

**THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**

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In the Matter of:	)	
	)	
LAL, Inc.	)	Case No.: 24-PRO-00083
t/a Roha Liquors	)	License No.: ABRA-060496
	)	Order No.: 2024-675
Holder of a	)	
Retailer's Class A License	)	
	)	
at premises	)	
620 Kennedy Street, N.W.	)	
Washington, D.C. 20011	)	

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**BEFORE:** Donovan Anderson, Chairperson  
James Short, Member  
Silas Grant, Jr., Member

**ALSO PRESENT:** LAL, Inc., t/a Roha Liquors, Respondent

Emmanuel N. Mpras, Esq., Counsel, on behalf of the Respondent

Abel Amene, Commissioner, Advisory Neighborhood Commission (ANC) 4D, Protestant

Martha Jenkins, General Counsel  
Alcoholic Beverage and Cannabis Administration

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**ORDER ON DISMISSAL OF PROTEST**

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The Application filed by LAL, Inc., t/a Roha Liquors (Applicant), for a renewal of its Retailer's A License, having been protested by Advisory Neighborhood Commission (ANC) 4D, came before the Alcoholic Beverage and Cannabis Board (Board) for a Roll Call Hearing on September 16, 2024. Both parties were present for the Roll Call Hearing.

On September 17, 2024, the Applicant filed a motion to dismiss the protest on grounds that the ANC violated the Commission's governing documents and 23 DCMR § 1602.3 when the protest letter representing the Commission's position did not include the signature of the appropriate officer. The Applicant argued that the protest letter was neither signed by the Chair nor the Vice Chair, the two designated officers authorized to sign and submit formal resolutions to government entities. The Applicant requests that the Board dismisses the protest petition and we agree.

According to 23 DCMR § 1602.3, “Protests submitted by the ANC or a community or civic association, shall be signed by the presiding officer or any other authorized person in accordance with the entity’s bylaws or other governing documents...” 23 DCMR § 1602.3. Per § 5.01(l) of the ANC 4D’s bylaws, “The Chair shall: Sign and submit Commission resolutions to government entities.” Advisory Neighborhood Commission 4D, *Bylaws of Advisory Neighborhood Commission 4D*, § 5.01(l), at 6 (2022). In ANC 4D’s standing rules, “The written position [of the Commission] must be signed by the Chair, or Vice-Chair in the Chair’s absence, and include the officially recorded vote, date of the meeting at which the position was taken, and indicate that a quorum was present.” Advisory Neighborhood Commission 4D, *Standing Rules of Advisory Neighborhood Commission 4D*, § 1(B)(2), at 2 (2022). In the event that a Single Member District (SMD) Commissioner desires that the Commission takes a position on a particular matter, the SMD Commissioner is required to “transmit such request to the Chair prior to the Executive Committee meeting at which the agenda for the next scheduled Commission meeting will be determined.” *Id.* at 1.

The Board is persuaded that ANC 4D did not comply with § 1602.3 and its governing documents, the Bylaws of Advisory Neighborhood Commission 4D, and Standing Rules of Advisory Neighborhood Commission 4D. The Commission took an official position to protest the Application in writing, included the recorded vote and date, indicated the presence of a quorum however, the letter did not include the signature of the official presiding officer of the Commission, the Chair or the Vice Chair if the Chair was absent. The protest letter submitted to the Board on July 17, 2024 was signed by Abel Amene, SMD 4D02’s Commissioner. Amene, Abel, *Protest of ABRA-060496 (Roha Liquors – renewal)*, Advisory Neighborhood Commission 4D, (Jul. 17, 2024). The ANC’s Standing Rules required Commissioner Amene to submit the protest request to the Chair prior to the Executive Committee meeting for the request to be placed on the subsequent meeting agenda and open for deliberation. The governing documents do not authorize an SMD Commissioner to sign and represent the official position of the Commission to a government entity. For this reason, the Board dismisses ANC 4D’s protest.

### **ORDER**

The Board does hereby, on this 2nd day of October 2024, **DISMISS** the Protest of ANC 4D. Copies of this Order shall be sent to the Parties.

District of Columbia  
Alcoholic Beverage and Cannabis Board

eSigned via SeamlessDocs.com  
*Donovan Anderson*  
Key: ac430b96b6d5f0e4b730060d1dccc8

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Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com  
*James Short*  
Key: 547ac373f820de0ac8d1b3326d2049ec

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James Short, Member



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Silas Grant, Jr., Member

Pursuant to D.C. Official Code § 25-433(d)(1) (applicable to alcohol matters) or 22-C DCMR § 9720 (applicable to medical cannabis matters), 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 and Cannabis Administration, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section II of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. 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 days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001 (202/879- 1010). However, the timely filing of a Motion for Reconsideration 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) (2004).