

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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ROLL CALL HEARING

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IN THE MATTER OF: :

Y.O.K., Inc. :

t/a Super Liquors :

1633 North Capitol :

Street, N.E. :

License #ABRA-179241 :

Retailer Class A - :

License Renewal :

Case #18-PRO-00032 :

TUESDAY, MAY 29, 2018

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The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Ms. LaVerne Fletcher, Agent, presiding.

PRESENT:

LAVERNE FLETCHER

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

2 10:04 a.m.

3 AGENT FLETCHER: Okay. Would the
4 parties in the matter of Super Liquors please
5 come forward, the parties in the matter of Super
6 Liquors?

7 This is case Number 18-PRO-00032, YOK,
8 Inc. t/a Super Liquors, 1633 North Capitol
9 Street, NE, License Number ABRA-179241.

10 This is a Retailer Class A license
11 renewal. The protest issues are adverse impact
12 on peace, order, and quiet, residential parking,
13 and vehicular and pedestrian safety.

14 My name is LaVerne Fletcher. I'm
15 conducting the roll call hearing as the Board's
16 agent. Introductions beginning with the
17 Applicant, please - is there an interpreter?

18 MR. PAK: Yes, I am.

19 AGENT FLETCHER: Okay. Are you the
20 owner?

21 MS. SKAM: Yes.

22 AGENT FLETCHER: Can you state your

1 name and spell it for the record, please?

2 MS. SKAM: My name is Mrs. Yeng Skam,
3 first name Y-E-N-G, last name -

4 AGENT FLETCHER: I'm sorry. Y?

5 MS. SKAM: Y-E-N-G.

6 AGENT FLETCHER: Yes.

7 MR. PAK: Last name, S-K-A-M.

8 AGENT FLETCHER: S-K-A-M?

9 MS. SKAM: Yes.

10 AGENT FLETCHER: And how do you
11 pronounce the last name?

12 MS. SKAM: Skam.

13 AGENT FLETCHER: Skam. And Ms. Skam,
14 and you the owner?

15 MS. SKAM: Yes.

16 AGENT FLETCHER: And your last name is
17 spelled Y -

18 MS. SKAM: No, my first name.

19 AGENT FLETCHER: Your first name is
20 spelled Y-E -

21 MS. SKAM: N-G.

22 AGENT FLETCHER: Like, D, like dog?

1 MS. SKAM: No.

2 AGENT FLETCHER: G?

3 MS. SKAM: G, like, girl.

4 AGENT FLETCHER: Thank you, ha, ha.

5 Thank you very much.

6 MS. SKAM: You're welcome.

7 AGENT FLETCHER: And your name, sir?

8 MR. PAK: My name is Channa Pak, C-H-

9 A-N-N-A, last name is P-A-K.

10 AGENT FLETCHER: The first name is C-

11 H-A -

12 MR. PAK: N-N-A.

13 AGENT FLETCHER: N-N-A. And last

14 name?

15 MR. PAK: P-A-K.

16 AGENT FLETCHER: P-A -

17 MR. PAK: K.

18 AGENT FLETCHER: P-A-K?

19 MR. PAK: Yes, ma'am.

20 AGENT FLETCHER: Okay. Thank you, Mr.

21 Pak. And present on behalf of the Eckington

22 Civic Association?

1 MR. MOGHARABI: Yes, ma'am. My name
2 is Austan Mogharabi. First name is A-U-S-T-A-N.

3 AGENT FLETCHER: Yes.

4 MR. MOGHARABI: Last name is
5 Mogharabi, M as in Mark, O-G-H-A-R-A-B, as is in
6 boy, I.

7 AGENT FLETCHER: Thank you very much.
8 Mr. Mogharabi, I have a question for you about
9 your protest letter.

10 It does not state that you provided
11 the Applicant with at least seven days notice of
12 a meeting that you held concerning the
13 application. So I'm asking you if you provided
14 the Applicant with at least a seven-day notice of
15 the meeting that you held concerning the protest?

16 MR. MOGHARABI: Yes. We post our
17 agenda items on a civic - on the Next Door as
18 well as communicated with them to let them know
19 that this would be an issue to be discussed at
20 that meeting in that time period.

21 AGENT FLETCHER: And so he received
22 the same level of notice that the community did.

1 You posted the fact that the notice was going to
2 be held?

3 MR. MOGHARABI: Posted it and then
4 told them specifically as we have an ongoing
5 dialogue with Super Liquors -- I did not, our
6 recording secretary did - that we would be
7 discussing the Super Liquors' renewal request.

8 AGENT FLETCHER: On a particular date
9 at a particular meeting?

10 MR. MOGHARABI: On the Monday, the
11 first Monday of the month of May, which I don't
12 remember the exact date now, but yes.

13 AGENT FLETCHER: Was that at least a
14 seven-day notice?

15 MR. MOGHARABI: Yes.

16 AGENT FLETCHER: And so I'll need the
17 dates. I'll need the dates, you can tell me
18 know.

19 MR. MOGHARABI: I don't know the exact
20 dates, but I will be able to get them.

21 AGENT FLETCHER: Ms. Skam, did you
22 receive at least a seven-day notice of the

1 meeting concerning the protest?

2 MS. SKAM: I don't have - I don't
3 receive any letter at all.

4 AGENT FLETCHER: And, Ms. Skam, did
5 you attend a meeting?

6 MS. SKAM: Yes.

7 AGENT FLETCHER: Did you attend a
8 meeting?

9 MS. SKAM: Yes, we go meeting.

10 AGENT FLETCHER: So you attended a
11 meeting, but -

12 MS. SKAM: Every, like, they have a
13 neighborhood meeting.

14 AGENT FLETCHER: Yes.

15 MS. SKAM: Like, every time they have
16 it, we go to meeting.

17 AGENT FLETCHER: Okay, so you went to
18 the regular community meeting that you always go
19 to?

20 MS. SKAM: Yes, we always go.

21 AGENT FLETCHER: But you did not
22 attend that meeting because you received a notice

1 to attend the meeting about the protest?

2 MS. SKAM: No, we don't. We didn't
3 receive that one.

4 AGENT FLETCHER: Mr. Mogharabi, I'm
5 going to dismiss this protest, because it does
6 not appear that the Eckington Civic Association
7 provided the Applicant with at least a seven-day
8 notice of the meeting concerning the application.

9 And I'm also going to make note of the
10 fact that the signature on your protest letter,
11 it was typed, but there was no indication that it
12 was to be considered an electronic signature.
13 It's just typed on the email. And I just want to
14 make that note to you that it was only typed.

15 But there was no indication that it
16 was to be considered signed by, approved by -

17 MR. MOGHARABI: Okay.

18 AGENT FLETCHER: And so I'm dismissing
19 the protest for two reasons, one, because it does
20 not appear that the Applicant received at least a
21 seven-day notice to attend the hearing concerning
22 the protest.

1 I understand they attended a meeting
2 though, you said that in your letter. But it's
3 not the meeting that we're referring to on our
4 end.

5 MR. MOGHARABI: Oh, so if I could ask?

6 AGENT FLETCHER: Yes.

7 MR. MOGHARABI: We held the meeting
8 and had the vote that we're discussing at that
9 meeting.

10 AGENT FLETCHER: Yes. And so what
11 happens is, under our regulations -- and you
12 actually said that in your letter. So I know
13 that a meeting was held. And I know that a vote
14 was taken.

15 The Applicant needs to receive a
16 notice at least seven days before that meeting
17 that you're going to have that meeting concerning
18 the protest of the application. So you had the
19 meeting, and they actually were there, but the
20 notice part seems to be missing.

21 MR. MOGHARABI: Does that need to be
22 a written letter then? Or would - because we

1 don't write them.

2 AGENT FLETCHER: Well, otherwise we
3 won't know here if you have them seven-day
4 notice. And so what you can do though, the
5 protest is dismissed today. But if the
6 Association has records to show that it did
7 provide Super Liquors with at least a seven-day
8 notice of the meeting -

9 MR. MOGHARABI: Right, that we would
10 be -

11 AGENT FLETCHER: -- that she attended
12 -

13 MR. MOGHARABI: Yes.

14 AGENT FLETCHER: -- send that in to
15 the ABC Board and seek reinstatement of the
16 protest. You have a right to do that. I just
17 want to tell you that.

18 And also, could you put your contact
19 information on that sheet?

20 Ms. Skam, is your contact information
21 on that sheet?

22 MS. SKAM: Yes.

1 AGENT FLETCHER: Okay. And, Mr. Pak,
2 what is your role here today?

3 MR. PAK: Just a translator.

4 AGENT FLETCHER: Okay, that's fine.
5 Thank you. I'm just going to make a note of that
6 in the record, that Mr. Pak is here as a
7 translator for the owner, Ms. Skam.

8 Mr. Pak?

9 MR. PAK: Yes?

10 AGENT FLETCHER: You appeared today at
11 the request of the Applicant, not at the request
12 of ABRA. That's fine, I'm just making a
13 distinction, because we will also provide
14 interpreters upon request.

15 And so my next question for Ms. Skam
16 is, if there're going to be any future
17 proceedings, do you want us to provide an
18 interpreter for you? Or will you bring Mr. Pak
19 to your proceedings?

20 MS. SKAM: I want him to come because

21 -

22 AGENT FLETCHER: You want Mr. Pak?

1 Okay. I'm just going to make a note of that.

2 MS. SKAM: Yes, thank you.

3 AGENT FLETCHER: At this point, there
4 are no other proceedings. The Association has to
5 have an opportunity to respond to the dismissal.
6 And then the Board -- if you do that and the
7 Board approves your request for reinstatement,
8 then hearing dates are going to be set. And
9 you'll hear from us here about those dates. And,
10 Ms. Skam, you would receive notification of those
11 dates. You would have to let Mr. Pak know about
12 those dates.

13 MS. SKAM: Yes.

14 AGENT FLETCHER: Okay?

15 MS. SKAM: Yes.

16 AGENT FLETCHER: But, Mr. Pak, would
17 you please put your contact information on the
18 sheet as well?

19 MR. PAK: Yes. I took one of your
20 cards and -

21 AGENT FLETCHER: Yes.

22 MR. PAK: -- your email.

1 AGENT FLETCHER: Yes. So you would
2 actually, regarding the reinstatement, you would
3 actually send it to Martha Jenkins,
4 martha.jenkins@dc.gov.

5 MR. PAK: Okay, thank you.

6 AGENT FLETCHER: Okay. Thank you very
7 much for coming.

8 MR. PAK: Thank you.

9 AGENT FLETCHER: And until then, thank
10 you.

11 The roll call hearing is concluded.
12 Thank you.

13 (Whereupon, the Roll Call Hearing was
14 concluded at 10:14 a.m.)

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A		H	N
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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Super Liquors

Before: DC ABRA

Date: 05-29-18

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.



Court Reporter

NEAL R. GROSS

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