

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

In the Matter of:)
)
Hope Lounge, LLC)
t/a Peace Lounge)
)
Holder of a)
Retailer's Class CT License)
)
at premises)
2632 Georgia Avenue, NW)
Washington, D.C. 20001)
_____)

Case No.: 19-CMP-00008
License No.: ABRA-106785
Order No.: 2019-636

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

ALSO PRESENT: Hope Lounge, LLC, t/a Peace Lounge, Respondent

Sidon Yohannes, Counsel, on behalf of the Respondent

Fernando Rivero, Acting Chief, Office of the Attorney General,
on behalf of 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 Hope Lounge, LLC, t/a Peace Lounge (Respondent) located at 2632 Georgia Avenue, NW, Washington, D.C. 20001.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case No. 19-CMP-00008 on the Respondent on June 27, 2019. *ABRA Show Cause File No. 19-CMP-00008*. The Notice charges the Respondent with three (3) violations, 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-00008 charged the Respondent with the following violations:

Charge I: [On Saturday, January 5, 2019], you allowed your employees or agents to engage in sexual acts or sexual contact, as defined under D.C. Official Code § 22-3001, at the licensed establishment...

Charge II: [On Saturday, January 5, 2019], you failed to obtain approval of the Board before making a substantial change, in violation of D.C. Official Code § 25-762...

Charge III: [On Saturday, January 5, 2019], you failed to maintain control of the licensed establishment, in violation of D.C. Official Code § 25-797(a)...

ABRA Show Cause File No. 19-CMP-00008, Notice of Status Hearing and Show Cause Hearing, 2-3 (June 26, 2019).

At the Show Cause Hearing held on September 11, 2019, the Respondent and the Government entered into an Offer-in-Compromise (OIC), which resolved the charges set forth above.

The terms of the OIC are as follows:

1. For Charge I – Dismissed.
2. For Charge II – The Respondent shall pay a \$4,500 fine for the violation alleged in Charge II.
3. For Charge III –The Respondent shall pay a \$4,500 fine for the violation alleged in Charge III.

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 11th day of September, 2019, hereby **APPROVES** the OIC proffered by the Government and the Respondent.

IT IS ORDERED that the Respondent will:

- (1) Remit the fine in the total sum of \$9,000 in Case No. 19-CMP-00008 payable on or before January 13, 2020. Failure to remit the amount in full within the time specified will result in the suspension of the license until the amount is paid.

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

District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson



Bobby Cato, Member

Rema Wahabzadah, Member



Rafi Crockett, Member

I dissent from the Board's decision for two reasons. This is the Respondent's third primary tier violation within three years, and as such warrants suspension days, even if those days are stayed for one year. Secondly, I believe ninety (90) days is more than enough time to pay the fine.



James Short, 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).