

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

In the Matter of:)
)
Sammy Liquor, LLC)
t/a Sammy's Liquors)
)
Holder of a)
Retailer's Class A License)
)
at premises)
2725 Bladensburg Road, NE)
Washington, D.C. 20018)
_____)

Case No.: 22-CC-00009
License No.: ABRA-108222
Order No.: 2022-580

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

ALSO PRESENT: Sammy Liquor, LLC, t/a Sammy's Liquors, Respondent

Janika Jordan, 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 3rd day of August 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 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: a:4326926625f09e4b72002614cc09

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547a37c3200e4c8b1b322d02046c

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 256a3ccadbe146d7f4b75bd7917d20c

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b560e91845e1D9e4016155e5c12B1cc

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 8217293f0569447491b5692a418f9

Jeni Hansen, Member

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

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**



<p>IN THE MATTER OF:</p> <p>SAMMY LIQUOR, LLC, t/a SAMMY'S LIQUORS,</p> <p style="text-align:center">Respondent.</p>	<p>Case No. 22-CC-00009 License No. 108222 Retailer Class A</p>
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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, this case will conclude, and appeal and judicial review are waived under 23 DCMR § 1611.6. Respondent will be obligated to abide by the fine, suspension, or other OIC terms below. If the Board does not approve the OIC, the matter will continue to a Show Cause Hearing.

Respondent has been advised that there is no obligation to accept the OIC. And Respondent has been advised, through service of the Notice of Status Hearing and Show Cause Hearing, that at a Show Cause Hearing it may be represented by legal counsel, have subpoenas issued to require 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: Sold an alcoholic beverage to a person under 21 years of age.

Statutory Authority: D.C. Code § 25-781 and D.C. Code § 25-823(a)(1)

- (1) Fine: \$2,000 fine payable within 60 days of the Board accepting the OIC, and if payment is not made within 60 days, the license will be suspended until payment is received.
- (2) Suspension: The license shall be suspended for five days with all five days stayed for one year.
- (3) Other term: All employees who serve alcoholic beverages in the licensed establishment complete an alcohol training program within three months from the OIC's date.

Charge II: Failed to take reasonable steps to ascertain legal drinking age.

Statutory Authority: D.C. Code § 25-783

- (1) Fine: N/A
- (2) Suspension: N/A
- (3) Other term: Warning

Charge III: Failed to be present or to have an ABC Board approved manager on the premises during the establishment's hours of sale.

Statutory Authority: D.C. Code § 25-701

- (1) Fine: \$1,000 fine payable within 60 days of the Board accepting the OIC, and if payment is not made within 60 days, the license will be suspended until payment is received.
- (2) Suspension: N/A
- (3) Other term: N/A

Dated: August 1, 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 /cjc/
KIMBERLY M. JOHNSON [435613]
Chief, Civil Enforcement Section

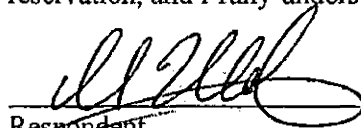
/s/ Charles J. Coughlin
CHARLES J. COUGHLIN [1016993]
Assistant Chief, Civil Enforcement Section

/s/ Janika Jordan
JANIKA JORDAN [1765160]
Assistant Attorney General
400 Sixth Street, N.W., Suite 10100
Washington, D.C. 20001
(202) 631-9418
Janika.Jordan@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.


Respondent
Maksym Shyyan
sammysliquors@gmail.com

08/02/22
DATE

CERTIFICATE OF SERVICE

On August 2, 2022, the foregoing Offer in Compromise for Board Approval was served by electronic mail to:

Maksym Shyyan
sammysliquors@gmail.com
Respondent

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

/s/ Janika Jordan _____
Janika Jordan
Assistant Attorney General