

## **ABCA QUICK GUIDE | BED AND BREAKFAST AND HOTEL LICENSES**

Bed and Breakfast and Hotels are types of on-premise retail licenses issued by the Alcoholic Beverage Regulation Administration (ABCA) for businesses offering lodging to guests.

### **QUALIFYING FOR A HOTEL OR BED AND BREAKFAST LICENSE**

A licensee may apply for an on-premise license that authorizes the sale of beer and wine (Class D) or beer, wine, and spirits (Class C). The applicant for:

- A Bed and Breakfast (C/B or D/B) license must have less than 30 guest rooms.
- A Hotel license (C/H or D/H) must have 30 or more guest rooms.
- A restaurant operating inside a hotel may obtain a Hotel license, and operate with the same privileges as a hotel, if it has a written agreement with the hotel authorizing it to sell and serve alcohol in its dining room, lounges, banquet halls, in the private rooms of registered guests, and similar facilities.

### **FOOD AND ALCOHOL SALE REQUIREMENTS (BED AND BREAKFAST ONLY)**

Bed and Breakfast license holders have specific requirements related to food. Specifically, the license holder must:

- At a minimum, offer breakfast to all guests and include breakfast as part of the fee for a room rental.
- Only serve and provide food to registered patrons and their guests.
- The cost of alcoholic beverages purchased by guests shall only be included in the guest's room fee or check provided for any meal

### **FOOD AND ALCOHOL SALE REQUIREMENTS (HOTELS ONLY)**

Unlike Bed and Breakfasts, Hotels are subject to minimum food sale requirements in order to remain qualified to hold the Hotel License.

A class C/H licensee must meet one of the following requirements:

- Gross annual food sales of at least \$2,000 per occupant, which is determined by the certificate of occupancy (C/O) that is on file with ABCA;
- Food sales must account for at least 45 percent of the establishment's gross annual receipts; or
- If a hotel has 200 or fewer rooms and was built before January 1, 1940, food sales may account for 25 percent of the establishment's gross annual receipts.

A class D/H licensee must meet one of the following requirements:

- Gross annual food sales of at least \$1,500 per occupant, which is determined by the certificate of occupancy

- (C/O) that is on file with ABCA;
- Food sales must account for at least 45 percent of the establishment's gross annual receipts; or
- If a hotel has 200 or fewer rooms and was built before January 1, 1940, food sales may account for only 25 percent of the establishment's gross annual receipts.

### **QUARTERLY FILINGS (HOTELS ONLY)**

In order to ensure compliance with the food sale requirements, Hotel license holders are required to [file quarterly statements](#) to the Alcoholic Beverage Control (ABC) Board. A hotel license holder is required to file quarterly statements on the dates assigned by the ABC Board for the preceding quarter and must include the following items:

- Gross receipts for the sale of alcoholic beverages;
- Gross receipts for the sale of food;
- Gross receipts for the establishment;
- Expenses for the purchase of alcoholic beverages;
- Expenses for the purchase of food; and
- Total expenses for the purchases of food and alcoholic beverages.

### **LIMITS ON AREAS AVAILABLE FOR THE CONSUMPTION OF ALCOHOL**

Hotels and Bed and Breakfasts may permit alcohol consumption in the private guest rooms of registered guests, dining rooms, lounges, banquet halls, or similar facilities identified in their application and approved by the ABC Board. Alcohol consumption should not occur in elevators, hallways, stairwells, and other areas of the facility not approved for use by the ABC Board. In order to add areas available for the consumption of alcohol, the license holder should seek the approval of the ABC Board by [filing an application for a substantial change](#).

### **CLOSED CONTAINER SALES (HOTELS ONLY)**

Hotel license holders may permit the sale and service of closed containers of alcoholic beverages to registered guests in their private rooms by room service or through the operation of a minibar.

Hotel license holders may also permit patrons to remove one partially consumed bottle of wine for off-premise consumption if the bottle is resealed in a manner that shows it has been reopened, the bottle is placed in a bag or other container, and the container is tagged with a dated receipt showing the purchase of the wine.

### **ADDITIONAL LICENSES (HOTELS ONLY)**

A Hotel license holder may be eligible to apply for an Retailer's Off-Premise Class B License to permit the sale of beer and wine in closed containers for off-premise consumption so long as the Class B will be located inside the hotel and have no direct public access from the outside of the hotel or the street. Any Retailer's Off-Premise Class B License holder located within a hotel that is not accessible from the street may sell single containers of beer, malt liquor, or ale in sizes of 70 ounces or less even if located in an area where there is a moratorium on the sale of single containers of beer, malt liquor, or ale. [See D.C. Official Code § 25-303\(f\)](#) for further details and restrictions on applying for a Retailer's Off-Premise

Class B License.

No business operating as a hotel will be issued a nightclub license until it first obtains a Hotel license.

### **CREDIT (HOTELS ONLY)**

The holder of an On-Premise Retailer's Hotel License may extend credit to its guests.

### **CONTACT ABCA**

For more information, visit [ABCA.dc.gov](https://www.abca.dc.gov), call (202) 442-4423, or email [ABCA@dc.gov](mailto:ABCA@dc.gov).

*This Quick Guide is current as of June 2020. It does not include all District of Columbia alcoholic beverage rules and regulations. District of Columbia Official Code Title 25 provides a comprehensive review of all District alcoholic beverage laws.*