

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

In the Matter of:

Applicant
Alice RE Holdings, LLC
t/a The Moxy Hotel Washington, D.C.

Transferor
Jemal's Bulldog, LLC
t/a The Moxy Hotel Washington, D.C.

Temporary Operator's Retail Permit of a
Retailer's Class CH License

at premises
1011 K Street, NW
Washington, D.C. 20001

Applicant's License No.: ABRA-119964
Transferor's License No.: ABRA-109673
Order No.: 2021-748

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 October 27, 2021, the Alcoholic Beverage Regulation Administration (ABRA) received an Application for a Transfer of Ownership of the Retailer's Class CH License ABRA-109673 from Jemal's Bulldog, LLC, t/a The Moxy Hotel Washington, D.C. (Transferor), to Alice RE Holdings, LLC, t/a The Moxy Hotel Washington, D.C. (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 October 27, 2021, 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 10th day of November 2021, **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 CH License No. ABRA-109673.

Copies of this Order shall be sent to the Applicant.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: 3c13c1b25812c4e1f10a4273836d1d4c78

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 5476c3737025666c511b33261294b11

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 258d3fca17b414847f6975bc779174267d

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: 2b65c65184b12b4d1615d5c12081e2

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 8217229171106447491b559c24413d5

Jeni Hansen, 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).