

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

In the Matter of:

Songbyrd, LLC
t/a Songbyrd

Holder of a
Retailer's Class CT License

at premises
2475 18th Street, NW
Washington, D.C. 20009

Case No.: 20-CMP-00029
License No.: ABRA-096137
Order No.: 2020-1018

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

ALSO PRESENT: Songbyrd, LLC, t/a Songbyrd, Respondent

Walter Adams, II, 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

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 Songbyrd, LLC, t/a Songbyrd (Respondent) located at 2475 18th Street, NW, Washington, D.C. 20009.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case No. 20-CMP-00029 on the Respondent on November 30, 2020. *ABRA Show Cause File No. 20-CMP-00029.* The Notice charges the Respondent with a single violation, 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. 20-CMP-00029 charged the Respondent with the following violation:

Charge I: [On Wednesday, January 1, 2020], you failed to follow the terms of your Board-approved license by operating outside the approved hours for sales, in violation of D.C. Official Code § 25-823(a)(7)...

ABRA Show Cause File No. 20-CMP-00029, Notice of Status Hearing and Show Cause Hearing, 2 (May 6, 2020).

At the Show Cause Hearing held on December 9, 2020, the Respondent and the Government entered into an Offer-in-Compromise (OIC), which resolved the charge set forth above.

The terms of the OIC are as follows:

1. For Charge I – Warning.

By agreeing to the terms of the OIC, the Respondent hereby waives its right to a Show Cause Hearing and appeal.

ORDER

Therefore, the Board, on this 9th day of December 2020, hereby **APPROVES** the OIC proffered by the Government and the Respondent.

The Board hereby **ORDERS** that the Respondent be **WARNED** not to commit this offense again.

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

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: a14308989a4720e4q7300031jrc28

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547ae73f020de4e81830281294e8

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 256d3f0adfb149d7f4b75bd7917420f

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rema Wahabzadah, Member
Key: bf2ca46b596b74059b19b35b738f1c2f

Rema Wahabzadah, Member

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: #31729318509447481145092a4185f

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda7ff0f040dec14adeb52541ce5

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).