

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

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| In the Matter of: |) | |
| |) | |
| Broad Branch Market, LLC |) | Case No.: 20-CC-00080 |
| t/a The Broad Branch Market |) | License No.: ABRA-081331 |
| |) | Order No.: 2021-083 |
| Holder of a |) | |
| Retailer's Class B License |) | |
| |) | |
| at premises |) | |
| 5608 Broad Branch Road, NW |) | |
| Washington, D.C. 20015 |) | |

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: Broad Branch Market, LLC, t/a The Broad Branch Market, 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 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 11th day of February 2021, 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: a14208e2b59a5f60e4b72000381a0c90

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 247ac373020c0e0a9d1b332a52249ec

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 25d53fca1fbc14657f6b73ca7017a20a1

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rema Wahabzadah, Member
Key: b2ca46b596b74099b19b35b738f16cf

Rema Wahabzadah, Member

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 02172201f600547491815f612a4180f

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda7f0f0040ec14adeb52541ce5

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**



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| <p>IN THE MATTER OF:</p> <p>BROAD BRANCH MARKET, LLC t/a THE BROAD BRANCH MARKET,</p> <p style="text-align:center">Respondent.</p> | <p>Case No. 20-CC-00080 License No. 81331 Retailer Class B</p> |
|--|--|

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 § 1604.5, for approval by the Board.

The Parties understand that if the Board approves the OIC, this case will conclude and the scheduled Show Cause Hearing will be vacated. Respondent will be obligated to abide by the terms of the OIC: a fine, suspension, both, or other term shown below. If the Board does not approve the OIC, the matter will be continued to the scheduled Show Cause Hearing on a date to be determined.

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

Statutory Authority: D.C. Code § 25-781.

(1) Fine: \$3,000 to be paid within ninety (90) days or the ABC license will be suspended until the fine is paid.

(2) Suspension: The license shall be suspended for ten (10) days, with four (4) days to be served from February 23 – February 26, 2021 and six (6) days stayed for one (1) year pending no further violations.

(3) Other term: All employees who serve alcoholic beverages in the licensed establishment complete an alcohol training program within three (3) months from the OIC's date.

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

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

(1) Fine: \$2,000 to be paid within ninety (90) days or the ABC license will be suspended until the fine is paid.

Dated: February 10, 2021.

Respectfully submitted,

KARL A. RACINE
Attorney General for the District of Columbia

TONI MICHELLE JACKSON
Deputy Attorney General
Public Interest Division

/s/ Kimberly M. Johnson
KIMBERLY M. JOHNSON [435163]
Chief, Civil Enforcement Section

/s/ Walter Adams II
WALTER ADAMS II [459131]
Assistant Attorney General
441 Fourth Street, N.W., Suite 630-S

Washington, D.C. 20001
(202) 727-6262
(202) 730-1498 (fax)
Email: Walter.Adams@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.

/s/ Tracy Stannard
Respondent

February 10, 2021
DATE

Attorney for Respondent

DATE

CERTIFICATE OF SERVICE

I certify that on February 11, 2020, the foregoing Offer in Compromise for Board Approval was served by electronic mail or by U.S. mail, first class postage pre-paid, to:

Tracy Stannard
Broad Branch Market, LLC t/a
The Broad Branch Market
5608 Broad Branch Road, N.W.
Washington, D.C. 20015
tracy@broadbranchmarket.com

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

/s/ Walter Adams II
Walter Adams II
Assistant Attorney General