

DISTRICT OF COLUMBIA  
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 ALCOHOLIC BEVERAGE CONTROL BOARD  
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 MEETING

IN THE MATTER OF: :

:

The McKenzie Group, LLC, :

t/a Ocean Lounge :

1220 H Street NE : Fact Finding

Retailer CT - ANC 6A : Hearing

License No. 114106 :

:

(Request for a Hearing) :

Wednesday,  
 September 18, 2019

The Alcoholic Beverage Control Board  
 met in the Alcoholic Beverage Control Hearing  
 Room, Reeves Building, 2000 14th Street, N.W.,  
 Suite 400S, Washington, D.C. 20009, Chairperson  
 Donovan W. Anderson, presiding.

**PRESENT:**

DONOVAN W. ANDERSON, Chairperson  
 BOBBY CATO, JR., Member  
 JAMES SHORT, Member  
 RAFI CROCKETT, Member

**ALSO PRESENT:**

PAMELA MCKENZIE, APPLICANT  
 PERCY HARRIS, APPLICANT MANAGER

1 P-R-O-C-E-E-D-I-N-G-S

2 1:39 p.m.

3 CHAIRPERSON ANDERSON: All right. We  
4 are back on the record. All right. Our next  
5 case is a Fact-Finding Hearing, The McKenzie  
6 Group, LLC t/a Ocean Lounge, License No. 114106.

7 Can you identify yourself for the  
8 record, please?

9 MS. MCKENZIE: Pamela McKenzie, owner  
10 of the club and owner of The McKenzie Group, LLC.

11 MR. HARRIS: Percy Harris, the  
12 manager.

13 CHAIRPERSON ANDERSON: And who are  
14 you? What's your relationship to the  
15 establishment, sir?

16 MS. MCKENZIE: General manager.

17 CHAIRPERSON ANDERSON: All right. All  
18 right. Ms. McKenzie, thank you for your recent  
19 letter requesting this Fact-Finding Hearing as a  
20 follow-up to the issues of your Temporary  
21 Operating Permit, Retailer's Permit, on July 10,  
22 2019.

1                   Before we hear from you on the steps  
2                   you have taken to improve your management  
3                   operations practiced under the TORP, I would like  
4                   to take this opportunity to place into the record  
5                   a brief history of what got us here today.

6                   Specifically, as a result of the  
7                   testimony provided at the July Fact-Finding  
8                   Hearing, the Board learned that you, rather than  
9                   John Brown, the transferrer of the license, was  
10                  responsible for managing the Dynamix Lounge over  
11                  the months leading up to the issuance of the  
12                  TORP.

13                  During the period of time that you  
14                  were managing and operating Dynamix, MPD brought  
15                  several incidents to the Board's attention.  
16                  These incidents include fighting, fights,  
17                  stabbings, illegal transfer of the license, use  
18                  of a promoter to superintend the establishment  
19                  and interference with an MPD and ABRA  
20                  investigation to name just a few of the  
21                  violations.

22                  These incidents were investigated by

1 ABRA and two incident reports were forwarded to  
2 the Office of the Attorney General for the  
3 prosecutorial consideration.

4 Notwithstanding this illegal activity,  
5 the Board issued the TORP to you in order to  
6 allow you to keep operating and to monitor your  
7 ability to manage the establishment before a  
8 permanent license is issued.

9 We are happy to hear from you today  
10 regarding the steps you have taken since July to  
11 improve the operations of Ocean Lounge.

12 Additionally, we have reviewed your  
13 official license in the file and it appears that  
14 you owe additional documents to your assigned  
15 licensing specialist before she can continue to  
16 process your application.

17 Therefore, there remain a few open-  
18 ended items that we will need to address after  
19 this hearing with both licensing and the Office  
20 of the Attorney General before the hearing can go  
21 any further with your application, before the  
22 Board can go any further with your application.

1           Regardless, we are pleased that you  
2           took the initiative to request this hearing and  
3           we look forward to your update concerning Ocean  
4           Lounge.

5           The Board needs to be convinced that  
6           you will be a good and attentive owner fully in  
7           compliance with the laws and regulations that  
8           govern ABRA licenses if and when you are issued a  
9           permanent license.

10          So just before I turn the hearing over  
11          to you, Ms. McKenzie, it is my understanding that  
12          amongst the documents that are required from you,  
13          are a business tax registration or a D.C. Tax  
14          Registration, a business license, business Clean  
15          Hands, personal Clean Hands.

16          Those are some of the documents, it's  
17          my understanding, that before the Agency can move  
18          forward, you still owe us and that was  
19          information that was provided to me or that was  
20          provided, that's you were provided that  
21          information as of July 10th. We are now July,  
22          August, September. We are now two months after

1 that email was sent to you.

2 So where are we and where are we  
3 today?

4 MS. MCKENZIE: Okay. Thank you so  
5 much for allowing us to come here. I'm not aware  
6 of those pending items on the application. I  
7 know that there is a prerequisite for the  
8 business license and that's having Department of  
9 Health come in. I have got to get that done and  
10 I know I do just try to manage getting the  
11 company straight and making sure things don't  
12 happen or reoccur.

13 So there have been a lot of concerns.  
14 I do have the tax. The first one you mentioned  
15 was the docs, tax docs registration. I do have  
16 that now.

17 CHAIRPERSON ANDERSON: So you have  
18 what the business tax registration? You have  
19 that?

20 MS. MCKENZIE: I have that, that's how  
21 I'm able to pay my employees through the ADP  
22 system. I had to get that prior to that so that

1 employees could get their paychecks.

2 And the Clean Hands and business Clean  
3 Hands documents, I thought I provided them in my  
4 package, so obviously I didn't do something right  
5 there.

6 CHAIRPERSON ANDERSON: Well, then you  
7 need to follow-up with -- as I said before, I'm  
8 only reading email that was sent to you by Ms.  
9 Edwards in July.

10 MS. MCKENZIE: Right.

11 CHAIRPERSON ANDERSON: So maybe you  
12 need to meet with her to find out what is it that  
13 is still outstanding.

14 MS. MCKENZIE: Okay. I will do that.  
15 Again, sir, I thought I provided those and gotten  
16 them notarized, but maybe I didn't do something  
17 correct.

18 And so the only pending thing is the  
19 Department of Health to come in and sort of  
20 assess our operations and then tell us what our  
21 capacity is, because I think that determines what  
22 kind of license then is transferred, because it

1       could be, you know, we have cut the bar back  
2       some, so it may change something a little bit. I  
3       don't know, but we will reschedule that  
4       appointment.

5                 We did have an appointment, but my  
6       general manager got sick and couldn't be there,  
7       so we are going to reschedule that very soon.

8                 CHAIRPERSON ANDERSON: All right. You  
9       are operating underneath -- under a TORP and that  
10      can't continue forever. The license needs to be  
11      renewed, because I believe we are in renewal  
12      period, I believe. And you are not the owner of  
13      the license, so you can't renew the license that  
14      needs to be renewed.

15                So where are we? And anyway, you  
16      requested this hearing, so what is it you need to  
17      share with us? Why are you here?

18                MS. MCKENZIE: Right. I think the  
19      biggest reason we wanted to have you guys hear  
20      from us is that we --

21                CHAIRPERSON ANDERSON: You have to  
22      speak up, ma'am.



1 MS. MCKENZIE: -- took -- the biggest  
2 reason why we wanted to come and speak with you  
3 guys is because we wanted to be sure that you  
4 understood that we took your concern seriously  
5 and that we immediately began to start acting in  
6 a new process.

7 The one thing we did is we got rid of  
8 that one promoter, which created the biggest  
9 issue, so his association is the guy that put his  
10 hands on Officer McGee. So we had to remove him  
11 and as a result, he smear campaigned us. We have  
12 been dealing with that, calling attorneys,  
13 because he has been trying to shutdown the  
14 operation because we got rid of him.

15 So that has been taking a lot of my  
16 bandwidth. So that's even on my mind today. I  
17 have to see an attorney about him.

18 So I just want you guys to know in  
19 spite of that, I think we look a lot better. We  
20 have things like karaoke. We have bands. We do  
21 daytime events. So it doesn't appear like the  
22 heavy nightlife and the loud sounds trying to get

1 rid of that whole concept of being too loud,  
2 because I think that's an issue for ANC. And I  
3 know the ANC has an input to part of this.

4 So we have been trying to really focus  
5 on just looking better, targeting a different  
6 market. We still have the young crowd on Friday  
7 though. We are trying to move away from that,  
8 but, you know, we -- people are starting to look  
9 like us coming in there now. So we are excited  
10 about that.

11 And why -- I don't want to appear like  
12 we are targeting or profiling or anything, but we  
13 just have more trouble with the younger folks.  
14 And I think you guys know that better than we do,  
15 because we came along four months ago when  
16 Dynamix Lounge was in place and it was complete  
17 confusion. So that was difficult for us.

18 We just want you guys to if you know  
19 anything, if there is input that you are getting  
20 that we are sidestepping on and we don't know  
21 about, we want to hear from you. If anybody has  
22 made any complaints or if there has been any

1 emails or if the ANC has contacted you, we want  
2 to know what else we can do, so that we can keep  
3 up with what we consider progress in this.

4 We have a security plan. We have two  
5 security guards. We added three cameras, two on  
6 the inside -- two on the outside and one on the  
7 inside. We got rid of some of the bartenders  
8 that we know were associated with some of the  
9 confusion.

10 What we want is to stay in business.  
11 We want -- we have paychecks we pay people. They  
12 depend on us. You know, I would be dishonest if  
13 I wouldn't tell you I'm probably nervous about  
14 what is happening right now, because I know that  
15 the license has the renewal. We just got off the  
16 phone with somebody associated with John Brown,  
17 his fiancée, and she -- I don't know, she said  
18 that she might be willing to help us with our  
19 renewal process, so we can bridge over to our  
20 permanent license, but I can't be sure, because  
21 they are no longer interested.

22 They sold us the bar and they are

1 going to get another bar. So it's like --

2 CHAIRPERSON ANDERSON: Well, it's not  
3 up to us, it's up to you. I believe that when a  
4 TORP was issued, that's a temporary license. And  
5 so it's issued for you to comply with the  
6 regulations, provide information and so the  
7 issues that are over your head, that's within  
8 your control.

9 But the issue, the larger issue is  
10 that the license needs to be renewed and you  
11 can't renew the license, because you are not the  
12 owner of the license.

13 MS. MCKENZIE: Right.

14 CHAIRPERSON ANDERSON: And I am -- I  
15 hope I'm not going to be speaking, but I believe  
16 this is a license that needs to be renewed by  
17 September 30th?

18 MS. MCKENZIE: Yep, correct.

19 CHAIRPERSON ANDERSON: And so this is  
20 a license that needs to be -- and today is  
21 September -- it's in 12 days the license has to  
22 be renewed.

1 MR. HARRIS: Could we -- if we  
2 complied with the stuff you asked for --

3 CHAIRPERSON ANDERSON: I can't --  
4 speak up, sir.

5 MR. HARRIS: If we comply with the  
6 stuff you asked for, bring you all the stuff you  
7 want, could the license be given to us then? Is  
8 that possible?

9 CHAIRPERSON ANDERSON: I just read  
10 from what the Licensing Specialist stated is that  
11 before the license can be issued, there is a  
12 business tax registration or D.C. Tax  
13 Registration.

14 MR. HARRIS: We have that.

15 CHAIRPERSON ANDERSON: A business  
16 license, a business Clean Hands and a personal  
17 Clean Hands. That's what I'm reading where at  
18 least the Licensing Specialist stated in -- on  
19 July 10th that before the license can be issued,  
20 this information needs to be provided to us.

21 And so unless the license is  
22 transferred to you before the 30th, you can't

1 renew. You cannot renew the license, because you  
2 are not the owner of the license.

3 MR. HARRIS: Right.

4 MS. MCKENZIE: I think his point was  
5 if we comply to the stuff, say for example by  
6 next Friday, what is the process for getting a  
7 license? Does that take a long time? Once she  
8 gets these items is there like a two to three  
9 week kind of issuance process or are we --

10 CHAIRPERSON ANDERSON: I'm not quite  
11 sure. I don't know the process is. I don't know  
12 what the process is, but that's a conversation  
13 you need to have with the Licensing Specialist.

14 But this has been going on for two  
15 months and as I said before, it's -- if this is  
16 not done, the license is not renewed, there is a,  
17 I think, \$50 fine per day after the 30th if the  
18 license is not renewed.

19 And if there is a -- during that  
20 period, then the Board will issue a cease and  
21 desist, because if you -- if the business is  
22 still operating and you haven't renewed your

1 license and the license has not been renewed and  
2 the license has not been transferred to a new  
3 owner, then we are going to issue a Cease and  
4 Desist Order to say that the license is -- if you  
5 don't have a license, you can't operate.

6 So it's up to you to take care of  
7 these matters because either take care of these  
8 matters or you can have an arrangement with Mr.  
9 Brown to renew the license. But that's within  
10 your control.

11 If you bought -- if it is bought, I  
12 mean, all of this should have occurred a long  
13 time ago. And so if you bought it, so you should  
14 have provided information to us to make sure that  
15 there is a smooth transition in the license  
16 transition to you.

17 But it hasn't been transitioned to  
18 you. And the license has to be renewed and it  
19 has to be renewed by September 30th.

20 MR. HARRIS: Well, we will have this  
21 stuff in. We will make sure the stuff is in  
22 before the 30th, way before the 30th. We will have

1 it in.

2 CHAIRPERSON ANDERSON: That's between  
3 you -- that's within your control. You can --  
4 but there are a lot of issues there, but most --  
5 all the issues -- I know that the last time you  
6 came in, it was because I gave the history. It  
7 was the type of problem that were brought to our  
8 attention that there -- it appeared that there  
9 might be some infractions on the last license. I  
10 don't know.

11 In the sense, as I said, we had sent  
12 it over to -- so these are all matters that needs  
13 to be taken care of.

14 MS. MCKENZIE: Right. And then I know  
15 that it was two incidents that was referred to  
16 OIG.

17 CHAIRPERSON ANDERSON: I'm sorry, I  
18 can't hear you.

19 MS. MCKENZIE: I'm sorry. There were  
20 two incidents referred to the Office of the  
21 Inspector General.

22 CHAIRPERSON ANDERSON: The Attorney



1 General, right.

2 MS. MCKENZIE: So I think one they  
3 declined.

4 CHAIRPERSON ANDERSON: I don't know.  
5 I don't have that information in front of me, so  
6 I can't -- but I'm just saying these are all  
7 issues that they were -- these are infractions  
8 that operated under your watch. However, they  
9 operate under the new license.

10 MS. MCKENZIE: So the current  
11 licensee, John Brown, does not agree to help us  
12 out in this bridge. We have got just a few days  
13 to try to comply with the items on the list. So  
14 we have got one. It's only one really.

15 It's just when Department of Health  
16 clears us, then we run back up to DCRA and pay  
17 the business license and it is issued.

18 If that can happen by next Friday, I  
19 guess I'm asking again is this something I need  
20 to talk to somebody?

21 CHAIRPERSON ANDERSON: If you do your  
22 part, the Agency is not going to -- because if

1 you do -- for example, if you do your part for  
2 the license, if you have complied with the  
3 regulations in the sense that we have said to you  
4 that these are the outstanding issues to transfer  
5 the license, I don't believe that the Agency  
6 would cancel or -- a license on September 30th  
7 because it's not renewed if the Agency is aware  
8 that the transferee has provided the Agency all  
9 the information that is required for the license  
10 to be transferred.

11 If there is an issue, if you have not  
12 provided the Agency the information, as I said  
13 before, until the Agency has approved the  
14 transfer to you, then it is the other owner.

15 MS. MCKENZIE: Okay.

16 CHAIRPERSON ANDERSON: But that's --  
17 it's within your control. It is within your  
18 control and you have had a period of time to take  
19 care of these matters, so it's not the Agency not  
20 doing its part. It's you are not doing your part  
21 to move this matter along.

22 MS. MCKENZIE: All right. As

1 mentioned there are four items, we have addressed  
2 three of the four.

3           So just the one, it's just like we are  
4 trying to -- we were so concerned about this  
5 first opportunity to meet with you guys that we  
6 just -- we were like oh, God, we've got to  
7 address the concerns and that's where our -- most  
8 of my staff membership got involved. We were  
9 trying to focus on getting things right.

10           And it's hard. There have been street  
11 threats and all kinds of stuff. We have been  
12 through a bunch, you know. We are grown people.  
13 We will figure it out, but it has been very  
14 difficult, very, very difficult.

15           Not to name any specific names, but  
16 the business above us, you probably can figure  
17 that out by now, sometimes we have trouble with  
18 them sending unscrupulous people down through our  
19 spot. You can't come in here, go down there. So  
20 we are dealing with a lot of political scenarios.

21           And I know this is not to specifically  
22 be addressed by you guys, but it's not easy. And

1 naturally we are new to this process. Like I  
2 mentioned before, I'm a business owner and I got  
3 a business background, but never have I operated  
4 a club. It's not a joke.

5 CHAIRPERSON ANDERSON: And that is  
6 something that -- this is a venture that you have  
7 volunteered to enter.

8 MS. MCKENZIE: Um-hum.

9 CHAIRPERSON ANDERSON: And the Board,  
10 I think, so far has been very -- we support  
11 businesses. We support businesses, but we  
12 support businesses operating above the law. And  
13 there are issues. There are issues and although  
14 you don't have the license, but there are issues  
15 that occurred at the establishment under your  
16 watch, so therefore, it -- you are saying that we  
17 are new to this business and one of the things  
18 that one or -- when someone is new to the -- is  
19 new to an area, there are lots of issues  
20 generally.

21 Not necessarily, I'm not saying but  
22 this -- if you have never operated a club before,

1 then there are going to be issues. But the  
2 Agency remains open to advise you. There are  
3 several people you can -- there are several folks  
4 in this Agency you can talk to.

5 You are also -- you could also talk to  
6 Shawn Townsend who is the Director of Nightlife.  
7 You can also -- because if you are saying that  
8 you are new to the business who you can talk to.  
9 But so this Agency is open to provide you  
10 whatever assistance you require.

11 I assume you can also talk to Mr.  
12 Townsend from that office --

13 MS. MCKENZIE: We did briefly.

14 CHAIRPERSON ANDERSON: -- to see what  
15 information that they can provide you, because  
16 you are saying that I'm new to this business, but  
17 if you do not provide this Agency with the  
18 documents and -- there is really nothing the  
19 Agency can do.

20 And from this email I have said, we  
21 have provided -- you have had -- you have been on  
22 notice since July that these are some documents

1 that we need. And there it was in your control.  
2 These are not within the control of the previous  
3 owner.

4 So I understand when someone sells  
5 this, we have had several hearings where people  
6 sell businesses and they move on, because it's  
7 not my -- although they never went through this  
8 process of coming to the Agency, you sign a  
9 contract, you buy the business and people move  
10 on. And they are like okay, I'm not -- I sold it  
11 to Mary Sue and ABRA will say who? Who is Mary  
12 Sue, because we don't have Mary Sue's name.

13 So we are still -- you are still  
14 responsible, because you are still the owner of  
15 record, but until and unless you provide the  
16 Agency with the requisite documents, there is  
17 really nothing the Agency can do to assist you.

18 MS. MCKENZIE: Okay.

19 CHAIRPERSON ANDERSON: But as I'll say  
20 to you that the renewal time line, the renewal  
21 for the license is September 30th. And if the  
22 license is not renewed or transferred before

1 September 30th, on or before September 30th, the  
2 Board will be issuing -- consider issuing a cease  
3 and desist. Well, and that's automatic, that's  
4 automatic that we send letters out to all the  
5 establishments who have not renewed their  
6 license.

7 And that's automatic that we send out  
8 to all these establishments to say that you have  
9 not -- so your license has not been removed and  
10 so therefore, we are going to issue a cease and  
11 desist, so you can't operate. And that's  
12 automatic for all establishments.

13 MS. MCKENZIE: Are there any  
14 provisions in the regulations?

15 CHAIRPERSON ANDERSON: I'm sorry?

16 MS. MCKENZIE: Are there any  
17 provisions in the regulations that would give us  
18 like an extra 10 days? I know you guys have  
19 been --

20 CHAIRPERSON ANDERSON: The Board  
21 issues the letter. I don't know what time line.  
22 I don't know what time line is granted, but the

1 Board issues a letter to say that unless -- you  
2 have been issued a cease and desist, your license  
3 is not -- but again, if you are talking to the  
4 Licensing Specialist, as I said before, it's  
5 within your control.

6 It is -- you are not providing -- I  
7 said from -- I don't know this. I'm just  
8 reading a letter from July that says this is what  
9 the Agency required from you to complete the  
10 process. And you are not -- you have not  
11 provided us with the required documents.

12 And because you are not providing us  
13 with the required documents, then the license has  
14 to be renewed by September 30th and you cannot  
15 renew the license because you are not -- your  
16 name is not on the license.

17 And so we always look to the owner of  
18 record and that's who we will be contacting to  
19 say --

20 MR. HARRIS: We will make sure  
21 everything you are asking for will be here before  
22 -- way before the 30th. We will get it in.



1                   CHAIRPERSON ANDERSON: Well, that's up  
2 to you. I mean, remember you guys requested this  
3 Fact-Finding Hearing.

4                   MS. MCKENZIE: Yes.

5                   CHAIRPERSON ANDERSON: And so I'm here  
6 listening to you to see what it is you have  
7 brought to our attention. But at the same time,  
8 I'm just saying to you that from the Agency's  
9 perspective, this is what you -- these are the  
10 documents that you are -- that we require from  
11 you in order for you to get --

12                   MR. HARRIS: Okay.

13                   CHAIRPERSON ANDERSON: -- for us to  
14 issue the license. And it appears that although  
15 the Board is concerned about some of the  
16 incidents that have occurred under your watch,  
17 but it appears that the Board might be moving  
18 forward to say that you should be able to get a  
19 license, but you have to provide the documents to  
20 the Board.

21                   MR. HARRIS: Yes, sir. Okay. We will  
22 get on top of it.

1 MS. MCKENZIE: I'm going to say yes  
2 and let you guys go. I don't want to waste your  
3 time.

4 CHAIRPERSON ANDERSON: I can't hear.  
5 I didn't hear that.

6 MS. MCKENZIE: I'm going to say yes  
7 and thank you, Mr. Anderson.

8 MR. HARRIS: Thank you, sir.

9 MS. MCKENZIE: And we are going to go  
10 work on these items.

11 MR. HARRIS: Yes.

12 CHAIRPERSON ANDERSON: All right.

13 MS. MCKENZIE: We are going to close  
14 today to make sure that we get everything done,  
15 so thank you so much. Good to see everybody  
16 again.

17 MR. HARRIS: Okay.

18 MS. MCKENZIE: And I'll just -- can I  
19 just start contacting Ms. Edwards, the Licensing  
20 Specialist, again?

21 CHAIRPERSON ANDERSON: Yeah.

22 MS. MCKENZIE: Just stay in touch with

1 her, because there should be something more  
2 recent communication than July 10th.

3 CHAIRPERSON ANDERSON: I'm just saying  
4 that, all right, so you -- the Legal Office , the  
5 Licensing Office, they -- we are here to provide  
6 you whatever assistance you require, because we  
7 want you to succeed. So therefore, our Legal  
8 Division and our Licensing Division will work  
9 with you. Will hold your hand.

10 And so I have said, you can contact  
11 our Legal and Licensing and I have also said you  
12 can also contact the Director of Nightlife, if  
13 that's your position.

14 MS. MCKENZIE: Um-hum.

15 CHAIRPERSON ANDERSON: That to figure  
16 out what it is that needs to be done and the time  
17 line to do that. If you are --

18 MS. MCKENZIE: Great to know.

19 CHAIRPERSON ANDERSON: -- but unless  
20 you provide us -- unless you meet with these  
21 people, unless you come into ABRA and meet with  
22 them, you sit down with the Licensing Specialist

1 or you sit down with our Legal Department.

2 MS. MCKENZIE: Um-hum.

3 CHAIRPERSON ANDERSON: And to say  
4 okay, fine, these are the problems I'm having.  
5 Maybe they can say this is what you need to do.  
6 I don't know, but unless and until you do that,  
7 you are now running up on a September 30th time  
8 line when you might not be able to operate after.

9 MS. MCKENZIE: Okay. Thank you.

10 CHAIRPERSON ANDERSON: And that's by  
11 operation of law and that's not by the Board not  
12 liking you or that's --

13 MS. MCKENZIE: Yeah.

14 CHAIRPERSON ANDERSON: All right. A  
15 letter went out to the owner to say that the  
16 renewal of your license is due. It has to be  
17 renewed by September 30th.

18 MS. MCKENZIE: I got it. Well, thank  
19 you everybody. Thank you, Mr. Chairman.

20 CHAIRPERSON ANDERSON: Okay.

21 MS. MCKENZIE: We are going to --

22 CHAIRPERSON ANDERSON: Oh, one last

1 thing and I'm not sure, when was this TORP given  
2 to you?

3 MS. MCKENZIE: On July 10th, July 11th  
4 it was dated.

5 CHAIRPERSON ANDERSON: That was when  
6 we approved the TORP?

7 MS. MCKENZIE: It was dated -- I think  
8 the date is probably on the back, July 10th.

9 CHAIRPERSON ANDERSON: And does that  
10 state that you have 90 days to complete this  
11 process? I think we had put a time line to make  
12 sure that when TORPs are issued, that they don't  
13 -- that there should be some expiration date.

14 MS. MCKENZIE: Yeah, it just -- it  
15 didn't say an expiration date. It said you guys  
16 pretty much had the discretion to allow it to  
17 flow. However, you want it, even if you canceled  
18 it 10 days later, there was no --

19 CHAIRPERSON ANDERSON: All right.  
20 Well, but I believe that by the law there is an  
21 expiration date of the TORP. So you have two --  
22 you have some deadlines that are being faced.

1 The deadline is that --

2 MS. MCKENZIE: You mean the TORP?

3 CHAIRPERSON ANDERSON: -- you have a  
4 September 30th date when the license under the  
5 original owner has to be renewed and the deadline  
6 where the TORP is going to expire.

7 MS. MCKENZIE: Um-hum.

8 CHAIRPERSON ANDERSON: Where the  
9 license will -- would automatically if -- once a  
10 TORP expires, the license will -- would revert  
11 back to the old -- to the original owner, but if  
12 it expires, then --

13 MS. MCKENZIE: They just said the TORP  
14 is valid until the transfer application is either  
15 granted or denied or until the TORP is canceled  
16 or suspended by the Board.

17 CHAIRPERSON ANDERSON: Okay.

18 MS. MCKENZIE: It was sort of left  
19 open. I remember that piece, but --

20 CHAIRPERSON ANDERSON: Okay.

21 MS. MCKENZIE: Yeah.

22 CHAIRPERSON ANDERSON: Well, but I

1 believe that there is a specific time line. I  
2 remember the Board discussed that. Maybe -- and  
3 I'm not saying just for you. I'm just saying  
4 generally when TORPs are issued because we want  
5 to make sure that we don't offer these and they  
6 stay and folks do not expeditiously move towards  
7 providing the documents that we need to bring  
8 closure to the case.

9 MS. MCKENZIE: Yes, okay.

10 CHAIRPERSON ANDERSON: All right.

11 Well, thank you for being here. I'm sorry, does  
12 anyone have any other questions they want to ask?  
13 Okay.

14 MEMBER SHORT: I just had one comment.

15 CHAIRPERSON ANDERSON: Yes, Mr. Short.

16 MEMBER SHORT: I wouldn't leave here  
17 today, because the offices are still open, and I  
18 would talk with somebody and I would start today  
19 and I would try to do -- I wouldn't put myself  
20 off until next Friday. This is to important.

21 If it was my business, I would be  
22 doing this every day until I got my license.

1 That's what I would do.

2 MS. MCKENZIE: Thank you, Mr. Short,  
3 that's good advice.

4 MR. HARRIS: Thank you.

5 MS. MCKENZIE: We are going to go and  
6 see if we can see the Licensing Specialist.

7 MEMBER SHORT: Yes.

8 CHAIRPERSON ANDERSON: All right.

9 MS. MCKENZIE: Hopefully she is  
10 available.

11 CHAIRPERSON ANDERSON: Well, thank you  
12 for being here today.

13 MS. MCKENZIE: Thank you so much,  
14 guys. Thank you so much.

15 CHAIRPERSON ANDERSON: Have a great  
16 day.

17 MEMBER SHORT: You need to sign these  
18 papers.

19 CHAIRPERSON ANDERSON: I'm sorry,  
20 yeah, there is a sign-in sheet, please, sign in.  
21 You can sign in, please.

22 MS. MCKENZIE: Okay, yes.



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(Whereupon, the Fact-Finding Hearing  
was concluded at 2:06 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Hearing

Before: Alcoholic Beverage Control Board

Date: 09-18-19

Place: Washington, DC

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

*Neal R Gross*

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Court Reporter

**NEAL R. GROSS**

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