

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

In the Matter of:)	
)	
Rito Loco, LLC,)	Case Nos.: 21-CMP-00053
t/a Rito Loco-El Techo)	21-CMP-00068
)	21-CMP-00076
)	21-CMP-00078
Holder of a)	21-CMP-00080
Retailer's Class CR License)	License No: ABRA-104119
)	Order No: 2022-203
)	
at premises)	
606 Florida Avenue, N.W.)	
Washington, D.C. 20001)	

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

ALSO PRESENT: Rito Loco, LLC, Inc., t/a Rito Loco-El Techo, Respondent

Collin C. Cenci, Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING OFFER IN COMPROMISE

The above-mentioned parties appeared before the Alcoholic Beverage Control Board on May 4, 2022. At the hearing, the parties proposed an offer-in-compromise (OIC) to resolve the enforcement action described in the cases identified above. The Board approved the OIC at the hearing.

ORDER

Therefore, on this 4th day of May 2022, the Board **APPROVES** the OIC presented by the parties. The terms of the OIC are as follows:

1. In Case No. 21-CMP-00053, for the violation described in Charge I (D.C. Code § 25-25-823(a)(6)), the charge shall be resolved by the issuance of a **WARNING**.
2. In Case No. 21-CMP-00068, Charge I shall be **DISMISSED**.
3. In Case No. 21-CMP-00068, for the violation described in Charge II (D.C. Code § 25-823(a)(6)) (secondary tier), the Respondent shall pay a \$2,000 fine.
4. In Case No. 21-CMP-00076, Charge I shall be **DISMISSED**.
5. In Case No. 21-CMP-00076, Charge II shall be **DISMISSED**.
6. In Case No. 21-CMP-00078, for the violation described in Charge I (D.C. Code § 25-113a(b)(1)), the charge shall be resolved by the issuance of a **WARNING**.
7. In Case No. 21-CMP-00080, for the violation described in Charge I (D.C. Code § 25-823(a)(1)) (primary tier), the Respondent shall pay a \$1,000 fine.

IT IS FURTHER ORDERED that the Respondent must pay all fines imposed by the Board within one hundred and twenty (120) days from the date of this Order, or its license shall be immediately suspended until all amounts owed are paid.

The ABRA shall deliver copies of this Order to the Government and the Respondent.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: ac43cb9eb9d5f09e4b730093d1dccc8

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547ae373f822de6ac8d1b332ad2949ec

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 256d3fca1fb146d7f4b75bd7917d20d

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b560e91845e1f9e4016155e5c12f81cc

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 82172931f0508447491b56f9c2a41899

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda7f9f0040ec14adeb52541ce5

Edward S. Grandis, Member

Pursuant to 23 DCMR § 1719.1, 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, N.W., 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, District of Columbia 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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. 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).

Finally, in the case of a summary suspension, “A person aggrieved by a final summary action may file an appeal in accordance with the procedures set forth in subchapter I of Chapter 5 of Title 2.” D.C. Code § 25-826(d).

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**



IN THE MATTER OF: RITO LOCO, LLC, t/a RITO LOCO-EL TECHO, Respondent.	Case Nos.: 21-CMP-00053 21-CMP-00068 21-CMP-00076 21-CMP-00078 21-CMP-00080 License No. 104119 Retailer Class CR
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OFFER IN COMPROMISE FOR BOARD APPROVAL

The District of Columbia, jointly with the licensee (respondent) submits this Offer in Compromise (OIC) to the Alcoholic Beverage Control Board (Board), as authorized by 23 DCMR § 1611.5, for approval by the Board.

The parties understand that if the Board approves the OIC, scheduled hearings will be vacated, the cases will conclude and appeal and judicial review are waived under 23 DCMR § 1611.6. Respondent will be obligated to abide by the OIC terms shown below. If the Board does not approve the OIC, the matter will be continued to a show cause hearing on May 4, 2022.

The respondent has been advised that there is no obligation to accept the OIC. Respondent has been advised, through service of the notice of status hearing and show cause hearing that at a show cause hearing, respondent may: be represented by legal counsel, have subpoenas issued to require the production of witnesses and evidence, produce witnesses and evidence, cross-examine witnesses, and apply to the Board for a qualified interpreter.

The OIC terms are as follows.

1. Case No. 21-CMP-00053

Charge I: Failed to Follow Settlement Agreement.

Statutory Authority: D.C. Code § 25-823(a)(6).

Warning: The Board resolves this charge with a warning.

2. Case No. 21-CMP-00068

Charge I: Played Music at Such Intensity That It Was Heard in a Premises Outside of the Establishment.

Statutory Authority: D.C. Code § 25-725(a).

Dismissed: This charge is dismissed.

Charge II: Failed to Follow Settlement Agreement.

Statutory Authority: D.C. Code § 25-823(a)(6).

Fine: \$2,000 payable within 120 days or its license shall be suspended indefinitely until the fine is paid.

3. Case No. 21-CMP-00076

Charge I: Failed to Follow Settlement Agreement.

Statutory Authority: D.C. Code § 25-823(a)(6).

Dismissed: This charge is dismissed.

Charge II: Played Music at Such Intensity That It Was Heard in a Premises Outside of the Establishment.

Statutory Authority: D.C. Code § 25-725(a).

Dismissed: This charge is dismissed.

4. Case No. 21-CMP-00078

Charge I: Charged Cover Without the Proper Endorsement.

Statutory Authority: D.C. Code § 25-113a(b)(1).

Warning: The Board resolves this charge with a warning.

5. Case No. 21-CMP-00080

Charge I: Increased Occupancy Without Board Approval.

Statutory Authority: D.C. Code § 25-823(a)(1).

Fine: \$1,000 payable within 120 days or its license shall be suspended indefinitely until the fine is paid.

Dated: ~~April~~ May 2, 2022.

Respectfully submitted,

KARL A. RACINE
Attorney General for the District of Columbia

CHAD COPELAND
Deputy Attorney General
Civil Litigation Division

/s/ Kimberly M. Johnson
KIMBERLY M. JOHNSON [435613]
Chief, Civil Enforcement Section

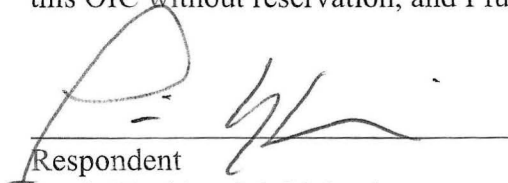
/s/ Charles J. Coughlin
CHARLES J. COUGHLIN [1016993]
Assistant Chief, Civil Enforcement Section

/s/ Collin C. Cenci
COLLIN C. CENCI [1673064]
Assistant Attorney General
400 Sixth Street, N.W., Suite 10100
Washington, D.C. 20001
(202) 256-2810
collin.cenci@dc.gov

ATTORNEYS FOR THE DISTRICT OF COLUMBIA

CONSENT OF RESPONDENT

By consenting to this Offer in Compromise, I agree to accept and perform its terms. I acknowledge the validity of the OIC and waive a hearing to which I would have a right under D.C. Code § 25-826. I also recognize that I am waiving any right to appeal an adverse ruling of the Board that might have followed any such hearing. By this settlement, I waive all such rights. I sign this OIC without reservation, and I fully understand its meaning and my rights.



Respondent

Louie Hankins, LLC Member
Rito Loco, LLC
t/a Rito Loco-El Techo
606 Florida Ave., N.W.
Washington, D.C. 20001

4/29/2022
DATE

CERTIFICATE OF SERVICE

I certify that on ~~April~~ May 2, 2022, the foregoing Offer in Compromise for Board Approval was served by electronic mail to:

Sidon Yohannes
The Veritas Law Firm
1225 19th Street, N.W., Suite 320
Washington, D.C. 20036
syohannes@theveritaslawfirm.com

Attorney for Respondent

Martha Jenkins
General Counsel, ABRA
2000 14th Street, N.W., Suite 400 South
Washington, D.C. 20009
Martha.Jenkins@dc.gov

/s/ Collin C. Cenci
Collin C. Cenci
Assistant Attorney General