

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

In the Matter of:)
)
Rosebud Liquor, Inc.)
t/a Rosebud Liquor)
)
Application for Transfer to New Location of a)
Retailer's Class A License)
)
at premises)
1711 17th Street, NW)
Washington, D.C. 20009)
)

Case No.: 23-PRO-00032
License No.: ABRA-060751
Order No.: 2023-161

Rosebud Liquor, Inc., t/a Rosebud Liquor, Applicant

Carolyn Karbel, Designated Representative, on behalf of a Group of Five or More
Individuals, Protestant

Mark Mesiti, President, on behalf of Admiral Dupont Condominium Board, Protestant

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

**ORDER ON DISMISSAL OF ADMIRAL DUPONT CONDOMINIUM
BOARD'S PROTEST**

The Application filed by Rosebud Liquor, Inc., t/a Rosebud Liquor (Applicant), for a Transfer to a New Location from 1711 17th Street, NW to 1700 17th Street NW, of its Retailer's Class A License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on March 27, 2023.

On March 27, 2023, the Board dismissed the Protest of Admiral Dupont Condominium Board because Admiral Dupont Condominium Board did not meet the standing requirements needed to file a protest. Specifically, D.C. Official Code § 25-601 sets forth those persons that may file a protest and Condominium Boards are not listed among them. It has long been recognized that persons who have standing to file a protest are: (1) An abutting property owner; (2) A group of no fewer than 5 residents or property

owners, (3) A citizens association, (4) An affected ANC; (5) the Mayor; (6) the designated custodian of federal property; or (7) The Metropolitan Police Department District Commander.

Admiral Dupont Condominium Board may file a Motion for Reconsideration within ten (10) days from the date of this Order if it disagrees with the findings of the Board.

ORDER

The Board does hereby, this 29th day of March 2023, **DISMISS** the Protest of Admiral Dupont Condominium Board. Copies of this Order shall be sent to the Parties.

The Board advises the parties that the protest of the Group of Five or More Individual remains, and the Protest Status Hearing is set for April 26, 2023 at 10:30 a.m. and the Protest Hearing for May 24, 2023 at 1:30 p.m.

District of Columbia
Alcoholic Beverage Control Board

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Donovan Anderson
Key: ac42169296560e49730033d1cc93

Donovan Anderson, Chairperson

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James Short
Key: 5470a3728200e4c8d1b332a22943e2

James Short, Member

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Bobby Cato
Key: 256c32e47be148d714b7bbd7917d20c

Bobby Cato, Member

Rafi Crockett, Member

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Jeni Hansen, Member
Key: 7291c209447491156f9c3a41859

Jeni Hansen, Member

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Edward Grandis, Member
Key: 5077bdaf719f0040e14adeb52541ce5

Edward S. Grandis, Member

Pursuant to D.C. Official Code § 25-433(d)(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, 2000 14th 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 (30) 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 pursuant to 23 DCMR §1719.1 (2008) 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).