

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
MEETING

IN THE MATTER OF:	:
	:
Hope Lounge, LLC,	:
t/a Peace Lounge	:
2632 Georgia Ave NW	: Fact Finding
Retailer CT - ANC 1B	: Hearing
License No. 106785	:
Case #19-CMP-00008	:
	:
(Allowed a Promoter to	:
Manage the Establishment,	:
Allowed Adult Entertainment,	:
Allowed Establishment to	:
be Used for Unlawful or	:
Disorderly Purposes,	:
Failed to Follow Terms	:
for its License)	:

Wednesday,
March 27, 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
MIKE SILVERSTEIN, Member
JAMES SHORT, Member
REMA WAHABZADAH, Member

ALSO PRESENT:

BETTY ETANA

HENOK GABISA

SIDON YOHANNES, Licensee's Attorney

SUPERVISING INVESTIGATOR JASON PERU, ABRA

INVESTIGATOR KEVIN PUENTE, ABRA

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

2 10:13 a.m.

3 CHAIRPERSON ANDERSON: All right. We
4 are back on the record. The next case is Case
5 No. 19-CMP-00008, Peace Lounge. This is a Fact-
6 Finding Hearing.

7 Would the parties, please, approach
8 and identify themselves for the record, please?

9 MS. YOHANNES: Sidon Yohannes on
10 behalf of the licensee.

11 CHAIRPERSON ANDERSON: Good morning,
12 Ms. Yohannes.

13 MS. ETANA: Betty Etana.

14 CHAIRPERSON ANDERSON: Your last name?
15 I didn't hear your last name.

16 MS. ETANA: Etana, E-T-A-N-A.

17 CHAIRPERSON ANDERSON: Good morning,
18 Ms. Etana. There is a sign-in sheet. Please,
19 sign in, please. Yes, sir?

20 MR. GABISA: Henok Gabisa.

21 CHAIRPERSON ANDERSON: I did not hear
22 your name, sir.

1 MR. GABISA: Henok Gabisa.

2 CHAIRPERSON ANDERSON: Mr. Gabisa?

3 MR. GABISA: Gabisa, G-A-B-I-S-A.

4 CHAIRPERSON ANDERSON: Good morning,
5 sir. There is a sign-in sheet. Please, sign in
6 on the sign-in sheet.

7 INVESTIGATOR PERU: Supervisory
8 Investigator Jason Peru with ABRA.

9 CHAIRPERSON ANDERSON: Mr. Peru.

10 INVESTIGATOR PUENTE: Investigator
11 Kevin Puente with ABRA.

12 CHAIRPERSON ANDERSON: Mr. Puente,
13 good morning.

14 This is a Fact-Finding Hearing. It is
15 basically for the Board. There was an infraction
16 and the Board was very concerned regarding the
17 nature of the infraction. And so therefore, we
18 are having this Fact-Finding Hearing.

19 I just wanted to let you know, Ms.
20 Yohannes, that the Board thought that this matter
21 was serious enough, so we have already sent this
22 matter over to the OGC for Show Cause. So I

1 wanted to let you know that that was already
2 done. So yes, we are having a Fact-Finding
3 Hearing and so you will know that was done
4 already.

5 MS. YOHANNES: No, I was not aware.

6 CHAIRPERSON ANDERSON: Well, I'm --
7 Ms. Yohannes, I said I want you to know.

8 MS. YOHANNES: Okay.

9 CHAIRPERSON ANDERSON: That's prior to
10 you opening your mouth and saying anything, I'm
11 putting you on notice what we have done.

12 MS. YOHANNES: Okay.

13 CHAIRPERSON ANDERSON: So therefore,
14 as an attorney you will know how is it that you
15 plan or plan not to respond to what is in -- what
16 occurs here today. If you want to take a couple
17 of minutes to talk to your client, take a couple
18 of minutes. You can take your clients outside
19 and talk to them, if you so desire.

20 MS. YOHANNES: I do. Can I have a few
21 minutes?

22 CHAIRPERSON ANDERSON: Sure. I try to

1 play fair here. I don't want no surprises. So
2 we are off the record.

3 (Whereupon, the above-entitled matter
4 went off the record at 10:15 a.m. and resumed at
5 10:17 a.m.)

6 CHAIRPERSON ANDERSON: All right. We
7 are back on the record. All right. So we can
8 start off and is there anything you want to say?

9 MS. YOHANNES: Yes. Preliminarily, I
10 just want to know if -- have all these
11 allegations already been sent to the OAG,
12 everything that is in here? And if so, what is
13 the result going to be of this Fact-Finding in
14 terms of like what will be sent to the OAG and
15 what will not? What's the purpose, with all due
16 respect?

17 CHAIRPERSON ANDERSON: Well, I think
18 part of the issue, we are very concerned that the
19 nature of the, well, activity and it would appear
20 that the owner might or might not have turned the
21 operation of the establishment over to a third-
22 party. And so that's what -- have you seen the

1 report?

2 MS. YOHANNES: I have seen the report,
3 but --

4 CHAIRPERSON ANDERSON: And there is --
5 I'm sorry. But I'm just saying there are
6 allegations in the report that the owner had
7 turned the operation over, of the establishment,
8 to a third-party promoter. We want to make sure
9 that the owner is aware that you cannot turn your
10 business over to a promoter. That you are the
11 owner. You are always responsible about what
12 happens.

13 The other issue is that is this still
14 occurring? I don't know whether or not it is
15 still occurring. And so if it's occurring, then
16 does the Board have to issue a Cease and Desist
17 Order to let the owner know that based on the
18 nature of your license, you cannot have this type
19 of establishment. This can't operate that way.

20 So that's it. It's to bring the owner
21 here to say that these are -- this is -- and I'm
22 -- you know, we might send something over to the

1 Office of the Attorney General and they might
2 decide that they are not going to prosecute it.

3 So we have no options, but we want to
4 -- so if the office decides not to prosecute the
5 matter, then it goes away and no one knows about
6 it. But we want the owner to know that we are
7 very concerned. We want to -- and if they are
8 not aware, that they are aware that they cannot
9 turn their business over to a third-party. And
10 that based on the license that you have, this
11 cannot occur, based on the type of license you
12 have. That's the purpose of this, that's why we
13 thought that it was important to have this Fact-
14 Finding Hearing.

15 I mean, I understand that I -- if they
16 decide not to be specific because you don't
17 necessarily want -- you are going to have another
18 hearing if the Government decides to prosecute
19 it. So anything else you want to -- any other
20 representation you want to make or need to make?

21 MS. YOHANNES: No, just that they have
22 retained counsel, at this time, and we have

1 advised them accordingly. They are aware, but we
2 can move forward with this Fact-Finding. That
3 said, I have advised them to, in terms of their
4 responses, this has been sent to the OAG,
5 accordingly, they are not going to be specific in
6 their responses.

7 CHAIRPERSON ANDERSON: All right. I
8 appreciate that. And as I said before, as long
9 as I'm Chair of this Board, this is not the
10 purpose to got you. So if we have sent something
11 over, I let you know. If it hasn't been sent, if
12 we are just trying to gather information, I will
13 let you know. But I'm not going to have you open
14 up without being -- it's, as I said before, not
15 my goal that we are going to have got you, that's
16 not the way to operate. This is to let folks
17 know where they stand and what is going on as far
18 as this Board is concerned.

19 Okay. So I know when you said that
20 you didn't know, that's why as soon as -- at the
21 beginning of the hearing, I informed you if you
22 weren't aware. All right.

1 All right. Investigator, now, can you
2 tell us -- and I guess I will try to figure out,
3 I think for the moment, we will just go through
4 your report. And if you have any video, we don't
5 necessarily need to do that at this juncture, but
6 we will go through. So maybe you can just bring
7 us up to speed about what has occurred and why we
8 are here today.

9 INVESTIGATOR PUENTE: Okay. So on
10 Friday, January 4, 2019, I was conducting a
11 social media check online and I observed several
12 postings referencing Peace Lounge. And in the
13 post, it appeared to be adult entertainers
14 telling fans to come to Peace Lounge, bring bags
15 of money with them. So that peaked our interest.

16 So myself, Supervisory Investigator
17 Peru and ABRA Investigator Vanessa Pleitez went
18 to the establishment. We got there at about
19 12:15. We went upstairs and immediately as we
20 entered the second floor, we observed a female
21 dancer wearing nothing but lingerie dancing on
22 patrons, patrons sticking -- putting dollar bills

1 in her underwear.

2 We observed a pole setup in the back
3 with a female dancing on the pole. We made
4 contact with the establishment's owner, Ms.
5 Etana. We advised her that while we were at the
6 establishment, we advised her that that activity,
7 you guys cannot be doing. You are not licensed
8 as this kind of adult entertainment.

9 A lot of the girls were in see-through
10 stuff, so we were able to see partial nudity with
11 what the girls were wearing. We went outside and
12 spoke with Ms. Etana some more. She advised us
13 she was told by the promoter they were just going
14 to be bottle service girls.

15 Supervisor Investigator Peru advised
16 her that wasn't the case. It looked like the
17 girls were doing a lot more than bottle service.
18 She stated that she had not known this was
19 happening. We advised her she is the owner of
20 the establishment. She could have ended it at
21 any time. She could have told the promoter you
22 can't do that and as such, she could have stopped

1 the activity right away.

2 I asked her, Ms. Etana, for
3 surveillance video from the previous night as
4 well as that night. On the previous night,
5 Thursday night and Friday, there was no pole
6 setup. The surveillance video Friday night, the
7 pole was setup with dancers dancing all night
8 until 3:00 a.m. with patrons giving money to the
9 dancers.

10 At such point, I conducted a social
11 media check later in the night by some of these
12 female dancers and it showed, at one point, in
13 one of my exhibits money just all over the floor
14 at Peace Lounge. And one of the girls said she
15 walked away with 10 grand that night.

16 So Ms. Etana told us that the promoter
17 never told her this was supposed to happen and we
18 told her she is the owner of the establishment,
19 she has to take control and tell the promoter no,
20 this ain't going to happen or shut it down. You
21 are the owner, not the promoter.

22 CHAIRPERSON ANDERSON: Everything you

1 said, you know, I was able to maintain a straight
2 face until you said that the person said they
3 walked away with \$10,000 that night. Then I said
4 my God, I mean, are we missing something here?
5 But going back to the seriousness of the --
6 that's it?

7 INVESTIGATOR PUENTE: Yes.

8 CHAIRPERSON ANDERSON: Do you wish to
9 make any type of response, Ms. Yohannes, on
10 behalf of your client?

11 MS. YOHANNES: Sure. I will just say
12 that we are working with the licensee to review
13 promoter agreements, to revise promoter
14 agreements. They understand the seriousness of
15 these allegations. The licensee also is happy to
16 submit a security plan, if necessary.

17 Other than that, at this point, at
18 this juncture, then I will say that the owner of
19 the establishment was present. They maintain
20 they had control of the premises. They
21 maintained control of the premises. They
22 understand that a third-party promoter cannot

1 have control of the premises.

2 And at this point being that these
3 allegations/charges have moved forward to the
4 OAG, I'm going to refrain from saying anything
5 else.

6 CHAIRPERSON ANDERSON: All right.
7 Until any type of decision is made, is it clear
8 to your client that based on their license, that
9 they cannot have this type of entertainment in
10 the venue? Is that clear to them?

11 MS. YOHANNES: Yes, that's clear.

12 CHAIRPERSON ANDERSON: And so does the
13 Board need to issue a Cease and Desist Order or
14 is it clear to them that they can no longer have
15 this particular -- I mean, do they have an
16 entertainment endorsement?

17 MS. YOHANNES: They --

18 CHAIRPERSON ANDERSON: Does this
19 establishment have an entertainment endorsement?

20 MS. YOHANNES: I believe they do.

21 CHAIRPERSON ANDERSON: Well, I'm just
22 saying if they do --

1 MS. YOHANNES: Yeah, they do.

2 CHAIRPERSON ANDERSON: -- do they
3 understand what an entertainment endorsement
4 entails? And whether or not this type of
5 entertainment does not fall under that
6 endorsement of the license? That's all I'm
7 saying. Do they understand, okay, I have an
8 entertainment endorsement, what does that mean to
9 have an entertainment endorsement?

10 MS. YOHANNES: Yes, they do understand
11 that and they do understand that any adult
12 activities and nudity cannot -- it does not fall
13 within entertainment.

14 CHAIRPERSON ANDERSON: All right.
15 Anything else further that you -- the
16 Investigators want to add?

17 INVESTIGATOR PUENTE: Not me.

18 CHAIRPERSON ANDERSON: No?

19 INVESTIGATOR PERU: No, sir, not at
20 this time.

21 CHAIRPERSON ANDERSON: Any questions
22 by -- and I just want to let you know that, Mr.

1 Short, you can ask whatever questions you want.
2 If they refuse to answer the question --

3 MEMBER SHORT: This is to the
4 attorney.

5 CHAIRPERSON ANDERSON: Yes. I'm just
6 -- but I'm just saying be mindful that they are
7 trying to -- they don't want to say something and
8 then if it goes -- if it's prosecuted, then it's
9 like okay, didn't you state at the Fact-Finding
10 Hearing.

11 MEMBER SHORT: Okay.

12 CHAIRPERSON ANDERSON: So okay, all
13 right. Go ahead, sir, Mr. Short.

14 MEMBER SHORT: Okay. This is to Ms.
15 Yohannes. Are your clients aware that if sums of
16 tens of thousands of dollars are being
17 transferred and the Office of Tax and Revenue in
18 this city is -- if that's true, I'm just going to
19 the testimony that has been given, do they
20 understand that they have to pay taxes on any
21 monies transferred in their business?

22 MS. YOHANNES: They understand that

1 they have obligations with OTR.

2 MEMBER SHORT: Okay. Thank you.

3 CHAIRPERSON ANDERSON: Any other
4 questions by any other Board Members? You don't
5 have anything else to say, right? No? Any final
6 representation?

7 Well, I guess one of the things that
8 I'll ask is that before you had stated, Ms.
9 Yohannes, is that so is it that your clients, are
10 they -- do they want to voluntarily provide us
11 with a security plan? Is that something that
12 they want to do or -- you had thrown that out, so
13 you don't have to, but I'm trying to --

14 MS. YOHANNES: Okay.

15 CHAIRPERSON ANDERSON: -- find out.

16 MS. YOHANNES: They are -- they were
17 willing to submit a security plan. Now that we
18 are moving forward with the OAG, I think I would
19 advise that they -- we will wait. We will wait
20 and determine what happens next.

21 CHAIRPERSON ANDERSON: Okay. All
22 right. Any final representation?

1 MS. YOHANNES: No, that's it.

2 CHAIRPERSON ANDERSON: No. All right.

3 Thank you for being here today. But as I said
4 before, I just want the licensee to know that --
5 let me before -- whose social media account did
6 you find this information?

7 INVESTIGATOR PUENTE: From several of
8 the female dancers that advertised that night
9 they were going to be at Peace Lounge. So the
10 girls who were actually there performing.

11 CHAIRPERSON ANDERSON: All right.

12 INVESTIGATOR PUENTE: They are well-
13 known adult entertainers in the District of
14 Columbia. So of course when we saw them
15 mentioning Peace Lounge, that's why we went. We
16 were like why are they going to Peace Lounge?

17 CHAIRPERSON ANDERSON: Okay.

18 INVESTIGATOR PUENTE: And telling
19 people to bring money with them.

20 CHAIRPERSON ANDERSON: So it wasn't
21 the establishment itself advertising? These were
22 the individuals advertising that this is the

1 location that they are going to be at?

2 INVESTIGATOR PUENTE: Yes.

3 CHAIRPERSON ANDERSON: Okay. Well,
4 since it's not your account, maybe routinely your
5 client needs to look to see what is being stated
6 about their establishment on social media. And
7 if you are able to -- if this is not something
8 that they are promoting, then maybe they need to
9 look at how to prevent that from occurring.

10 MS. YOHANNES: Absolutely.

11 CHAIRPERSON ANDERSON: All right.

12 Thank you for being here today.

13 MS. YOHANNES: Thank you.

14 CHAIRPERSON ANDERSON: All right.

15 Have a good day. All right.

16 (Whereupon, the Fact-Finding Hearing
17 was concluded at 10:30 a.m.)
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19
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21
22

<p>A</p> <p>a.m 3:2 6:4,5 12:8 19:17 able 11:10 13:1 19:7 above-entitled 6:3 ABRA 2:13,14 4:8,11 10:17 Absolutely 19:10 account 18:5 19:4 activities 15:12 activity 6:19 11:6 12:1 add 15:16 adult 1:10 10:13 11:8 15:11 18:13 advertised 18:8 advertising 18:21,22 advise 17:19 advised 9:1,3 11:5,6,12 11:15,19 agreements 13:13,14 ahead 16:13 ain't 12:20 Alcoholic 1:2,15,16 allegations 6:11 7:6 13:15 allegations/charges 14:3 Allowed 1:9,10,10 ANC 1:7 Anderson 1:17,19 3:3 3:11,14,17,21 4:2,4,9 4:12 5:6,9,13,22 6:6 6:17 7:4 9:7 12:22 13:8 14:6,12,18,21 15:2,14,18,21 16:5,12 17:3,15,21 18:2,11,17 18:20 19:3,11,14 answer 16:2 appear 6:19 appeared 10:13 appreciate 9:8 approach 3:7 asked 12:2 attorney 2:12 5:14 8:1 16:4 Ave 1:6 aware 5:5 7:9 8:8,8 9:1 9:22 16:15</p>	<p>Beverage 1:2,15,16 bills 10:22 Board 1:2,15 4:15,16 4:20 7:16 9:9,18 14:13 17:4 BOBBY 1:19 bottle 11:14,17 bring 7:20 10:6,14 18:19 Building 1:16 business 7:10 8:9 16:21</p> <p>C</p> <p>case 1:8 3:4,4 11:16 CATO 1:19 Cause 4:22 Cease 7:16 14:13 Chair 9:9 Chairperson 1:17,19 3:3,11,14,17,21 4:2,4 4:9,12 5:6,9,13,22 6:6 6:17 7:4 9:7 12:22 13:8 14:6,12,18,21 15:2,14,18,21 16:5,12 17:3,15,21 18:2,11,17 18:20 19:3,11,14 check 10:11 12:11 city 16:18 clear 14:7,10,11,14 client 5:17 13:10 14:8 19:5 clients 5:18 16:15 17:9 Columbia 1:1 18:14 come 10:14 concerned 4:16 6:18 8:7 9:18 concluded 19:17 conducted 12:10 conducting 10:10 contact 11:4 control 1:2,15,16 12:19 13:20,21 14:1 counsel 8:22 couple 5:16,17 course 18:14 CT 1:7</p>	<p>desire 5:19 Desist 7:16 14:13 determine 17:20 Disorderly 1:11 District 1:1 18:13 doing 11:7,17 dollar 10:22 dollars 16:16 Donovan 1:17,19 due 6:15</p> <p>E</p> <p>E-T-A-N-A 3:16 ended 11:20 endorsement 14:16,19 15:3,6,8,9 entails 15:4 entered 10:20 entertainers 10:13 18:13 entertainment 1:10 11:8 14:9,16,19 15:3 15:5,8,9,13 establishment 1:9,10 6:21 7:7,19 10:18 11:6,20 12:18 13:19 14:19 18:21 19:6 establishment's 11:4 Etana 2:10 3:13,13,16 3:16,18 11:5,12 12:2 12:16 exhibits 12:13</p> <p>F</p> <p>face 13:2 Fact 1:6 Fact- 3:5 8:13 Fact-Finding 4:14,18 5:2 6:13 9:2 16:9 19:16 Failed 1:12 fair 6:1 fall 15:5,12 fans 10:14 far 9:17 female 10:20 11:3 12:12 18:8 figure 10:2 final 17:5,22 find 17:15 18:6 Finding 1:6 3:6 8:14 floor 10:20 12:13 folks 9:16 Follow 1:12 forward 9:2 14:3 17:18 Friday 10:10 12:5,6 further 15:15</p>	<p>G</p> <p>G-A-B-I-S-A 4:3 Gabisa 2:11 3:20,20 4:1 4:1,2,3,3 gather 9:12 General 8:1 Georgia 1:6 girls 11:9,11,14,17 12:14 18:10 given 16:19 giving 12:8 goal 9:15 God 13:4 Government 8:18 grand 12:15 guess 10:2 17:7</p> <p>H</p> <p>happen 12:17,20 happening 11:19 happens 7:12 17:20 happy 13:15 hear 3:15,21 hearing 1:7,16 3:6 4:14 4:18 5:3 8:14,18 9:21 16:10 19:16 Henok 2:11 3:20 4:1 Hope 1:5</p> <p>I</p> <p>identify 3:8 immediately 10:19 important 8:13 individuals 18:22 information 9:12 18:6 informed 9:21 infraction 4:15,17 interest 10:15 Investigator 2:13,14 4:7,8,10,10 10:1,9,16 10:17 11:15 13:7 15:17,19 18:7,12,18 19:2 Investigators 15:16 issue 6:18 7:13,16 14:13</p> <p>J</p> <p>JAMES 1:20 January 10:10 Jason 2:13 4:8 JR 1:19 juncture 10:5 13:18</p> <p>K</p> <p>Kevin 2:14 4:11 known 11:18 18:13</p>
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In the matter of: Peace Lounge

Before: DC ABRA

Date: 03-27-19

Place: Washington, DC

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