

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

In the Matter of:

19th and K, Inc.
t/a Ozio Martini & Cigar Lounge

Holder of a
Retailer's Class CN License

at premises
1813 M Street, N.W.
Washington, D.C. 20036

Case No.: N/A
License No.: ABRA-089394
Order No.: 2021-262

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: 19th and K, Inc., t/a Ozio Martini & Cigar Lounge, Petitioner

Sidon Yohannes, Counsel on behalf of the Applicant

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER AMENDING BOARD ORDER NO. 2014-315

In Board Order No. 2014-315, issued on August 15, 2014, the Alcoholic Beverage Control Board conditioned the renewal of the Retailer's Class CN License held by 19th and K, Inc., t/a Ozio Martini & Cigar Lounge, (hereinafter "Petitioner" or "Ozio"), on complying with various operational limits. *In re 19th and K, Inc., t/a Ozio Martini & Cigar Lounge*, Case No. 13-PRO-00151, Board Order No. 2014-215, 1-2 (Aug. 15, 2014). In particular, the first condition imposed by the Board prohibits "live bands" on the establishment's "roof." *Id.* at 10.

Ozio now requests that the first condition be struck so that the establishment may offer additional entertainment on its rooftop. *Motion*, at 1. Ozio indicates that since the issuance of Board No. 2014-315, the establishment is under new ownership. *Id.* Ozio further indicates that

this request would constitute a substantial change. *Id.* The Board consents to the request as the addition of entertainment on the roof will permit public notice and comment as part of the substantial change process.

ORDER

Therefore, on this 12th day of May 2021, the Board **AMENDS** Board Order No. 2014-314 by striking the first condition on page 10 of the Order. All other terms and conditions contained in the order shall remain in full force and effect. The Board advises Ozio that offering live bands on the rooftop shall be deemed a substantial change and require Board approval before such entertainment may be offered in that portion of the establishment. The ABRA shall deliver a copy of this Order to the Petitioner.

District of Columbia
Alcoholic Beverage Control Board

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Donovan Anderson, Chairperson

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James Short
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James Short, Member

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Bobby Cato
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Bobby Cato, Member

Rema Wahabzadah, Member

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Rafi Aliya Crockett, Member
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Rafi Crockett, Member

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Jeni Hansen, Member
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Jeni Hansen, Member

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Edward S. 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 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).