

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

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In the Matter of:	)	
	)	
	)	
Provost, LLC	)	Case No.: N/A
t/a Provost	)	License No.: ABRA-108015
	)	Order No.: 2022-617
Application to Amend or Terminate a	)	
Settlement Agreement	)	
	)	
2129 Rhode Island Avenue, N.E.	)	
Washington, D.C. 20018	)	

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

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**ORDER GRANTING UNCONTESTED PETITION FOR TERMINATION OF  
SETTLEMENT AGREEMENT**

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Provost, LLC, t/a Provost**Error! Reference source not found.**, (Petitioner) filed a Petition to Terminate a Settlement Agreement (Petition), approved by the Alcoholic Beverage Control Board (Board) on March 14, 2018. *In re Provost, LLC, t/a Provost*, Case No. 17-PRO-00091, Board Order No. 2018-111 (D.C.A.B.C.B Mar. 14, 2018). The Petition is authorized by D.C. Official Code § 25-446. The Alcoholic Beverage Regulation Administration (ABRA) posted notice of the petition on the Petitioner’s premises, provided notice of the Petition in the District of Columbia Register, and provided notice in accordance with D.C. Official Code § 25-446(d)(3). At the end of the protest period, the Board only received an objection from ANC 5C07. Because only the ANC in its entirety, and not a single member district, is authorized to file a protest, the Petition is deemed uncontested as a matter of law.

The Board is only required to produce findings of fact and conclusions of law on contested issues of fact. *See Craig v. District of Columbia Alcoholic Beverage Control Bd.*, 721 A.2d 584, 590 (D.C. 1998) (“The Board's regulations require findings only on contested issues of fact.”); 23 DCMR § 1718.2. Accordingly, based on the Board’s review of the Petition, the Petitioner has satisfied all remaining requirements imposed by Title 25 and Title 23 to merit the termination of its settlement agreement by the Board.

## **ORDER**

Therefore, it is hereby ordered on this 31st day of August 2022, that the Petition requesting termination of the settlement agreement approved in Board Order No. 2018-111 is hereby **GRANTED**. The settlement agreement shall no longer be deemed attached to the Petitioner's license and the Petitioner shall no longer be required to comply with the conditions specified in the agreement. 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*  
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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

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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 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, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 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 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).