specified will result in the suspension of the license until the amount is paid.

Acceptance of this OIC cancel all future hearings related to this matter.

A copy of this Order shall be sent to the Respondent and to the Government.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamllessDocs.com
Donovan Anderson
Key: a2436b9eb9d5f0c4b7300001dccc8

Donovan Anderson, Chairperson

eSigned via SeamllessDocs.com
James Short
Key: 547a379e2000a2c111032612740ec

James Short, Member

eSigned via SeamllessDocs.com
Bobby Cato
Key: 256d30cafb0146d7f6b7f6d7017a20d

Bobby Cato, Member

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Rema Wahabzadah, Member
Key: b2ca48b596b74009b19b35b738f16cf

Rema Wahabzadah, Member

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Rafi Aliya Crockett, Member
Key: b660991845e1f9e401d155e5c12f91cc

Rafi Crockett, Member

eSigned via SeamllessDocs.com
Jeni Hansen, Member
Key: 8217293175009447891e560c2a4189f

Jeni Hansen, Member

eSigned via SeamllessDocs.com
Edward Grandis, Member
Key: 5027b3a7f8f0040ae14dad652541ca5

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 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).