

IN THE MATTER OF: :
:
:
Ambi, Inc., :
:
t/a Quality Convenience :
:
Store :
:
2922 Martin Luther King :
:
Jr. Avenue SE : Show Cause
Retailer B - ANC 8C : Hearing
License No. 83074 :
Case #18-CIT-00457 :
:
:
(No ABC Manager on Duty) :

Wednesday
June 5, 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
JAMES SHORT, Member
MIKE SILVERSTEIN, Member

ALSO PRESENT:

AZERIA DANIEL TUCABO, APPLICANT
WALTER ADAMS, DC OAG

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

1:35 p.m.

CHAIRMAN ANDERSON: We're back on the record. Our next case is Case No. 18-CIT-00457, Quality Convenience Store, License No. 83074. Will the parties please identify themselves for the record, please.

MR. ADAMS: Good morning, Mr. Chairman and members of the Board. I'm Walter Adams. I represent the District of Columbia.

CHAIRMAN ANDERSON: Good afternoon, Mr. Adams.

MR. ADAMS: Good afternoon.

CHAIRMAN ANDERSON: Yes sir.

MR. TUCABO: Good afternoon, sir. My name is Azeria Daniel Tucabo.

CHAIRMAN ANDERSON: What's your name?

MR. TUCABO: Azeria, A-Z --

CHAIRMAN ANDERSON: Azeria?

MR. TUCABO: -- E-R-I-A.

CHAIRMAN ANDERSON: Spell it again, put it on the pad there. Spell your name again.

1 MR. TUCABO: A-Z --

2 CHAIRMAN ANDERSON: A-Z.

3 MR. TUCABO: -- E --

4 CHAIRMAN ANDERSON: E.

5 MR. TUCABO: -- R --

6 CHAIRMAN ANDERSON: R.

7 MR. TUCABO: -- I --

8 CHAIRMAN ANDERSON: I.

9 MR. TUCABO: -- A.

10 CHAIRMAN ANDERSON: A, Mr. Azeria.

11 And what is your relationship to this
12 establishment, sir?

13 MR. TUCABO: I'm the manager.

14 CHAIRMAN ANDERSON: You're the
15 manager?

16 MR. TUCABO: Yes sir.

17 CHAIRMAN ANDERSON: And you have a
18 letter authorizing you to represent this
19 establishment today?

20 MR. TUCABO: No sir.

21 CHAIRMAN ANDERSON: But did you know
22 that you were -- you have appeared before me

1 before.

2 MR. TUCABO: Yes sir.

3 CHAIRMAN ANDERSON: Now have you ever
4 provided this agency with a letter of
5 authorization stating that you can represent this
6 establishment?

7 MR. TUCABO: No sir.

8 CHAIRMAN ANDERSON: Or when you were
9 here before, were you here with the owner?

10 MR. TUCABO: No, I was her by myself.
11 She was outside.

12 CHAIRMAN ANDERSON: She was what?

13 MR. TUCABO: She was outside, the
14 parking lot outside.

15 CHAIRMAN ANDERSON: Yeah, but she did
16 --

17 MR. TUCABO: Yeah.

18 CHAIRMAN ANDERSON: But she did show
19 up, though?

20 MR. TUCABO: No sir.

21 CHAIRMAN ANDERSON: She never showed
22 up?

1 MR. TUCABO: No sir.

2 MR. ADAMS: For clarification, Your
3 Honor -- I mean, Mr. Chairman, at a status
4 hearing, there was no offer in compromise. So
5 there was no matter to be decided.

6 CHAIRMAN ANDERSON: Right. Are you
7 able to get a letter of authorization today to
8 state that you are authorized to represent this
9 establishment at this proceeding today? I guess
10 the answer is no. No?

11 This is a serious matter, and we can't
12 move forward with the hearing because we need a
13 letter stating that from -- either the owner
14 needs to be here or we need to have a letter from
15 the owner stating that you are authorized to
16 represent them in these proceedings. And that's
17 even more so because the purpose of this hearing
18 is set -- let me see. The purpose of this
19 hearing is that there was no ABC manager on duty
20 which is -- so that's the problem that we have
21 here, no ABC manager on duty.

22 So we can't move forward with this

1 hearing. And so we need to reschedule this
2 hearing.

3 MR. ADAMS: Yes, Your Honor -- Mr.
4 Chairman.

5 CHAIRMAN ANDERSON: And when the
6 hearing is rescheduled, sir, the owner must be
7 here. Or if the owner is not going to be here,
8 you need to provide us with a letter signed by
9 the owner authorizing you to represent him or her
10 at this hearing. Preferable, I want the owner
11 here.

12 So this matter then is then a show
13 cause hearing will be rescheduled for June 26th
14 at 11:00 a.m. And I prefer that the owner is
15 here in person. If the owner is unable --
16 because this is a serious matter. Because this
17 is a serious matter, the owner needs to be here
18 so the owner can respond to the charges in this
19 complaint. Okay?

20 And if we have this hearing on June
21 26th at 11:00 o'clock and the owner is not here
22 or you have no provided us the requisite

1 authorization, I'm going to authorize the
2 government to move forward with this show cause
3 hearing ex parte as that the owner was notified
4 and they were not here.

5 Again, what's your position at the --

6 MR. TUCABO: Manager.

7 CHAIRMAN ANDERSON: You are the
8 manager. And so the ABC Board is informing the
9 manager that there is a hearing on June 26th at
10 11:00 a.m. And the ABC Board is instructing the
11 manager to inform the owner that the owner should
12 be here in person at the hearing. If the owner
13 cannot be in person at the hearing which is not
14 the preference of the agency, the owner needs to
15 provide written authorization authorizing another
16 person to represent him or her.

17 We're adjourned. Thank you.

18 MR. TUCABO: Thank you.

19 (Whereupon, the above-entitled matter
20 went off the record at 1:40 p.m.)
21
22

<p>A</p> <p>A-Z 2:18 3:1,2 a.m 6:14 7:10 ABC 1:10 5:19,21 7:8 7:10 able 5:7 above-entitled 7:19 Adams 1:22 2:8,9,12,13 5:2 6:3 adjourned 7:17 afternoon 2:11,13,15 agency 4:4 7:14 Alcoholic 1:2,14,14 Ambi 1:6 ANC 1:8 Anderson 1:16,18 2:3 2:11,14,17,19,21 3:2 3:4,6,8,10,14,17,21 4:3,8,12,15,18,21 5:6 6:5 7:7 answer 5:10 appeared 3:22 APPLICANT 1:21 authorization 4:5 5:7 7:1,15 authorize 7:1 authorized 5:8,15 authorizing 3:18 6:9 7:15 Avenue 1:8 Azeria 1:21 2:16,18,19 3:10</p>	<p>D</p> <p>D.C 1:15 Daniel 1:21 2:16 DC 1:22 decided 5:5 District 1:1 2:10 Donovan 1:16,18 duty 1:10 5:19,21</p> <p>E</p> <p>E 3:3,4 E-R-I-A 2:20 either 5:13 establishment 3:12,19 4:6 5:9 ex 7:3</p> <p>F</p> <p>forward 5:12,22 7:2</p> <p>G</p> <p>government 7:2 guess 5:9</p> <p>H</p> <p>hearing 1:8,14 5:4,12 5:17,19 6:1,2,6,10,13 6:20 7:3,9,12,13 Honor 5:3 6:3</p> <p>I</p> <p>identify 2:6 inform 7:11 informing 7:8 instructing 7:10</p>	<p>mean 5:3 MEETING 1:3 Member 1:18,19,19 members 2:9 met 1:14 MIKE 1:19 morning 2:8 move 5:12,22 7:2</p> <p>N</p> <p>N.W 1:15 name 2:16,17,22 need 5:12,14 6:1,8 needs 5:14 6:17 7:14 never 4:21 notified 7:3</p> <p>O</p> <p>o'clock 6:21 OAG 1:22 offer 5:4 outside 4:11,13,14 owner 4:9 5:13,15 6:6,7 6:9,10,14,15,17,18,21 7:3,11,11,12,14</p> <p>P</p> <p>P-R-O-C-E-E-D-I-N-G-S 2:1 p.m 2:2 7:20 pad 2:22 parking 4:14 parte 7:3 parties 2:6 person 6:15 7:12,13,16 please 2:6,7 position 7:5 prefer 6:14 Preferable 6:10 preference 7:14 PRESENT 1:17,20 presiding 1:16 problem 5:20 proceeding 5:9 proceedings 5:16 provide 6:8 7:15 provided 4:4 6:22 purpose 5:17,18 put 2:22</p>	<p>represent 2:10 3:18 4:5 5:8,16 6:9 7:16 requisite 6:22 reschedule 6:1 rescheduled 6:6,13 respond 6:18 Retailer 1:8 Room 1:15</p> <p>S</p> <p>SE 1:8 serious 5:11 6:16,17 set 5:18 SHORT 1:19 show 1:8 4:18 6:12 7:2 showed 4:21 signed 6:8 SILVERSTEIN 1:19 sir 2:14,15 3:12,16,20 4:2,7,20 5:1 6:6 Spell 2:21,22 state 5:8 stating 4:5 5:13,15 status 5:3 Store 1:7 2:5 Street 1:15 Suite 1:15</p> <p>T</p> <p>t/a 1:6 Thank 7:17,18 today 3:19 5:7,9 Tucabo 1:21 2:15,16,18 2:20 3:1,3,5,7,9,13,16 3:20 4:2,7,10,13,17 4:20 5:1 7:6,18</p>
<p>B</p> <p>B 1:8 back 2:3 Beverage 1:2,14,14 Board 1:2,14 2:9 7:8,10 BOBBY 1:18 Building 1:15</p>	<p>J</p> <p>JAMES 1:19 Jr 1:8,18 June 1:12 6:13,20 7:9</p>	<p>Q</p> <p>Quality 1:6 2:5</p>	<p>U</p> <p>unable 6:15</p>
<p>C</p> <p>case 1:9 2:4,4 CATO 1:18 cause 1:8 6:13 7:2 Chairman 2:3,8,11,14 2:17,19,21 3:2,4,6,8 3:10,14,17,21 4:3,8 4:12,15,18,21 5:3,6 6:4,5 7:7 Chairperson 1:15,18 charges 6:18 clarification 5:2 Columbia 1:1 2:10 complaint 6:19 compromise 5:4 Control 1:2,14,14 Convenience 1:6 2:5</p>	<p>K</p> <p>King 1:7</p> <p>L</p> <p>letter 3:18 4:4 5:7,13,14 6:8 License 1:9 2:5 lot 4:14 Luther 1:7</p> <p>M</p> <p>manager 1:10 3:13,15 5:19,21 7:6,8,9,11 Martin 1:7 matter 1:5 5:5,11 6:12 6:16,17 7:19</p>	<p>R</p> <p>R 3:5,6 record 2:4,7 7:20 Reeves 1:15 relationship 3:11</p>	<p>V</p> <p>W</p> <p>W 1:16,18 Walter 1:22 2:9 Washington 1:15 Wednesday 1:12 went 7:20 written 7:15</p> <p>X</p> <p>Y</p> <p>Z</p> <p>0</p>

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1:35 2:2**1:40** 7:20**11:00** 6:14,21 7:10**14th** 1:15**18-CIT-00457** 1:9 2:4

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2000 1:15**20009** 1:15**2019** 1:12**26th** 6:13,21 7:9**2922** 1:7

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400S 1:15

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83074 1:9 2:5**8C** 1:8

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Quality Convenience Store

Before: DC ABRA

Date: 06-05-19

Place: Washington, DC

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
true and accurate record of the proceedings.



Court Reporter

NEAL R. GROSS

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