

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

In the Matter of:

WSZR Proper, LLC
t/a Proper 21

Holder of a
Retailer's Class CR License

at premises
2033 K Street, NW
Washington, D.C. 20006

Case Nos.: 21-CIT-00253

21-CIT-00702

License No.: ABRA-113983

Order No.: 2022-707

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rafi Aliya Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

ALSO PRESENT: WSZR Proper, LLC, t/a Proper 21, Respondent

Anthony P. Celo 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

The above-mentioned parties have petitioned the Alcoholic Beverage Control Board (Board) to approve an offer-in-compromise (OIC) to settle one or more violations of Title 25 of the D.C. Official Code (Title 25) and Title 23 of the D.C. Municipal Regulations (Title 23) in accordance with D.C. Official Code § 2-509(a).

ORDER

Therefore, on this 19th day of October 2022, the Board **APPROVES** the OIC appended to this Order. The terms of the OIC are as follows:

1. The Respondent admits to a violation of the statutes or regulations listed in the OIC attached to this Order.
2. The Respondent shall follow and abide by the terms and conditions of the attached OIC in accordance with D.C. Official Code §§ 2-509(a), 25-447(f), and 25-823(a)(6).
3. The Respondent waives all rights to notice or appearance before the Board.
4. The Respondent waives the right to a hearing, call witnesses, present evidence, and otherwise contest the charges as provided in Title 25 and Title 23.
5. The Respondent waives the right to judicial review or appeal of this Order. The Respondent further agrees not to collaterally attack the disposition imposed by this Order.
6. The parties agree that the attached OIC constitutes the entire agreement of the parties.

The Show Cause Hearing in this matter is cancelled. ABRA shall deliver copies of this Order to the Government and the Respondent.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: 404320889925f1e4b7303001d008

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 347ae778f206f6a841b3c0e2040c

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 256a3f4a7b1404774b72b47917420d

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b560e61845e1f0e4010155a5c12810c

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 82172031f089447491a568c2a416f5

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5227bda7f085040ec14adeb52541ce5

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 II 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).

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**



IN THE MATTER OF: WSZR Proper, LLC, t/a Proper 21 Respondent.	Case No.s 21-CIT-00253 21-CIT-00702 License No. 113983 Retailer Class CR
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OFFER IN COMPROMISE FOR BOARD APPROVAL

The District of Columbia, jointly with the licensee (respondent), submits this Offer in Compromise (OIC) to the Alcoholic Beverage Control Board (Board), as authorized by 23 DCMR § 1604.5, for approval by the Board.

The Parties understand that if the Board approves the OIC, this case will conclude. Respondent will be obligated to abide by the terms of the OIC shown below. If the Board does not approve the OIC, litigation of this Show Cause Hearing will continue.

Respondent has been advised that there is no obligation to accept an OIC. Respondent has been advised, through service of the Notice of Show Cause Hearing that at any Show Cause Hearing or other proceedings, respondent may: be represented by legal counsel, have subpoenas issued to require the production of witnesses and evidence, produce witnesses and evidence, cross-examine witnesses, and apply to the Board for a qualified interpreter.

The OIC terms are as follows.

Charge I: Failed to Comply with Mayor's Order.

Statutory Authority: 23 DCMR § 810.2.

Fine: \$1,000 payable within 120 days or its license shall be suspended indefinitely until the fine is paid.

Charge II: No ABC manager on duty.

Statutory Authority: D.C. Code § 25-701.

Fine: \$250 payable within 120 days or its license shall be suspended indefinitely until the fine is paid.

Dated: October 4, 2022.

Respectfully submitted,

KARL A. RACINE
Attorney General for the District of Columbia

CHAD COPELAND
Deputy Attorney General
Civil Litigation Division

/s/ Kimberly M. Johnson
KIMBERLY M. JOHNSON [435163]
Chief, Civil Enforcement Section

/s/ Charles J. Coughlin
CHARLES J. COUGHLIN [1016993]
Assistant Chief, Civil Enforcement Section

/s/ Anthony P. Celso
ANTHONY P. CELO [D.C. Bar No. Pending]
Assistant Attorney General
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(202) 741-8936 (fax)
Anthony.Celo@dc.gov

ATTORNEYS FOR THE DISTRICT OF COLUMBIA

CONSENT OF RESPONDENT

By this Offer in Compromise, I agree to accept and perform its terms. I acknowledge the validity of the OIC and waive further litigation including the motion of reconsideration to which I would have a right under 23 DCMR § 1719.1. I also recognize that I am waiving any right to appeal an adverse ruling of the Board that might have followed any such hearing. By this settlement, I waive all such rights. I sign this OIC without reservation, and I fully understand its meaning and my rights.


/s/ William Strozer (Oct 5, 2022 20:09 EDT)
William Strozer, Managing Member,
WSZR Proper, LLC, Respondent

Oct 5, 2022
DATE

CERTIFICATE OF SERVICE

I certify that on October 4, 2022, the foregoing Offer in Compromise for Board Approval was served by electronic mail to:

William Strozer, Managing Member, WSZR Proper, LLC
Respondent
will@nieuwgroup.com

/s/ Anthony P. Celso
Anthony P. Celso
Assistant Attorney General