

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

In the Matter of:)
)
Sav-on Liquors, Inc.)
t/a Sav-on Liquors)
)
Holder of a)
Retailer's Class A License)
)
at premises)
1414 14th Street, NW)
Washington, D.C. 20005)
)

Case No.: 17-CC-00116
License No.: ABRA-000178
Order No.: 2018-103

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Donald Isaac, Sr., Member
Bobby Cato, Member
Rema Wahabzadah, Member

ALSO PRESENT: Sav-on Liquors, Inc., t/a Sav-on Liquors, Respondent

William Drake, Counsel, on behalf of the Respondent

Pete Chattrabhuti, Assistant Attorney General, on behalf of the
District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING THE OFFER-IN-COMPROMISE

This matter arises from a Notice of Status and Show Cause Hearing (Notice) issued by the Alcoholic Beverage Control Board (Board) in the matter of Sav-on Liquors, Inc., t/a Sav-on Liquors (Respondent), located at 1414 14th Street, NW, Washington, D.C. 20005.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case No. 17-CC-00116 on the Respondent on February 9, 2018. *ABRA Show Cause File No. 17-CC-00116, Notice of Status and Show Cause Hearing (February 6, 2018)*. The Notice charges the Respondent with three violations, which if proven true, would justify the imposition of a fine, as well as the suspension or revocation of the Respondent's license.

Specifically, the Notice in Case No. 17-CC-00116, charged the Respondent with the following violations:

- Charge I: [On Saturday, September 30, 2017], [y]ou or some other person at the licensed establishment gave, served, or in any other manner dispensed alcoholic beverages to persons under 21 years of age, in violation of D.C. Official Code § 25-781(c)...
- Charge II: [On Saturday, September 30, 2017], [y]ou failed to take steps reasonably necessary to ascertain whether any person to whom the Licensee sells, delivers, or serves an alcoholic beverage is of legal drinking age, in violation of D.C. Official Code § 25-783(b)...
- Charge III [On Saturday, September 30, 2017], you failed to have an owner or Board approved manager on site during the sale, service or consumption of an alcoholic beverage, in violation of D.C. Official Code § 25-701 and 23 DCMR § 707.1...

ABRA Show Cause File No. 17-CC-00116, Notice of Status Hearing and Show Cause Hearing, 2-3 (February 6, 2018).

At the Show Cause Hearing held on March 7, 2018, the Respondent and the Government entered into an Offer-in-Compromise (OIC), which resolved the charges set forth above.

The terms of the OIC are as follows:

1. For Charge I – The Respondent shall pay a \$3,500 fine for the violation alleged in Charge I and shall have its license suspended for ten (10) days; with four (4) days served, and six (6) of those days stayed for one (1) year pending completion of alcohol awareness training for all employees who serve alcoholic beverages within ninety (90) days from the date of this Order.
2. For Charge II – The Respondent shall pay a \$1,000 fine for the violation alleged in Charge II and shall have its license suspended for five (5) days, with all five (5) days stayed for one (1) year.
3. For Charge III – Warning.

4. In addition, the Respondent shall serve five (5) day suspension activated from Case No. 16-CC-00094.

By agreeing to the terms of the OIC, the Respondent hereby waives its right to a Show Cause Hearing and appeal. The OIC has been reduced to writing and is formally approved through this Order.

ORDER

Therefore, the Board, on this 7th day of March, 2018, hereby **APPROVES** the OIC proffered by the Government and the Respondent and **ORDERS** Sav-on Liquors, Inc., t/a Sav-on Liquors, to comply with the terms of the OIC.

IT IS FURTHER ORDERED that the Respondent will:

- (1) Remit the fine in the total sum of \$4,500 payable on or before April 9, 2018; and
- (2) Incur a total of twenty (20) day suspension, with nine (9) days served and eleven (11) days stayed for one (1) year pending completion of alcohol awareness training for all employees who serve alcoholic beverages within ninety (90) days from the date of this Order. The nine (9) day suspension will be served from March 11 through March 19, 2018.

Failure to remit the amount in full within the time specified will result in the suspension of the license until the amount is paid.

A copy of this Order shall be sent to the Respondent and to the Government.

District of Columbia
Alcoholic Beverage Control Board



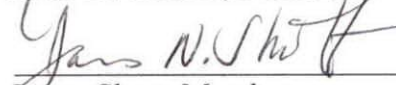
Donovan Anderson, Chairperson



Nick Alberti, Member



Mike Silverstein, Member



James Short, Member

Donald Isaac, Sr., Member



Bobby Cato, Member

Rema Wahabzadah, 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 11 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).