

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

2 11:10 a.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case on our calendar is a Fact-Finding
5 Hearing on The Warehouse.

6 Would everyone who is here for this
7 establishment, The Warehouse, at 2046 West
8 Virginia Avenue, N.E., step forward?

9 So can I have everyone introduce
10 themselves for the record, please? We can start
11 with you, sir.

12 MR. DEDRICK: Me?

13 CHAIRPERSON ANDERSON: Yes, yes, sir.

14 MR. DEDRICK: Good morning. My name
15 is Cliff Dedrick. I'm an investigator with the
16 Department of Consumer and Regulatory Affairs.

17 CHAIRPERSON ANDERSON: What's your
18 last name?

19 MR. DEDRICK: Dedrick spelled D-E-D-R-
20 I-C-K.

21 CHAIRPERSON ANDERSON: And you are
22 from where?

1 MR. DEDRICK: Consumer and Regulatory
2 Affairs. The Regulatory Investigation Section.

3 CHAIRPERSON ANDERSON: All right.

4 MR. DEDRICK: DCRA.

5 CHAIRPERSON ANDERSON: Okay. Yes,
6 sir.

7 MR. PENNINGTON: Investigator Gerald
8 Pennington from DC Fire and EMS.

9 INVESTIGATOR PERU: Investigator Jason
10 Peru with ABRA.

11 CHAIRPERSON ANDERSON: Can you -- who
12 are you again, sir? Who are you?

13 INVESTIGATOR PERU: Supervisory
14 Investigator Jason Peru with ABRA.

15 CHAIRPERSON ANDERSON: Thank you.
16 Supervisory Investigator Peru.

17 MR. DEDRICK: Pleased to meet you.

18 INVESTIGATOR PUENTE: Kevin Puente,
19 Investigator with ABRA.

20 CHAIRPERSON ANDERSON: Mr. Puente. I
21 know it's going to take a while, Mr. Peru, for
22 that to roll off your tongue, but, you know, we

1 are -- it's a public hearing and so I want to
2 make sure that the public is aware --

3 INVESTIGATOR PERU: Yes, sir.

4 CHAIRPERSON ANDERSON: -- of the
5 change, the recent change.

6 Yes, sir?

7 MR. SIEGEL: I'm Robert Siegel. I'm
8 the owner of the building 2046 West Virginia
9 Avenue, N.E. I was invited here to observe and
10 without counsel to be present at this hearing.

11 CHAIRPERSON ANDERSON: Well, thank you
12 for being here, Mr. Siegel. There was an
13 incident at a building that, as you said, you are
14 the owner of the building, so I'm glad that you
15 are here, so you can hear about the incident that
16 occurred.

17 And I think one of the reasons why you
18 were invited, it's because this address has
19 requested one-day licenses from ABRA. And based
20 on the incidents that we came across, I'm not
21 sure how the Agency will respond moving forward
22 issuing one-day licenses for this address unless

1 some of the -- at least what was brought up has
2 been addressed.

3 So I should -- is it -- Supervisory
4 Investigator Peru or Mr. Puente, who wants to
5 take the lead?

6 INVESTIGATOR PERU: Investigator
7 Puente will.

8 CHAIRPERSON ANDERSON: Mr. Puente, go
9 ahead, please?

10 INVESTIGATOR PUENTE: Well, ABRA was
11 brought to the attention to 2046 West Virginia
12 Avenue, N.E., by MPD several months ago. MPD
13 conducted a search warrant raid of the
14 establishment back in June for a marijuana event
15 where, approximately, 20 plus vendors were
16 arrested. Narcotics were seized as well as
17 weapons.

18 During that search warrant, they found
19 paperwork for one-day temporary licenses that had
20 occurred in the past at The Warehouse as well as
21 a schedule going forward of events that are
22 supposed to be happening from June to the end of

1 this year.

2 And back on September 30th I was
3 contacted by MPD Officer Michael Ferris, who led
4 that search warrant raid, and he advised me that
5 he just drove by The Warehouse on this night and
6 saw that The Warehouse was having an event and
7 there was a lot of people entering and exiting
8 and asked if ABRA can come by and take a look at
9 it.

10 Myself and Investigator Peru along
11 with Mr. Pennington from the Fire, we went out
12 there as well as another investigator from DCRA.
13 When we arrived, we were met at the front door by
14 a female who was checking IDs. She asked to see
15 our IDs. We identified ourselves and continued
16 on our way in.

17 As soon as we entered the door, we
18 immediately saw seven fire extinguishers all at
19 the bottom of the stairwell. We made our way to
20 the top floor. We saw a table with people
21 checking in showing their tickets, getting
22 wristbands.

1 It was a large rave going on. There
2 was a DJ playing. They had two bars setup. Once
3 we made contact with the event organizer, which
4 was a caterer, the Board will be getting another
5 case on the caterer very soon, we were able to do
6 a walk-through of the establishment. And we,
7 DCRA, Fire and ABRA found a lot of issues inside.
8 Power outlets, power being run from -- I'll let--
9 Mr. Pennington can explain what he saw. But
10 ultimately the event was shut down for safety
11 concerns.

12 After reaching out to DCRA and Fire,
13 we found out that this event, this location is
14 not licensed, doesn't have a BBO. The C of O is
15 only for the office use only, not to be hosting
16 any large public hall events, dance parties or
17 anything.

18 So MPD kind of -- I spoke with Michael
19 Ferris shortly after and he said 5D is very
20 concerned about this location, because it poses
21 and imminent risk to people going there because
22 of all the safety issues and they asked that we

1 monitor and take a look at it.

2 CHAIRPERSON ANDERSON: All right.

3 Thank you, Mr. Puente. All right. Supervisory
4 Investigator Peru, do you have anything you want
5 to add?

6 INVESTIGATOR PERU: Just additionally,
7 I believe it's probably in the report as well is
8 that after we -- after this incident on this day,
9 we came back to ABRA and found out that there
10 were other one-days that were approved coming up
11 of -- for this same exact location.

12 So we have concerns, you know, that
13 the -- because the building was deemed unsafe by
14 Fire and DCRA, that to try and prevent these
15 events from taking place for public safety
16 issues.

17 So prior to us being in contact with
18 them and after, you know, they had approvals
19 already on file, not through the owner himself,
20 but through other entities applying for one-days.

21 CHAIRPERSON ANDERSON: All right. Mr.
22 Dedrick, what, if anything, can you tell us about

1 this address?

2 MR. DEDRICK: Well, this address was--

3 CHAIRPERSON ANDERSON: Pull the
4 microphone closer to you, sir.

5 MR. DEDRICK: This address was brought
6 to my attention through not only MPD, but also
7 ABRA and this Investigator Kevin Puente. And we
8 did a records check. When I say we, it was
9 assigned to me and as I did my records check on
10 it, it has already been testified that there was
11 only a Certificate of Occupancy issued to the
12 owner of Robert Siegel, Inc., for an office and a
13 warehouse, one and two levels.

14 The information that was shared with
15 me was that events had already occurred there, so
16 the party or rave, and the concern that DCRA has
17 was that there were no business license issued to
18 this address for any purpose or through anyone's
19 name.

20 And the information that we got, there
21 was other events getting ready to happen and what
22 we have done was taken the MPD reports from a

1 previous raid that mentioned earlier and we were
2 turning data to an investigative report and we
3 will be forwarding that to our general counsel's
4 office.

5 Based upon what was found and also the
6 fact that they did not -- the location, I should
7 say, did not have any kind of business license or
8 a Certificate of Occupancy saying -- having such
9 any kind of event. So a Certificate of Occupancy
10 is supposed to reflect what the establishment is
11 doing.

12 And this particular location only has
13 a C of O for an office and a warehouse. And a
14 warehouse does not give the holder permission to
15 have events or any other kind of food or beverage
16 activity. And this particular location, as far
17 as DCRA is concerned, I also turned some
18 information over to the Zoning Office and they
19 also reviewed not only the permit, but have
20 looked at plans that they were trying to turn it
21 into an establishment for such lounge and
22 restaurant and night activity.

1 And as of today, those plans and that
2 activity has not been approved through not only
3 the Zoning Office nor has a license been issued
4 to 2046 West Virginia Avenue, N.E.

5 CHAIRPERSON ANDERSON: Okay. Thank
6 you. Mr. Pennington, what, if anything, can you
7 add from DC Fire?

8 MR. PENNINGTON: Well, on this -- good
9 morning to the board. As Investigator Puente
10 stated earlier, as we entered right in, I noticed
11 from a fire perspective the certificate of
12 occupancy, as DCRA has already explained, is just
13 for The Warehouse.

14 CHAIRPERSON ANDERSON: Pull closer to
15 the table, so we can hear.

16 MR. PENNINGTON: Okay. So there -- as
17 we entered we noticed that they had the
18 extinguishers. I did a further investigation of
19 those extinguishers, they were all expired as
20 early as 2000 and 2003. Some of them had been
21 discharged and they were half full. None of them
22 were fully charged.

1 And so as we proceeded up, we -- I --
2 they dealt with the event people and I started
3 just roving the establishment. They -- it is
4 clear -- and I took lots of pictures as well as
5 Investigator Puente. They have -- they tapped
6 into their main power source to the supply lines
7 which was not done, so they opened the main box,
8 tapped into it to run all the sound equipment and
9 lighting equipment.

10 They had extension cords running
11 through the rafters of the ceiling, down poles,
12 through walls. They daisy chain them, which
13 means they connect them to another extension cord
14 to a power outlet. Each of their power sources
15 were overloaded with -- meaning each outlet
16 section had a cord attached to it.

17 So you see that through the
18 establishment. They had extension cords running
19 through puddles of beer, so electric and water do
20 well. Then they had standing water in some of
21 the corners, trash and rubbish, but the biggest
22 things from the Fire Code violations are open

1 junction boxes, and extension cord usage
2 throughout, the power tap into their main power
3 source, the main line into the building, missing
4 exit lights.

5 I was only able to -- due to the
6 lateness of the hour in the event, I was only
7 able to do the second floor level. I did not do
8 a full inspection of the first floor and I did
9 hear there is an office, so I wasn't able to
10 determine where the fire alarm control panel was
11 to see if it was either working or in trouble.

12 CHAIRPERSON ANDERSON: All right.
13 Thank you. I mean, Mr. Siegel, this is not a
14 Fact-Finding Hearing. This is a -- just trying
15 to gather some information. You are not an ABC-
16 licensed establishment, so there is nothing the
17 ABC Board can do to you. And so I appreciate the
18 fact that you showed up here today.

19 And I guess I just have -- and I know
20 that or have been told that this establishment,
21 this address have and has -- have and continue to
22 request one-day licenses to have events, asking

1 the ABC Board to have events at the
2 establishment. And so can you tell us, do you
3 currently have a basic business license for this
4 address? And what is the usage for this address,
5 sir? If you can answer.

6 MR. SIEGEL: Yes, I certainly can.

7 But I was shocked at the event or the events that
8 have happened for the rental of my establishment
9 by my business associate or I wouldn't even say
10 he is -- I would just say he was a manager, not
11 promoting, but taking in some parties, because it
12 is a warehouse.

13 Now, Robert Siegel, Inc. was formed in
14 1994 and I have been continually working with
15 DCRA and Office of Tax and Revenue paying
16 corporate franchise taxes, property -- personal
17 property taxes, all those things associated with
18 businesses.

19 And 1994 is a long time and I'm 74
20 years-old and I can't imagine going through all
21 these years without having filed a FR-500.

22 CHAIRPERSON ANDERSON: What's an FR-

1 500?

2 MR. SIEGEL: An FR-500 is the
3 establishment of a business license. Now, I have
4 been paying personal property taxes, corporation
5 franchise taxes, but I actually do not ever
6 recall ever getting a business license. Probably
7 because well, I don't know why.

8 I would imagine having an occupancy
9 permit and inspections, I would have imagined
10 that I would have a general business license.
11 And it was only just, I would say, within the
12 year that there has been some one-day licenses.
13 And to my attention, they were not pot parties.
14 But for instance this raid, and I am glad you did
15 have a raid, because I never -- this was supposed
16 to be an art gallery, electronic art gallery
17 exhibit and not really a rave.

18 Raves sound kind of bad to me at my
19 age, but the -- I am certainly glad that fire
20 extinguishers were brought to my attention and
21 all this other stuff, but not all of these
22 parties are huge parties that I'm told. And but

1 they all usually involve some sort of liquor that
2 has been approved by ABRA one way or another.

3 Now, I'm not going to hear and make
4 excuse after excuse after excuse, but I thought
5 my building did have a general business license
6 and I had people that work for me that do not
7 promote it, but use some of the warehouse space,
8 because it's not a vacant building. It is office
9 space downstairs and a warehouse upstairs.

10 And whatever I need to do, I will
11 comply to make it legal. Now, I was here -- I
12 came here only because I was invited. And I did
13 say I didn't have any counsel. Excuse me just a
14 minute, I'm a little short of breath.

15 Just the other day on the 16th, October
16 the 16th, DC Fire Department came through with an
17 inspection, which I believe I ended up paying
18 about \$300 or \$400 just for the inspection walk-
19 through. And I was told by -- I don't know if
20 Mr. Pennington is aware of this, but on the 16th
21 there was an inspection and I passed.

22 There were fire extinguishers that

1 were about -- there were about 7 to 10 fire
2 extinguishers put up there that were licensed or
3 tagged and whatever had to be done and the
4 inspection passed.

5 I was mightily concerned about what
6 was said about electrical panels being open and
7 all this horrible stuff, because I certainly
8 don't want any problems. But there are working
9 fire alarms and burglar alarms in the place.

10 And I want to do whatever I have to do
11 to bring this building up to par. So we had a
12 fire inspection. I expect DCRA to come in and do
13 a general building inspection. And I want to be
14 proud of that building.

15 Now, as far as for drug parties, I was
16 not aware of any drug parties. But I was told
17 that there was some drug parties from my manager.
18 Not drug parties of all people trying to sell
19 stuff and giving tickets out or something to that
20 effect. Well, I put a stop to that, but I also
21 came here, sir, to listen to the report from the
22 violation. The horrible violation that ABRA did

1 not have a caterer that was properly licensed.

2 And I expected the people that were
3 told that they were not properly taken care of
4 the paperwork, because when there is a party, I
5 have to have liability paperwork signed and
6 contract signed and other things taken care of
7 before I even let the parties coming in.

8 And there was a gentleman by the name
9 of Mr. Ashum and he was responsible for the party
10 and the rental of the -- my space. And I fail to
11 find why they are not here, because that was the
12 real problem that I thought was going on. And if
13 there -- and I will check out with DCRA and I
14 will get a general license or something because
15 it has to be effect for a business to be
16 conducted, taking money and reporting for taxes
17 and so forth the proper way.

18 If that was what has not happened, it
19 will happen. But I'm getting old, but the thing
20 is I want things to be done right in the District
21 of Columbia. And I want everything to be okay.

22 CHAIRPERSON ANDERSON: Mr. Siegel,

1 thank you for being here today, but I think that
2 the major issues that -- no one is blaming you
3 for the party. I think from our perspective,
4 it's that someone comes to you to rent your
5 property. In order -- when they apply, if they
6 want to have an event there, we have to get a
7 letter from you, the owner, approving them to
8 utilize this -- the property for what it is that
9 they are saying that they want to do.

10 And so what we are saying to you is
11 that, and I believe that once we -- when someone
12 comes to us and requests for a one-day temporary
13 license, then I think we ask them for the
14 Certificate of Occupancy, so we will know --
15 let's say if the person comes and says that I
16 want 2,000 people, we need to have a Certificate
17 of Occupancy that says that this place, that if
18 they are asking for 2,000, if the a Certificate
19 of Occupancy cannot accommodate 2,000, then we
20 are not going to approve it for 2,000. We will
21 approve it for whatever the maximum the
22 Certificate of Occupancy says.

1 And so from what I am told, I'm not
2 sure if there is a current C of O for this space.
3 And if there is no current C of O for this space,
4 then if someone comes to us with a letter from
5 you stating that they can utilize the property,
6 if there is no C of O, then we can't do it.

7 So yes, you are a businessman and you
8 are facilitating, but I guess what we are trying
9 to say to you is that if you are going to
10 facilitate the business, that there are certain
11 expectations that the Agency has from -- has of
12 you as the owner of the business, in the sense
13 that there should be a basic business license
14 that says what this space can be utilized for and
15 there should be a C of O.

16 I don't think anyone is blaming you to
17 say there was a rave party or anything like that.
18 And the issue with the caterer, that was a
19 different issue. It's not -- I don't think -- if
20 I remember, although that is not the case today,
21 we are not saying the caterer was sufficiently
22 licensed.

1 The issue from what I was told is that
2 a caterer when they are providing alcohol for an
3 event, that they are supposed to provide food and
4 the alcohol is supposed to be incidental to the
5 event. A caterer cannot use his or her license
6 to buy liquor, someone wants to have a party,
7 I'll buy the liquor and I said oh, I thought all
8 I had to do was provide liquor.

9 That person is supposed to be there
10 providing food for the event and also provide
11 liquor. So I just want to say to you that's the
12 difference there. So I don't recall and that's
13 not necessarily the purpose of this hearing
14 whether or not the caterer didn't have a
15 sufficient license.

16 The issue with the caterer was what is
17 it that he or she did once they catered this
18 event? Okay. If anyone has -- you guys can
19 respond and then I'm going to ask other Board
20 Members to ask questions. We will go with Mr.
21 Dedrck and then Mr. Pennington.

22 MR. DEDRICK: Thank you. Thank you

1 for allowing me to address the Board again. And
2 do you, Mr. Siegel, it also goes beyond just
3 having a Certificate of Occupancy that reflects
4 the use and purpose. If Mr. Siegel's intent is
5 to rent out his warehouse, then Mr. Siegel should
6 also get the proper license for events.

7 Now, DCRA will be happy to talk with
8 him and work with him and go through whatever
9 steps or stages that he needs to go through to
10 get that proper license.

11 And as far as a caterer is concerned,
12 I believe that when individuals approach him or
13 approach his manager or his business partner,
14 whatever he wants to call it, those caterers must
15 have a license also. If you are going to bring
16 food into the District to any location, you, as
17 the business person, as the caterer, must be
18 licensed.

19 You just can't be registered in the
20 District because you are registered. You have to
21 be registered as a catering with a business
22 license that says so. And I have not seen the

1 individual name of the company that has claimed
2 to be the caterer at the event, but we certainly
3 can, of course, look that up in our system.

4 So I just want to share with the Board
5 that without a business license, Mr. Siegel and
6 his business person cannot rent out the facility
7 for any purpose, because, one, his C of O does
8 not reflect that the use and -- has changed to do
9 that, to do such event.

10 Also nor can his business partner rent
11 it out, because his business partner doesn't have
12 a license and there is just not the space or the
13 purpose for the C of O to have any kind of event.

14 Now, I heard him talk about an art
15 gallery. I would like to share with the Board on
16 that, because I have recently conducted
17 investigation on a location in the city, and I'm
18 not going to name it, of course, but it is an art
19 gallery. They did get a Certificate of Home
20 Occupation Permit.

21 But my point is the fact that they got
22 a general business license for a gallery. And

1 what happened? Someone contacted them for a pop-
2 up cannabis event to be held at this gallery.

3 And we have already reached out and contacted the
4 galley's owner, that that was not proper.

5 Because you have a general business
6 license, doesn't mean that you can just do
7 anything that you want. In the District of
8 Columbia, having these cannabis pop-up parties is
9 not legal. So you cannot have them or have
10 people display any kind of cannabis, CBD or any
11 of those things, because they are still illegal
12 in the District of Columbia for the purpose of
13 what they are being setup to do in these pop-up
14 locations.

15 So I just wanted to share that with
16 the Board.

17 CHAIRPERSON ANDERSON: All right. Mr.
18 Pennington?

19 MR. PENNINGTON: Yes. Mr. Siegel, do
20 you have the name of the inspectors that came out
21 and inspected your business on the 16th of this
22 month?

1 MR. SIEGEL: No, I wasn't there.

2 MR. PENNINGTON: Because --

3 MR. SIEGEL: But the person that was
4 responsible for getting the permissions and the
5 contracts and everything was there and took the
6 person through, took the officers through. This
7 was scheduled for 4:00 on the 16th. And I
8 understand the inspection did happen.

9 MR. PENNINGTON: You said officers.
10 Was it from my Agency or some other Agency?

11 MR. SIEGEL: Whoever DC Fire
12 Department, this was official DC Fire Department
13 inspection. And --

14 MR. PENNINGTON: Because I checked to
15 print these documents out. I thought I didn't
16 have another copy, but then I did find it, but I
17 looked your business up in our system and as of
18 last night, this is the only document generated
19 for your location.

20 MR. SIEGEL: Well --

21 MR. PENNINGTON: Entitled -- based on
22 -- I searched it as industrial warehouse, which

1 is in your licensing documents. I also searched
2 it as just warehouse and then I pulled it up just
3 by the address. So as of right now, this is the
4 only report and I generated this on the 4th when
5 we came out to your location.

6 MR. SIEGEL: I am honestly telling you
7 that DC Fire Department supposedly did come by.
8 They walked through. The seven fire
9 extinguishers were recently tagged the other day,
10 because this happened, this problem, about seven
11 days ago. They were tagged and inspected by OSHA
12 and hung. And we were -- I was very happy and
13 proud to have the DC Fire Department walk through
14 and actually say to my manager, supposedly that's
15 what my manager said, that we completely passed
16 on the second floor completely.

17 MR. PENNINGTON: Well, the --

18 MR. SIEGEL: That's all I can tell
19 you. And I was quite pleased to hear that.

20 MR. PENNINGTON: Well, as of right
21 now, I mean, I'm the nighttime inspector, so that
22 would have been me at 4:00.

1 MR. SIEGEL: At 4:00.

2 MR. PENNINGTON: It wasn't I. The
3 Fire Marshal is stating that he did not send
4 anyone out specifically, but he is going to check
5 to see if maybe the lower level officers did.
6 But this -- I'm the nighttime person for all
7 events, so it wouldn't have gone to anyone else
8 to do in my absence.

9 MR. SIEGEL: I will find out, Officer
10 Pennington. And also, there are cameras in my
11 place.

12 MR. PENNINGTON: Okay.

13 MR. SIEGEL: So I'm going to actually
14 relish looking at the camera for the 4:00
15 inspection.

16 MR. PENNINGTON: But at the end of the
17 day, if they told you that you passed, they
18 should have generated one of these documents.

19 MR. SIEGEL: Well, I haven't -- I
20 wasn't there. All right. I wasn't there.

21 MR. PENNINGTON: Okay. I'm just
22 trying to help you.

1 (Simultaneous Speaking)

2 MR. SIEGEL: I have some --

3 MR. PENNINGTON: If you can give a
4 name and I can look it up.

5 MR. SIEGEL: We are talking about
6 16,000 square feet on the second floor where this
7 art gallery -- actually, this art gallery exhibit
8 was pretty well pretty famous going all over the
9 United States. You would think that they would
10 have the proper electrical connections and all
11 that other stuff.

12 I mean, really if they do it in other
13 cities and it was a two-day event, well, anyway,
14 I will have -- I will certainly have that
15 paperwork and the name of the officers given to
16 you, Officer Pennington. I am certainly helping
17 out as best as I can. I want this to be resolved
18 equivocally with DCRA and the Fire Department and
19 with the Police Department.

20 MR. DEDRICK: May I respond --

21 CHAIRPERSON ANDERSON: Yes, Mr.
22 Dedrick.

1 MR. DEDRICK: -- with a comment?

2 CHAIRPERSON ANDERSON: Yes.

3 MR. DEDRICK: Mr. Siegel, and I hate
4 kind of going in somebody else's yard, that
5 inspector, was he in uniform?

6 MR. SIEGEL: I have no idea. I wasn't
7 there.

8 MR. DEDRICK: All right. We will find
9 out. That's correct. Okay.

10 What have you done since you have
11 heard concerning the issues and problems at your
12 location going forward? This particular manager
13 that you talked about, do you want to share his
14 name?

15 MR. SIEGEL: Sure. His name is Mr.
16 Michael Antonelli.

17 MR. DEDRICK: Mr. Antonelli. All
18 right. I like addressing individuals.

19 Does Mr. Antonelli know that he cannot
20 have any events there?

21 MR. SIEGEL: Now he knows. And he is
22 not -- well, he is no longer in that position as

1 far as scheduling events either.

2 MR. DEDRICK: And who is that person
3 who is solely responsible for scheduling events?

4 MR. SIEGEL: Mr. Michael Antonelli.

5 MR. DEDRICK: Oh, well, maybe I
6 misunderstood. Did you say he is no longer
7 scheduling events?

8 MR. SIEGEL: I had a disagreement with
9 him and he is -- there is no longer anyone
10 scheduling any events --

11 MR. DEDRICK: Going?

12 MR. SIEGEL: -- going forward.

13 MR. DEDRICK: Going forward. Okay.

14 MR. SIEGEL: By the way, there was --
15 according to him, there were four -- five more
16 events scheduled and they have all been canceled.

17 MR. DEDRICK: Is it possible that you
18 could give DCRA a written notification to that
19 effect?

20 MR. SIEGEL: I certainly will.

21 MR. DEDRICK: Okay. Thank you, sir.

22 MR. SIEGEL: And I will work with

1 them. And if you can give me someone to actually
2 work with at DCRA in the Licensing Department --

3 MR. DEDRICK: Oh, absolutely.

4 MR. SIEGEL: -- I would love to
5 actually physically work with this particular
6 person, so that everything would be fine.

7 MR. DEDRICK: All right. Yes, sir, I
8 will. Thank you, Board.

9 CHAIRPERSON ANDERSON: All right. Mr.
10 Short?

11 MEMBER SHORT: Yes. Good afternoon,
12 Mr. Dedrick and Investigator or Inspector
13 Pennington and you two fine ABRA employees. And
14 thank you for coming out today, Mr. Siegel.

15 Mr. Siegel, how long have you been in
16 business in Washington, D.C.?

17 MR. SIEGEL: Since 1979.

18 MEMBER SHORT: How many other
19 warehouses do you have in the city?

20 MR. SIEGEL: I have two other
21 warehouses on Mount Olivet. One is Tony's Gym.
22 It's really a warehouse, it's almost a ware

1 house. But it's Tony's Gym and it's licensed.
2 And then there is another warehouse in the back
3 of Tony's Gym, which is quite substantial, but it
4 is used for storage.

5 MEMBER SHORT: Okay. And so you are
6 quite aware of a lot of District Laws being --

7 MR. SIEGEL: I am. I am.

8 MEMBER SHORT: So you know a warehouse
9 cannot be used for public assembly. Is that
10 correct?

11 MR. SIEGEL: True.

12 MEMBER SHORT: Yes, you know that?

13 MR. SIEGEL: True.

14 MEMBER SHORT: You might not remember
15 me, but I remember you when I was a fireman. And
16 so we have had these conversations years ago
17 before Mr. Harold Brazil, who is a former
18 Councilmember came with the regulatory reform.
19 And I think you testified to Mr. Harold Brazil,
20 you and some other business people, that the city
21 is just being too hard on businesses and
22 whatever.

1 But at any rate, we don't have to go
2 there. That's water over the dam, but as a
3 result of the regulatory reform, and I can
4 explain this and I want this on the record, and I
5 have had this conversation with some of the Board
6 Members here, when you take a warehouse which
7 doesn't have enough exits for public assembly,
8 and convert it for whatever reason, whether you
9 have a one-day license or whether you have
10 caterers, you are endangering the public.

11 We need to put a check on that and I
12 think this hearing is going to help do that,
13 because again, this is public record. But how
14 many exits do you have coming from 2046 West
15 Virginia Avenue?

16 MR. SIEGEL: About three or four
17 exits.

18 MEMBER SHORT: Three or four exits.
19 And how many people do you have on that second
20 floor when they have events?

21 MR. SIEGEL: I was told there were as
22 many as possibly 400 people, that's the most.

1 That's the most I was ever told.

2 MEMBER SHORT: Do you have any idea
3 how many would be required for a place of public
4 assembly?

5 MR. SIEGEL: I'm not quite sure, but
6 I never knew -- I believed actually from what I
7 had heard in the past that as many as about 250
8 could be probably up there.

9 MEMBER SHORT: Probably up there?

10 MR. SIEGEL: Probably up there.

11 MEMBER SHORT: But --

12 MR. SIEGEL: And they don't have or at
13 least the Fire Department doesn't give out, let's
14 see --

15 MEMBER SHORT: You're right. You're
16 right.

17 MR. SIEGEL: -- I can't see any more.

18 MEMBER SHORT: Mr. Harold Brazil had
19 that changed, so now you can go in and get any
20 number you want. You just throw out a number and
21 that's what you have.

22 MR. SIEGEL: But --

1 MEMBER SHORT: And let's don't go
2 there. That's not going to help this hearing
3 today. DCRA and Fire can work that out. But
4 I'll just stick with this. I'm glad this is on
5 the public record.

6 Are you familiar that there was a
7 warehouse in California within the last three or
8 four years where 13 or 14, maybe 20 people died?

9 MR. SIEGEL: Absolutely.

10 MEMBER SHORT: And --

11 MR. SIEGEL: Disgusting.

12 MEMBER SHORT: -- this was a
13 warehouse, correct?

14 MR. SIEGEL: Yes.

15 MEMBER SHORT: And they converted to
16 an art gallery, correct?

17 MR. SIEGEL: And living quarters.

18 MEMBER SHORT: And no not -- first, it
19 was an art gallery. And they -- just incidental
20 to the art gallery, people moved in.

21 MR. SIEGEL: Squatters.

22 MEMBER SHORT: Okay. But they were

1 paying -- but they were paying the landlord rent.

2 MR. SIEGEL: Oh, I bet they were.

3 MEMBER SHORT: Oh, okay. So again, I
4 want it on the public record that we, as an
5 Agency, and other DC Government Agencies, need to
6 before we have an incident like they had in
7 California with multiple deaths, we need to put a
8 check on this.

9 Places that don't have public assembly
10 permits or public assembly Certificate of
11 Occupancy should not be allowed to have any kinds
12 of place where they are drinking and dancing or
13 partying, because if you don't have enough exits,
14 somebody can't get out if there is an emergency.

15 And from the pictures that I saw from
16 Mr. -- Inspector Pennington's report, this -- did
17 anybody share these reports with you?

18 MR. SIEGEL: No, that's the report.
19 I had a 23 page report sent to me. It was black
20 and white. And the pictures were just absolutely
21 really unrecognizable, I guess, because of the --
22 but these are just wonderful pictures. I would

1 like to look at them.

2 MEMBER SHORT: Yes.

3 MR. SIEGEL: I would like to have time
4 to look at them. But --

5 MEMBER SHORT: Mr. Siegel, I don't
6 want to waste any more time. We realize that
7 what happened was a very, very dangerous
8 situation, even though profitable. Do you agree
9 to that?

10 MR. SIEGEL: It could have been, --

11 MEMBER SHORT: Was there --

12 MR. SIEGEL: -- dangerous. You're
13 right because of the wires and cable and all that
14 other stuff.

15 MEMBER SHORT: So what do you mean
16 could have been? If you had --

17 MR. SIEGEL: Wires were dangling.
18 People could have got tangled. There could have
19 been emergencies. I was not aware of the
20 situation. This art gallery apparently did some
21 alterations without my permission. Without my
22 manager's communication to me. This is terrible.

1 Extension cords dangling. Oh, no, no, no, you
2 are not allowed in D.C. to have an extension cord
3 in a building more than 6 feet, I think.

4 MEMBER SHORT: So you know these
5 things?

6 MR. SIEGEL: I know that -- some of
7 these things.

8 MEMBER SHORT: These -- and this
9 happened in your establishment?

10 MR. SIEGEL: Yes, it did and I'm
11 ashamed that it happened, Mr. Short.

12 MEMBER SHORT: Okay. Well, again, I
13 wanted to thank the Investigators and the
14 Inspector and Mr. Dedrick from DCRA. And I'm
15 quite sure that this message will get to the Fire
16 Chief and to the Director of DCRA and our
17 Director here at ABRA. And we are going to try
18 to help people like you better understand the
19 dangers of what is happening in your property.

20 MR. SIEGEL: I want everyone to
21 understand this.

22 MEMBER SHORT: Yes. Okay. Thank you.

1 That's all I have, Mr. Chair. Thank you.

2 CHAIRPERSON ANDERSON: Mr.
3 Silverstein?

4 MEMBER SILVERSTEIN: I want to echo
5 everything that my colleague, Mr. Short, just
6 said. We are not going to look the other way,
7 Mr. Siegel. It was more than 30 years ago we
8 looked the other way and the Cinema Fires, the
9 Cinema Follies Fire happened and nine people
10 died.

11 In Oakland they all looked the other
12 way and 36 people died at Ghost Ship. Now, we see
13 that all the fire extinguishers had expired, the
14 some had been discharged and none were fully
15 charged. That there was dangerous wiring and
16 that this place was being used as a public
17 assembly hall without being a public assembly
18 hall.

19 And I want to thank all of those who
20 moved on this, because this is an ongoing
21 problem. People want to have events and they
22 don't want to charge large amounts for them or

1 they don't want to pay. It is human nature to
2 have shortcuts and that's exactly the type of
3 thing that happened -- that will happen in a city
4 where there is pressure on development and
5 warehouses and things like this are being pushed
6 out.

7 People are always looking for a
8 cheaper place to hold an event and we cannot
9 allow these things to jeopardize public safety.
10 I think we all understand that. And I think that
11 there is regret on your part, but I am just so
12 happy that folks on this side of the table are
13 making sure that there will be enforcement and
14 that public safety is the most important part of
15 this.

16 What happened there, you have
17 explanations, but they are not good excuses.
18 Thank you.

19 CHAIRPERSON ANDERSON: Thank you, Mr.
20 Silverstein. Any questions by any other Board
21 Members?

22 All right. What I will do then, I

1 will give each person an opportunity to say some
2 final comments. So I'll start with you, if you
3 so desire, Mr. Dedrick. Do you have any final
4 comments you want to make?

5 MR. DEDRICK: No, sir. I just want to
6 say thank you to the Board and thank you, Mr.
7 Siegel, for coming in and giving us an
8 opportunity to address you. So and yes, you will
9 get an opportunity through DCRA and I will -- I'm
10 not going to be your person of contact, but I
11 certainly will guide you and give you the
12 person's name who we can get to and talk to
13 concerning your situation.

14 CHAIRPERSON ANDERSON: Thank you, Mr.
15 Dedrick. Mr. Pennington?

16 MR. PENNINGTON: No, I don't have
17 anything, but thank you, Mr. Siegel, for coming
18 in. Again, those pictures are mine, so you can
19 clearly see what took place or is happening in
20 your business in your absence.

21 MR. SIEGEL: Okay.

22 CHAIRPERSON ANDERSON: Supervisory

1 Investigator Peru?

2 INVESTIGATOR PERU: No, sir. Thank
3 you for having us.

4 CHAIRPERSON ANDERSON: Mr. Puente?

5 INVESTIGATOR PUENTE: Yeah, just one
6 thing since Mr. Siegel mentioned his manager's
7 name, Mr. Antonelli. Mr. Antonelli, I was
8 informed by Officer Ferris of MPD, was the one
9 that was -- that organized the marijuana events
10 at the establishment. So he is the one that also
11 was on the name of some of the ABRA paperwork
12 that he found back in June. I just wanted that
13 on the record.

14 CHAIRPERSON ANDERSON: Thank you, Mr.
15 Puente. Mr. Siegel, any final comments you want
16 to make?

17 MR. SIEGEL: Well, I have -- I still
18 do not understand why the caterer and the
19 restaurant person who was also invited here to
20 testify. I'm just glad I just showed up.

21 CHAIRPERSON ANDERSON: Mr. Siegel, we
22 are going to have a hearing. It's not on this

1 case, but I was -- as -- I'm not sure if you had
2 heard Mr. Puente had stated earlier that there is
3 a separate report that was written on the
4 caterer. I think that's what I heard.

5 So we will -- so Mr. Puente has done
6 an investigation and Mr. -- and that report will
7 come to the Board and the Board will -- once the
8 Board has reviewed this report regarding the
9 caterer, we will take appropriate action against
10 the caterer. But the caterer was not a part of
11 this hearing.

12 MR. SIEGEL: Well, I have always been
13 a law enforcement owner as far as crime and
14 safety and I'm glad all this was brought to my
15 attention, because I know I can't get around as
16 fast as I used to get around, but I welcome
17 anything to improve my businesses and promote my
18 good name and good will to the community.

19 I had nothing to do with the follies
20 incident in the past, Mr. Silverstein. However,
21 I am well-aware of chained doors, you know, and
22 things. So I want to work with the city, with

1 the Fire Department, with DCRA, with ABRA. I'm a
2 -- I try to be a good business person while I
3 can. I appreciate all your help.

4 MEMBER SHORT: I just have one last
5 statement.

6 CHAIRPERSON ANDERSON: Okay. Go
7 ahead, Mr. Short, but we are half an hour late.

8 MEMBER SHORT: I would just like to
9 ask Inspector Pennington if he could provide this
10 Board with a full-building inspection of 2046
11 West Virginia Avenue? If that can be done? If
12 it can't, I understand, but for the record, I
13 would just like to request that the Fire
14 Department do a fire inspection of that property.

15 MR. PENNINGTON: Sure.

16 MEMBER SHORT: Okay. Thank you very
17 much.

18 MR. PENNINGTON: It would have to be--
19 I mean, right now they have been closed. I have
20 driven past there a few times, but it's -- if
21 someone can arrange --

22 MEMBER SHORT: I think the Fire Code

1 says that given proper notification, then the
2 building can -- DCRA can do the same thing. It
3 don't have to be open. Because now it's on
4 public record there has been issues there and so
5 we can head-off anything that could be to help,
6 Mr. Law and Order, I mean, excuse me, help out
7 the owner of the building, we want to make sure
8 that we give him all the help we can assist him
9 with.

10 MR. PENNINGTON: Sure.

11 MEMBER SHORT: Thank you very much.

12 MEMBER SILVERSTEIN: Mr. Chairman?

13 CHAIRPERSON ANDERSON: Yes, Mr.

14 Silverstein?

15 MEMBER SILVERSTEIN: Being that my
16 name was mentioned, I want to make it clear to
17 Mr. Siegel that I was not stating that he had
18 anything at all to do with the fire that occurred
19 here in the 1970s. That what I was making clear
20 was that in that tragedy and in the Ghost Ship
21 tragedy, both of them, they were people who knew
22 that there were dangerous situations and those

1 people who were in positions of authority looked
2 the other way. And that's what brought those
3 things about.

4 And that was the point I was making.

5 MR. SIEGEL: I understand that.

6 CHAIRPERSON ANDERSON: All right.

7 Thank you for -- thank all the parties for being
8 here today. And the Board will take this matter
9 under advisement. Thank you very much.

10 MR. DEDRICK: Thank you, gentlemen.

11 CHAIRPERSON ANDERSON: Thank you.

12 (Whereupon, the Fact-Finding Hearing
13 was concluded at 11:58 a.m.)

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This is to certify that the foregoing transcript

In the matter of: The Warehouse

Before: DCABRA

Date: 10-19-18

Place: Washington, DC

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