

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

In the Matter of:)
)
Yi Kheng Ung Liquors, LLC)
t/a Roses Queen Liquors)
Holder of a)
Retailer's Class A License)
)
at premises)
830 Bladensburg Road, NE)
Washington, D.C. 20002)
)

Case No: 22-CC-00010
License No.: ABRA-060822
Order No.: 2022-673

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

ALSO PRESENT: Yi Kheng Ung Liquors, LLC, t/a Roses Queen Liquors, Respondent

Christopher N. Southcott, Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING THE OFFER-IN-COMPROMISE

The above-mentioned parties have petitioned the Alcoholic Beverage Control Board (Board) to approve an offer-in-compromise (OIC) to settle one or more violations of Title 25 of the D.C. Official Code (Title 25) and Title 23 of the D.C. Municipal Regulations (Title 23) in accordance with D.C. Official Code § 2-509(a).

ORDER

Therefore, on this 21st day of September 2022, the Board **APPROVES** the OIC appended to this Order. The terms of the OIC are as follows:

1. The Respondent admits to a violation of the statutes or regulations listed in the OIC attached to this Order.
2. The Respondent shall follow and abide by the terms and conditions of the attached OIC in accordance with D.C. Official Code §§ 2-509(a), 25-447(f), and 25-823(a)(6).
3. The Respondent waives all rights to notice or appearance before the Board.
4. The Respondent waives the right to a hearing, call witnesses, present evidence, and otherwise contest the charges as provided in Title 25 and Title 23.
5. The Respondent waives the right to judicial review or appeal of this Order. The Respondent further agrees not to collaterally attack the disposition imposed by this Order.
6. The Respondent shall serve the required suspension from October 19, 2022 until October 22, 2022, and from November 10, 2022, until November 14, 2022.
7. The parties agree that the attached OIC constitutes the entire agreement of the parties.

The Show Cause Hearing in this matter is cancelled. 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: a3086c8c99db761e407200031dccc0f

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547ae073f020d0e6e91b302d5254dec

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 256d3fca0f0e146d7f4b76bd7017e20d

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b560a91842a1f9e401d152e5c12f81cc

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 8217293105094474f1b508c2a4180f

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda7f0f0040ec14adeb52541ca5

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).

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



IN THE MATTER OF: YI KHENG UNG LIQUORS, LLC t/a ROSES QUEEN LIQUORS, Respondent.	Case No. 22-CC-00010 License No. 060822 Retailer Class A
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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 § 1604.5, for approval by the Board.

The Parties understand that if the Board approves the OIC, appeal and judicial review are waived under 23 DCMR § 1611.6, scheduled hearings will be vacated, and the case will conclude. Respondent will be obligated to abide by the fine, suspension or other OIC term shown below. If the Board does not approve the OIC, the matter will be continued to the scheduled Show Cause Hearing on a date to be determined.

The respondent has been advised that there is no obligation to accept an 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.

Charge I: Sale to minor – Second primary tier violation within two years.

Statutory Authority: D.C. Code § 25-781.

- (1) Fine: \$3,000 to be paid within sixty (60) days or the ABC license will be suspended indefinitely until the fine is paid;
- (2) The license shall be suspended for ten (10) days, with four days to be served consecutively within sixty (60) days of the OIC's date and six (6) days stayed for one (1) year;
- (3) All employees who serve alcoholic beverages in the licensed establishment shall complete an alcohol training program within three (3) months from the OIC's date; and
- (4) The licensee shall serve five (5) days activated from Case No. 21-CC-00009.

Charge II: Failed to take reasonable steps necessary to ascertain legal drinking age – Second primary tier violation within two years.

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

- (5) Fine: \$2,000 to be paid within sixty (60) days or the ABC license will be suspended indefinitely until the fine is paid.

Dated: September 20, 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 [435163]
Chief, Civil Enforcement Section

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

/s/ Christopher N. Southcott
CHRISTOPHER N. SOUTHCOTT [1738132]
Assistant Attorney General¹
Suite 10100
400 Sixth Street, N.W.
Washington, D.C. 20001
(202) 257-1024
Christopher.Southcott@dc.gov

ATTORNEYS FOR THE DISTRICT OF COLUMBIA

CONSENT OF RESPONDENT

By 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.


Yi Kheng Ung (Sep 20, 2022 22:59 EDT)

Yi Kheng Ung, Managing Member for
Respondent, *pro se*

Sep 20, 2022

DATE

¹ Admitted to the Bar under D.C. App. R. 46-A (Emergency Examination Waiver). Practicing under the direct supervision of Kimberly M. Johnson, a member of the D.C. Bar, under D.C. App. R. 46-A(d)(2).

CERTIFICATE OF SERVICE

I certify that on September 20, 2022, the foregoing Offer in Compromise for Board Approval was served by electronic mail or by U.S. mail, first class postage pre-paid, to:

Yi Kheng Ung
Yi Kheng Ung Liquors, LLC t/a Roses
Queen Liquors
830 Bladensburg Road N.E.
Washington, D.C. 20002
yiongheng@gmail.com

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

/s/ Christopher N. Southcott
Christopher N. Southcott
Assistant Attorney General