THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:		
Space DC Restaurant and Lounge, Inc. t/a Space DC		
Transferor Elements DC, LLC t/a Elements DC	Applicant's License No.: Transferor's License No.: Order No.:	ABRA-124237 ABRA-118277 2023-133
Temporary Operator's Retail Permit of a Retailer's Class CT License		
at premises 1355 U Street, NW Washington, D.C. 20009		

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

ORDER APPROVING REQUEST FOR A TEMPORARY OPERATOR'S RETAIL PERMIT

On March 6, 2023, the Alcoholic Beverage Regulation Administration (ABRA) received an Application for a Transfer of Ownership of the Retailer's Class CT License No. ABRA-118277 from Elements DC, LLC, t/a Elements DC (Transferor), to Space DC Restaurant and Lounge, Inc., t/a Space DC (Applicant).

The Applicant now comes before the Alcoholic Beverage Control Board (Board) for a Temporary Operator's Retail Permit (TORP) in accordance with 23 D.C. Municipal Regulations (DCMR) § 703.

Under 23 DCMR § 703, the purchaser of an ABC licensed establishment awaiting Board approval on a transfer of ownership application where no substantial change will occur may apply to the Board for a permit to temporarily operate under the license pursuant to the following conditions:

(a) the transfer application must be filed with or before the application for temporary authority;

(b) the subject premises must not have been closed nor the sale or service of alcoholic beverages discontinued during the thirty (30) days immediately prior to the filing of the permit application; and

(c) that no substantial changes to the licensed premises will occur.

On March 6, 2023, the Applicant filed its Transfer Application, along with a No Substantial Change affidavit indicating that there will be no change in the nature of the licensed premises. Additionally, by separate letter, the Transferor filed its consent to the issuance of the TORP.

Thus, the Board, in its discretion, finds that the Applicant has met the requirements and does approve the request for a TORP. The TORP is valid until the transfer application is either granted or denied by the Board or until the TORP is cancelled or suspended by the Board pursuant to 23 DCMR § 703.5.

ORDER

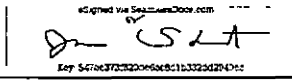
The Board does hereby, this 15th day of March 2023, **APPROVES** the Applicant's request for a Temporary Operator's Retail Permit.

It is understood that until the Transfer Application is approved and the new license is issued by the Board, the Applicant will be operating under the Transferor's Retailer's Class CT License No. ABRA-118277.

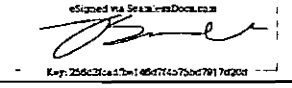
Copies of this Order shall be sent to the Applicant.

District of Columbia
Alcoholic Beverage Control Board

Donovan Anderson, Chairperson

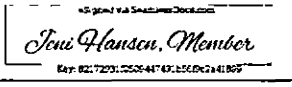


James Short, Member

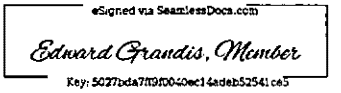


Bobby Cato, Member

Rafi Crockett, Member



Jeni Hansen, Member



Edward S. Grandis, Member

Pursuant to D.C. Official Code§ 25-433(d)(l), 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 thilty (30) days of the date of service of this Order, with the District of Columbia Coult 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).