

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
MEETING

IN THE MATTER OF: :
 :
Hananians Food Service, :
Inc., :
t/a Reyna Mkt & Deli :
4201 Massachusetts Ave NW: Show Cause
Retailer A - ANC 3D :
License No. 93799 :
Case #18-CC-00118 :
 :
(Sale to Minor Violation, :
Failed to Take Steps :
Necessary to Ascertain :
Legal Drinking Age) :

Wednesday,
January 30, 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
- NICK ALBERTI, Member
- BOBBY CATO, JR., Member
- MIKE SILVERSTEIN, Member
- JAMES SHORT, Member

ALSO PRESENT:

WALTER ADAMS, OAG

SOUHEL HADAD, LICENSEE

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

9:31 a.m.

CHAIRPERSON ANDERSON: Good morning, everyone. I would like to welcome you to the regularly scheduled meeting of the District of Columbia Alcoholic Beverage Control Board. Please know that today's hearings will be conducted in accordance with D.C. Official Code Section 2-574 of the Open Meetings Act.

Today is January 30, 2019. I would like to introduce Members of the Board with us today. To my far right is Mr. Bobby Cato. To my immediate right is Mr. Nick Alberti. To my far left is Mr. Mike Silverstein and to my immediate left is Mr. James Short. My name is Donovan Anderson. I'm the Chairman of the Board. We have five Members in attendance today, so we do have a quorum to conduct business.

I would like to mention two things before we get started. First of all, if you have any electronic devices, pagers, cell phones or such, please, make certain that they are turned

1 off to avoid any interruption of the proceedings.

2 Secondly, there is a piece of paper on
3 each table. When you come forward as your case
4 is called, please, take a seat at the table and,
5 please, sign-in. This is to ensure the correct
6 spelling of your name for the record.

7 Additionally, when you introduce
8 yourself for the record, please, spell your name
9 aloud for the court reporter.

10 I will note that the approximate time
11 is 9:34 a.m.

12 I am going to move around with the
13 calendar today and so the first case that I am
14 going to call is a Show Cause Hearing (Status)
15 Case No. 18-CC-00118, Reyna Mkt & Deli, License
16 No. 93799.

17 Will the parties, please, approach and
18 identify themselves for the record, please?

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

22 CHAIRPERSON ANDERSON: Good morning,

1 Mr. Adams.

2 MR. ADAMS: Good morning.

3 CHAIRPERSON ANDERSON: And you are,
4 sir? You need to introduce yourself for the
5 record.

6 MR. HADAD: Sorry, sir?

7 MR. ADAMS: You need to introduce
8 yourself for the record.

9 MR. HADAD: Yeah, I will.

10 CHAIRPERSON ANDERSON: No, what is
11 your name? You need to say what your name is.

12 MR. HADAD: Souhel Hadad.

13 CHAIRPERSON ANDERSON: Good morning,
14 Mr. Hadad.

15 MR. HADAD: Good morning.

16 CHAIRPERSON ANDERSON: Good morning.
17 And you are the owner of the establishment, sir?

18 MR. HADAD: Yes, me and my family,
19 sir.

20 CHAIRPERSON ANDERSON: Okay. Mr.
21 Adams, are there any preliminary matters in this
22 case?

1 MR. ADAMS: There is a -- yes, there
2 are preliminary matters in this case. The
3 parties have discussed this case and are able to
4 make a proposal for an Offer in Compromise to the
5 Board.

6 There are two charges in this case.
7 I think it is involving a sale to minor and
8 actually, Mr. Chairman, I just have one --

9 MR. HADAD: Fake ID.

10 MR. ADAMS: -- preliminary matter I
11 need to clarify with the establishment.

12 CHAIRPERSON ANDERSON: Sure.

13 MR. ADAMS: Okay.

14 MR. HADAD: If it's not, we do it
15 Thursday. Whatever.

16 MR. ADAMS: All right.

17 MR. HADAD: If we can't do it
18 Thursday, the Friday or that Sunday.

19 MR. ADAMS: All right. Mr. Chairman,
20 there is two charges in this case. For Charge 1,
21 which is sale to minor, the parties propose a
22 fine in the amount of \$3,000 to be paid within a

1 period of 60 days. If the establishment does not
2 pay the fine within the 60 day period, it's aware
3 that its license should be suspended indefinitely
4 until the fine is paid.

5 That there be a suspension of the
6 license for a period -- a total period of five
7 days with one day to be served on Sunday, June
8 30, 2019 and four days to be stayed for a period
9 of a year, provided there is no other violations
10 that are consistent with the current one.

11 And for Charge 2, that that charge be
12 dismissed. And that is the offer.

13 CHAIRPERSON ANDERSON: Okay. Mr.
14 Hadad, is it my understanding, sir, that there is
15 an Offer in Compromise. And the Offer in
16 Compromise is that for Charge 1, there is a fine
17 of \$3,000. The fine must be paid within 60 days.
18 If the fine is not paid in 60 days, the license
19 will be suspended until the fine has been paid.

20 That there is a total of a five day
21 suspension, however, one day will be served and
22 the day that will be served is June 30, 2019 and

1 four days will be stayed for one year, provided
2 that there are no further infractions.

3 That Charge 2 will be dismissed.

4 Is this your understanding, sir, of
5 the Offer in Compromise?

6 MR. HADAD: Yes.

7 CHAIRPERSON ANDERSON: Are you aware
8 that by accepting an Offer in Compromise, that
9 you are giving up your right to a hearing?

10 MR. HADAD: Yes.

11 CHAIRPERSON ANDERSON: Are you also
12 aware that by accepting an Offer in Compromise,
13 that you are giving up your right to appeal this
14 matter?

15 MR. HADAD: Yes.

16 CHAIRPERSON ANDERSON: With that said,
17 I then make a motion that the Offer in Compromise
18 of a fine of \$3,000 payable in 60 days be
19 accepted. If the fine is not payable in 60 days,
20 the license will be suspended until the fine has
21 been paid. That also with Charge 1 there is a
22 five day suspension. One day will be served.

1 The date to be served is June 30, 2019. And four
2 days will be stayed for one year. And that
3 Charge 2 be dismissed. Is there a second?

4 MEMBER SHORT: Second.

5 MEMBER SILVERSTEIN: Second.

6 CHAIRPERSON ANDERSON: Mr. Short and
7 Mr. Silverstein have seconded the motion.

8 All those in favor say aye.

9 ALL: Aye.

10 CHAIRPERSON ANDERSON: Those opposed?
11 The matter passes 5-0-0.

12 The Board will issue a Board Order on
13 this matter. Meaning that the 60 days to pay the
14 fine will be effective the day you receive the
15 Board Order, sir. Okay?

16 MR. HADAD: You send it by mail,
17 right?

18 CHAIRPERSON ANDERSON: Yes. We will
19 send -- we will contact you at your normal
20 address and that's when the time line starts.
21 But whether or not the time line -- whether or
22 not you receive the order, you still are aware

1 that you cannot sell or serve alcohol on June 30,
2 2019. Okay?

3 MR. HADAD: 6/29.

4 CHAIRPERSON ANDERSON: All right.
5 June 30, 2019, you cannot sell --

6 MR. HADAD: June 30th, I'm sorry.

7 CHAIRPERSON ANDERSON: June 30th you
8 cannot sell or serve alcohol.

9 MR. HADAD: No alcohol.

10 CHAIRPERSON ANDERSON: For that entire
11 day, sir.

12 MR. HADAD: Thank you, sir.

13 CHAIRPERSON ANDERSON: Have a good day
14 and thank you for being here.

15 MR. HADAD: Yes, sir.

16 (Whereupon, the Show Cause (Status)
17 Hearing was concluded at 9:38 a.m.)
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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Reyna Mkt & Deli

Before: DC ABRA

Date: 01-30-19

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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