

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

2 12:01 p.m.

3 CHAIRPERSON ANDERSON: All right.

4 We're back on the record. Our next case is a
5 Fact-Finding Hearing on S&S Liquors, License No.
6 72300.

7 Would the parties, please, approach
8 and identify themselves for the record, please?

9 MR. KOCHHAR: My name is Sarbjit
10 Kochhar. I'm the president of Kochhar, Inc. as
11 well as the owner of S&S Liquors.

12 CHAIRPERSON ANDERSON: What's your
13 last name, sir? Kochhar?

14 MR. KOCHHAR: Kochhar, K-O-C-H-H-A-R.
15 You pronounced it correctly.

16 CHAIRPERSON ANDERSON: Yes. Good
17 morning.

18 MR. KOCHHAR: Good afternoon.

19 CHAIRPERSON ANDERSON: Yeah, I'm
20 sorry, good afternoon. You can have a seat, sir.

21 MR. KOCHHAR: Thank you.

22 CHAIRPERSON ANDERSON: And, please, I

1 know are advertising the Washington Nationals,
2 but could you, please, take your hat off?

3 MR. KOCHHAR: I'm sorry?

4 CHAIRPERSON ANDERSON: Could you,
5 please, take your hat off?

6 MR. KOCHHAR: Oh, very well.

7 CHAIRPERSON ANDERSON: All right.

8 Thank you.

9 MR. KOCHHAR: I request that if you
10 can make an exception, because I am not in my
11 proper attire. I'm supposed to have a turban on
12 and if you allow me, I would appreciate it.

13 CHAIRPERSON ANDERSON: Well, sir, as
14 for religious, you can, sir.

15 MR. KOCHHAR: Thank you.

16 CHAIRPERSON ANDERSON: You can go
17 ahead. All right.

18 MR. KOCHHAR: I'm thankful for
19 allowing me.

20 CHAIRPERSON ANDERSON: All right.

21 MR. KOCHHAR: Next time I'll make sure
22 I have my turban on.

1 CHAIRPERSON ANDERSON: That's fine,
2 sir. I am for religious observance. There are
3 always exceptions.

4 MR. KOCHHAR: Thank you.

5 CHAIRPERSON ANDERSON: So that's fine.
6 All right. You have, sir, requested an extension
7 of -- to keep your license in safekeeping.

8 MR. KOCHHAR: Yes, sir.

9 CHAIRPERSON ANDERSON: You own an A
10 License. And one of the reasons the Board -- A
11 Licenses are very valuable. You own a very
12 valuable commodity. And I'm trying to find out
13 why is it that this license is not in use? And
14 if we were to grant the extension, it would be
15 through March 31, 2019.

16 And so if the Board wants to consider
17 this extension, will this license be in use on or
18 before March 31, 2019?

19 MR. KOCHHAR: Before I start talking,
20 I want to hand over two paper I brought, copies.

21 CHAIRPERSON ANDERSON: What is that,
22 sir?

1 MR. KOCHHAR: These are the permits
2 from DCRA approved yesterday and on the 16th, I
3 have been handed over.

4 CHAIRPERSON ANDERSON: So tell us --
5 all right. Have you -- has this license ever
6 been in use?

7 MR. KOCHHAR: Absolutely. I took over
8 this business in January 1999, 26 January. And
9 it was in use until the day of fire, 28th of
10 October 2016.

11 CHAIRPERSON ANDERSON: All right. But
12 now it is now two years.

13 MR. KOCHHAR: Going to on the 28th.

14 CHAIRPERSON ANDERSON: Yeah. So why
15 is it taking two years to --

16 MR. KOCHHAR: If you allow me --

17 CHAIRPERSON ANDERSON: Sure.

18 MR. KOCHHAR: -- I can give you a
19 synopsis of the scenario why and how it happened.

20 After the fire, in fact my shoulder I
21 had a surgery at even those days when the fire
22 occurred. And immediately after the fire, one

1 month, I had a stroke. So the insurance process
2 stopped and it took longer to settle the
3 insurance. Insurance have still not settled and
4 they still owe me some money, but that is not the
5 reason of the delay in the rebuilding.

6 After that, the bank, because I had
7 loans, refused to extend my loan because I have
8 two buildings on the same lot, but different
9 addresses. And next door is the marijuana
10 clinic, wellness center in Takoma, Takoma
11 Wellness Center.

12 So I had to haggle, I had to struggle
13 and settle with the bank. It took more than 6 or
14 8 months to resolve that issue. So that delayed.
15 And then the process of DCRA architects and as I
16 have handed over the copies of the two licenses
17 that I got yesterday and on the 16th, all the --
18 and I am on my way now to the construction
19 company to sign for the contract.

20 CHAIRPERSON ANDERSON: So what's the
21 ETA? What is this schedule? What is the
22 schedule to -- for the building -- I mean, was

1 this building totally destroyed? Are you
2 building a new building? What is it? What are
3 you doing?

4 MR. KOCHHAR: No, building is not
5 totally destroyed. The shell is there and it's
6 pretty strong. And the roof is not, not the top
7 roof, but the -- between the main level of the
8 liquor store and the top floor is very strong.
9 It's metal. It was built some time in 1950 or
10 1951, so shell is still existing.

11 All we have to do alterations inside
12 and outside. Mostly inside. And I am told by
13 the coordinator of the construction that it will
14 take at least four months to complete the job if
15 we start let's say November 1st.

16 So one more safekeeping tenure may
17 resolve all the issues. So this was all -- delay
18 was circumstantial. It was not deliberate.

19 CHAIRPERSON ANDERSON: Any other
20 questions by any other Board Members?

21 MEMBER SHORT: Your name again is?

22 MR. KOCHHAR: Sarbjit Kochhar.

1 MEMBER SHORT: Mr. Kochhar.

2 MR. KOCHHAR: Yes, sir.

3 MEMBER SHORT: So if the work starts
4 November 1 --

5 MR. KOCHHAR: Approximate, yeah.

6 MEMBER SHORT: -- you should be
7 finished by March?

8 MR. KOCHHAR: I'm told approximate
9 four months. But there is only one caveat in
10 this process. Calling inspectors from the DCRA
11 and they are coming. It's -- I heard that it
12 sometimes is an issue. Like getting the licenses
13 was a big issue.

14 MEMBER SHORT: So if we extend your
15 safekeeping until March, in March you would come
16 back in and would tell us exactly where you are?

17 MR. KOCHHAR: Absolutely.

18 MEMBER SHORT: And if you haven't made
19 any more progress than you are today, what should
20 we do?

21 MR. KOCHHAR: You can do whatever you
22 please to do. I think I -- my intentions are

1 good. And I want to build it. I have not had
2 any earnings, no paychecks.

3 MEMBER SHORT: I'm convinced. I'm
4 convinced.

5 MR. KOCHHAR: Okay.

6 MEMBER SHORT: I hope we don't see you
7 in March.

8 MR. KOCHHAR: I hope so, too.

9 MEMBER SHORT: Okay. Good. Thank
10 you.

11 MR. KOCHHAR: But I would love to say
12 hi, coming here.

13 MEMBER SHORT: Thank you, Mr. Chair.

14 CHAIRPERSON ANDERSON: Well, what I'll
15 say Mr. --

16 MR. KOCHHAR: Kochhar.

17 CHAIRPERSON ANDERSON: -- Kochhar, I
18 mean, I'm going to recommend to the Board that we
19 extend it through March 31, 2019.

20 MR. KOCHHAR: Thank you.

21 CHAIRPERSON ANDERSON: However, it
22 appears that you are saying that the construction

1 should -- would take probably four months. If
2 you apply for another extension, because I guess
3 you probably would end up having to apply for
4 another extension again.

5 MR. KOCHHAR: Maybe a month or so.

6 CHAIRPERSON ANDERSON: However, we
7 should have substantial compliance, sir.

8 MR. KOCHHAR: Absolutely.

9 CHAIRPERSON ANDERSON: So if there are
10 no substantial compliance, the Board would
11 consider canceling this license.

12 MR. KOCHHAR: Absolutely. I agree
13 with you.

14 CHAIRPERSON ANDERSON: So because
15 there should be substantial compliance --

16 MR. KOCHHAR: Not compliance, I think,
17 progress in this issue.

18 CHAIRPERSON ANDERSON: -- because --
19 well, when I said --

20 MR. KOCHHAR: I have to do everything
21 by the rules.

22 CHAIRPERSON ANDERSON: -- progress, I

1 don't want it to be like okay, what you are
2 saying to me is that you have gotten the permit,
3 so the -- it should take about four months for
4 the building to be completed. I don't want you
5 to come and say well, we haven't started
6 construction.

7 MR. KOCHHAR: No, I doubt it.

8 CHAIRPERSON ANDERSON: Or you have
9 just done -- you have just barely done something
10 or you just start construction for -- that day in
11 March and so it's going to take another four to
12 six months.

13 MR. KOCHHAR: I doubt it though.

14 CHAIRPERSON ANDERSON: All right. And
15 so I just want to let you know that I understand
16 and that's one of the reasons why I had asked you
17 what was going on. You have had the permits and
18 you have an A License. And so therefore this is
19 a very valuable license. And so it has been --
20 it is -- this is what, your fourth request I
21 think, third request. I think it says that to
22 keep this in safekeeping.

1 So with that said, with your
2 understanding that the expectation is that we
3 should have significant construction regarding
4 this process.

5 And so if there is significant -- and
6 so you are going to end up asking for another
7 extension. And so if you don't provide this --
8 some significant progress on the construction and
9 I will say as a part of your -- I know that in
10 your request you said that the building permit,
11 you are going to ask for the building permit, I
12 appreciate the fact that at the hearing today you
13 provided us with a copy of the building permit.

14 So if -- I know that you are going to
15 ask for another extension, but the expectation is
16 that with the next extension, you should say the
17 building is 80 percent completed. If it's not
18 100 percent completed, it should be more than 50
19 percent completed.

20 MR. KOCHHAR: Amen. I think it's
21 going to happen.

22 CHAIRPERSON ANDERSON: Okay. All

1 right. So with that said, I make a motion that
2 we approve the safekeeping request through March
3 31, 2019. Is there a second?

4 MEMBER SHORT: Second.

5 MEMBER SILVERSTEIN: Second.

6 CHAIRPERSON ANDERSON: Mr. Short has
7 seconded the -- Mr. Short and Mr. Silverstein
8 have seconded the motion.

9 All those in favor say aye.

10 ALL: Aye.

11 CHAIRPERSON ANDERSON: Those opposed?
12 Okay. Sir, the matter passes 4-0-0.

13 So therefore you -- if you haven't
14 paid the fees as yet, you need to pay the fees to
15 continue it.

16 But you are now on notice that the
17 expectation that the Board has if and when you
18 request another safekeeping extension. Okay?

19 MR. KOCHHAR: I understand fully.

20 CHAIRPERSON ANDERSON: Thank you.

21 Have a good day, sir.

22 MR. KOCHHAR: Thank you.

1 MEMBER SHORT: You are right off of
2 Butternut Street?

3 MR. KOCHHAR: I'm sorry?

4 MEMBER SHORT: You are right off of
5 Butternut Street?

6 MR. KOCHHAR: Right off of Butternut,
7 yes, sir. I told -- I think about 17 years then
8 without any --

9 MEMBER SHORT: That's an upcoming
10 neighborhood. It's beautiful up there, yeah.

11 MR. KOCHHAR: Okay.

12 MEMBER SHORT: We wish you the best.

13 MR. KOCHHAR: Thank you very much.

14 CHAIRPERSON ANDERSON: We are in
15 recess until 1:30.

16 MR. KOCHHAR: Thank you.

17 (Whereupon, the Fact-Finding Hearing
18 was concluded at 12:13 p.m.)

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A	Calling 8:10 canceling 10:11 case 2:4 CATO 1:19 caveat 8:9 center 6:10,11 Chair 9:13 Chairperson 1:14,17 2:3,12,16,19,22 3:4,7 3:13,16,20 4:1,5,9,21 5:4,11,14,17 6:20 7:19 9:14,17,21 10:6 10:9,14,18,22 11:8,14 12:22 13:6,11,20 14:14	ETA 6:21 exactly 8:16 exception 3:10 exceptions 4:3 existing 7:10 expectation 12:2,15 13:17 extend 1:9 6:7 8:14 9:19 extension 4:6,14,17 10:2,4 12:7,15,16 13:18	10:17 issues 7:17
Absolutely 5:7 8:17 10:8,12 addresses 6:9 advertising 3:1 afternoon 2:18,20 agree 10:12 ahead 3:17 Alcoholic 1:2,13,13 allow 3:12 5:16 allowing 3:19 alterations 7:11 Amen 12:20 ANC 1:7 Anderson 1:15,17 2:3 2:12,16,19,22 3:4,7 3:13,16,20 4:1,5,9,21 5:4,11,14,17 6:20 7:19 9:14,17,21 10:6 10:9,14,18,22 11:8,14 12:22 13:6,11,20 14:14 appears 9:22 APPLICANT 1:22 apply 10:2,3 appreciate 3:12 12:12 approach 2:7 approve 13:2 approved 5:2 approximate 8:5,8 architects 6:15 asked 11:16 asking 12:6 attire 3:11 aye 13:9,10	circumstantial 7:18 clinic 6:10 COLUMBIA 1:1 come 8:15 11:5 coming 8:11 9:12 commodity 4:12 company 6:19 complete 7:14 completed 11:4 12:17 12:18,19 compliance 10:7,10,15 10:16 concluded 14:18 consider 4:16 10:11 construction 6:18 7:13 9:22 11:6,10 12:3,8 continue 13:15 contract 6:19 Control 1:2,13,13 convinced 9:3,4 coordinator 7:13 copies 4:20 6:16 copy 12:13 correctly 2:15	F	J
B	D	fact 1:7 5:20 12:12 Fact-Finding 2:5 14:17 favor 13:9 fees 13:14,14 find 4:12 Finding 1:7 fine 4:1,5 finished 8:7 fire 5:9,20,21,22 floor 7:8 four 7:14 8:9 10:1 11:3 11:11 fourth 11:20 Friday 1:11 fully 13:19	JAMES 1:18 January 5:8,8 job 7:14
back 2:4 8:16 bank 6:6,13 barely 11:9 beautiful 14:10 best 14:12 Beverage 1:2,13,13 big 8:13 Board 1:2,13 4:10,16 7:20 9:18 10:10 13:17 BOBBY 1:19 brought 4:20 build 9:1 building 1:14 6:22 7:1,2 7:2,4 11:4 12:10,11 12:13,17 buildings 6:8 built 7:9 business 5:8 Butternut 14:2,5,6	D.C 1:14 day 5:9 11:10 13:21 days 5:21 DCRA 5:2 6:15 8:10 delay 6:5 7:17 delayed 6:14 deliberate 7:18 destroyed 7:1,5 different 6:8 DISTRICT 1:1 doing 7:3 Donovan 1:15,17 door 6:9 doubt 11:7,13	G	K
C	E	getting 8:12 give 5:18 gotten 11:2 grant 4:14 guess 10:2	K-O-C-H-H-A-R 2:14 keep 4:7 11:22 Kochhar 1:6,22 2:9,10 2:10,13,14,14,18,21 3:3,6,9,15,18,21 4:4,8 4:19 5:1,7,13,16,18 7:4,22,22 8:1,2,5,8,17 8:21 9:5,8,11,16,16 9:17,20 10:5,8,12,16 10:20 11:7,13 12:20 13:19,22 14:3,6,11,13 14:16
	earnings 9:2	H	L
		haggle 6:12 hand 4:20 handed 5:3 6:16 happen 12:21 happened 5:19 hat 3:2,5 heard 8:11 hearing 1:7,13 2:5 12:12 14:17 hi 9:12 hope 9:6,8	let's 7:15 level 7:7 license 1:8 2:5 4:7,10 4:13,17 5:5 10:11 11:18,19 licenses 4:11 6:16 8:12 liquor 7:8 Liquors 1:6 2:5,11 loan 6:7 loans 6:7 longer 6:2 lot 6:8 love 9:11
		I	M
		identify 2:8 immediately 5:22 inside 7:11,12 inspectors 8:10 insurance 6:1,3,3 intentions 8:22 issue 6:14 8:12,13	main 7:7 March 4:15,18 8:7,15 8:15 9:7,19 11:11 13:2 marijuana 6:9 matter 1:5 13:12 mean 6:22 9:18 MEETING 1:3 Member 1:18,18,19 7:21 8:1,3,6,14,18 9:3 9:6,9,13 13:4,5 14:1,4 14:9,12 Members 7:20 met 1:13 metal 7:9 MIKE 1:18 money 6:4 month 6:1 10:5 months 6:14 7:14 8:9 10:1 11:3,12

morning 2:17
motion 13:1,8

N

N.W 1:14
name 2:9,13 7:21
Nationals 3:1
need 13:14
neighborhood 14:10
new 7:2
notice 13:16
November 7:15 8:4
NW 1:7

O

observance 4:2
occurred 5:22
October 1:11 5:10
opposed 13:11
outside 7:12
owe 6:4
owner 2:11

P

P-R-O-C-E-E-D-I-N-G-S
2:1
p.m 2:2 14:18
paid 13:14
paper 4:20
part 12:9
parties 2:7
passes 13:12
pay 13:14
paychecks 9:2
percent 12:17,18,19
permit 11:2 12:10,11,13
permits 5:1 11:17
please 2:7,8,22 3:2,5
8:22
PRESENT 1:16,20
president 2:10
presiding 1:15
pretty 7:6
probably 10:1,3
process 6:1,15 8:10
12:4
progress 8:19 10:17,22
12:8
pronounced 2:15
proper 3:11
provide 12:7
provided 12:13

Q

questions 7:20

R

reason 6:5

reasons 4:10 11:16
rebuilding 6:5
recess 14:15
recommend 9:18
record 2:4,8
Reeves 1:14
refused 6:7
regarding 12:3
religious 3:14 4:2
request 1:9 3:9 11:20
11:21 12:10 13:2,18
requested 4:6
resolve 6:14 7:17
Retailer 1:7
roof 7:6,7
Room 1:14
rules 10:21

S

S 1:22
S&S 1:6 2:5,11
safekeeping 1:9 4:7
7:16 8:15 11:22 13:2
13:18
Sarbjit 1:22 2:9 7:22
saying 9:22 11:2
says 11:21
scenario 5:19
schedule 6:21,22
seat 2:20
second 13:3,4,5
seconded 13:7,8
settle 6:2,13
settled 6:3
shell 7:5,10
Short 1:18 7:21 8:1,3,6
8:14,18 9:3,6,9,13
13:4,6,7 14:1,4,9,12
shoulder 5:20
sign 6:19
significant 12:3,5,8
Silverstein 1:18 13:5,7
sir 2:13,20 3:13,14 4:2
4:6,8,22 8:2 10:7
13:12,21 14:7
six 11:12
sorry 2:20 3:3 14:3
start 4:19 7:15 11:10
started 11:5
starts 8:3
stopped 6:2
store 7:8
Street 1:7,14 14:2,5
stroke 6:1
strong 7:6,8
struggle 6:12
substantial 10:7,10,15
Suite 1:14

supposed 3:11
surgery 5:21
synopsis 5:19

T

t/a 1:6
Takoma 6:10,10
talking 4:19
tell 5:4 8:16
tenure 7:16
Thank 2:21 3:8,15 4:4
9:9,13,20 13:20,22
14:13,16
thankful 3:18
third 11:21
today 8:19 12:12
told 7:12 8:8 14:7
top 7:6,8
totally 7:1,5
trying 4:12
turban 3:11,22
two 4:20 5:12,15 6:8,16

U

understand 11:15
13:19
understanding 12:2
upcoming 14:9
use 4:13,17 5:6,9

V

valuable 4:11,12 11:19

W

W 1:15,17
wants 4:16
Washington 1:14 3:1
way 6:18
wellness 6:10,11
wish 14:12
work 8:3

X

Y

years 5:12,15 14:7
yesterday 5:2 6:17

Z

0

1

1:30 14:15
100 12:18
12:01 2:2
12:13 14:18
14th 1:14

16th 5:2 6:17
17 14:7
19 1:11
1950 7:9
1951 7:10
1999 5:8
1B 1:7
1st 7:15

2

2000 1:14
20009 1:14
2016 5:10
2018 1:11
2019 4:15,18 9:19 13:3
26 5:8
28th 5:9,13

3

31 4:15,18 9:19 13:3

4

4-0-0 13:12
400S 1:14
4th 1:7

5

50 12:18

6

6 6:13
6925 1:7

7

72300 1:8 2:6

8

8 6:14
80 12:17

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: S&S Liquors

Before: DCABRA

Date: 10-19-18

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

Court Reporter

NEAL R. GROSS

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