



**ALSO PRESENT:**

**JESSICA KRUPKE, DC OAG**

**THOMAS ABEBE, APPLICANT**

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

2 10:22 a.m.

3 CHAIRMAN ANDERSON: The next case, we  
4 now move -- the next case in our show cause  
5 hearing status calendar is Case No. 19-CMP-00024,  
6 the Right Spot, License No. 10065 -- I'm sorry,  
7 License No. 100631. Would the parties please  
8 approach and identify themselves for the record,  
9 please?

10 MS. KRUPKE: Good morning, Jessica  
11 Krupke on behalf of the District of Columbia.

12 CHAIRMAN ANDERSON: Good morning, Ms.  
13 Krupke.

14 MR. ABEBE: Good morning, Thomas  
15 Abebe, representative for Right Spot.

16 CHAIRMAN ANDERSON: Who are you, sir?

17 MR. ABEBE: Thomas M. Abebe.

18 CHAIRMAN ANDERSON: What's your  
19 relationship with the Right Spot?

20 MR. ABEBE: The owner is my sister,  
21 and I'm here for her.

22 CHAIRMAN ANDERSON: All right, that's

1 fine, sir. Are there any preliminary matters in  
2 this case?

3 MS. KRUPKE: Yes, there are. The  
4 parties have reached an offer in compromise.

5 CHAIRMAN ANDERSON: What is that?

6 MS. KRUPKE: There's two charges. The  
7 first is that the establishment increased the  
8 interior occupancy in violation of D.C. Code  
9 25-823(a)(7). This is a primary tier violation,  
10 and it's the establishment's first primary tier  
11 violation.

12 The offer in compromise reached is  
13 \$1,500 to be payable within the 30 days, or the  
14 license shall be suspended indefinitely until the  
15 fine is paid. For Charge 2, which is that the  
16 establishment charged a cover charge without the  
17 proper endorsement, that's a violation of D.C.  
18 Official Code 25-113(a)(b)(1) and 23 DCMR 1002.1.

19 This is a secondary tier violation,  
20 and it's the establishment's first secondary tier  
21 violation. The offer in compromise reached is  
22 \$350, payable in 30 days, or the license shall be

1 suspended indefinitely, until the fine is paid.  
2 The total for both charges is \$1,850, payable  
3 within 30 days.

4 CHAIRMAN ANDERSON: Okay, thank you.  
5 Sir, it's my understanding that there's an offer  
6 in compromise. The offer in compromise is that  
7 for Charge 1, there is a fine of \$1,500, payable  
8 in 30 days; for Charge 2, there is a fine of  
9 \$350, payable in 30 days. Therefore, there is a  
10 total charge of \$1,850, payable in 30 days. If  
11 the fine is not payable in 30 days, the license  
12 will be suspended until the fine has been paid.  
13 Is this your understanding of the offer in  
14 compromise?

15 MR. ABEBE: Yes.

16 CHAIRMAN ANDERSON: Are you aware that  
17 by accepting an offer in compromise, you're  
18 giving up your right to a hearing?

19 (No audible response.)

20 CHAIRMAN ANDERSON: Are you also aware  
21 that by accepting the offer in compromise, you're  
22 giving up your right to appeal this matter?

1 MR. ABEBE: Yes.

2 CHAIRMAN ANDERSON: With this said, I  
3 then make a motion that the offer in compromise  
4 of a fine of, for Charge 1, \$1,500, payable in 30  
5 days, and for Charge 2, there is a fine of \$350,  
6 payable in 30 days, that it be accepted if the  
7 fine is not payable -- if the total fine of  
8 \$1,850 is not payable within the 30 days, the  
9 license will be suspended until the fine has been  
10 paid. Is there a second?

11 MS. CROCKETT: Second.

12 CHAIRMAN ANDERSON: Ms. Crockett has  
13 second the motion. All those in favor say aye.

14 (Chorus of ayes.)

15 MS. CROCKETT: Those opposed.

16 MR. SHORT: Opposed.

17 CHAIRMAN ANDERSON: The matter passes  
18 3 to 1, with Mr. Short in opposition.

19 MR. SHORT: May I make a statement --

20 (Simultaneous Speaking)

21 CHAIRMAN ANDERSON: Go ahead, Mr.  
22 Short.

1 MR. SHORT: Your name, again, sir?

2 MR. ABEBE: My name is Thomas M.

3 Abebe.

4 MR. SHORT: Thomas. You increased the  
5 occupancy. Do you realize how dangerous that  
6 could be to people coming into your establishment  
7 if there aren't adequate exits and egress to get  
8 out of and in safely to your business?

9 MR. ABEBE: Yes, I actually -- it was  
10 a mistake on the license that we have a  
11 certificate of occupancy that says 120, but the  
12 ABRA, when we first applied, the person who  
13 applies, he, by mistake, wrote 60, instead of  
14 120. We have corrected -- after notified by the  
15 investigator, we have corrected that number to  
16 the certificate of occupancy.

17 MR. SHORT: So you do have enough  
18 space for 120?

19 MR. ABEBE: Yes, we do have enough  
20 space, but it was the typo error that we made a  
21 mistake when we first applied. Instead of saying  
22 120, we -- actually, was my dad that applies. He

1 wrote 60 instead of 120. Right now, it has been  
2 corrected about three months ago that we  
3 corrected it and we have a new certificate from  
4 ABRA.

5 CHAIRMAN ANDERSON: Well, thank you  
6 for clarifying the record, sir. That's an  
7 expensive mistake to be made. Thank you very  
8 much. You can sign off on the paperwork right  
9 there. Thanks.

10 (Whereupon, the above-entitled matter  
11 went off the record at 10:27 a.m.)  
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<b>A</b>	<b>compromise</b> 4:4,12,21 5:6,6,14,17,21 6:3 <b>Control</b> 1:2,14,15 <b>corrected</b> 7:14,15 8:2,3 <b>cover</b> 1:11 4:16 <b>CR</b> 1:7 <b>Crockett</b> 6:11,12,15	<b>L</b>	<b>primary</b> 4:9,10 <b>proper</b> 4:17	
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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: The Right Spot

Before: DCABRA

Date: 09-25-19

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.

*Neal R Gross*

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Court Reporter

**NEAL R. GROSS**

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