

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

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<b>In the Matter of:</b>	)	
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	)	
Toro Bar Corporation, LLC	)	Case No.: N/A
t/a Toro Bar	)	License No.: ABRA-092074
	)	Order No.: 2023-033
	)	
Application to Renew a	)	
Retailer’s Class CT License	)	
	)	
at premises	)	
3708 14th Street, N.W.	)	
Washington, D.C. 20010	)	

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

**ALSO PRESENT:** Toro Bar Corporation, LLC, t/a Toro Bar, Applicant

Ana De Leon, Designated Representative, on behalf of the Applicant

Ralph Bernstein, Designated Representative, on behalf of a Group of Five or More Residents or Property Owners, Protestant

Martha Jenkins, General Counsel  
Alcoholic Beverage Regulation Administration

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**ORDER REINSTATING PROTEST**

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On January 5, 2023, the Alcoholic Beverage Regulation Administration (ABRA) informed the Group of Five or More Residents and Property Owners (Group) represented by Ralph Bernstein that their otherwise compliant protest letter filed against the Application to Renew the license held by Toro Bar Corporation, LLC, t/a Toro Bar (Applicant) had been rejected for failing to contain appropriate signatures. Specifically, the January 5 letter indicates that

The protest letter you submitted . . . is missing an acceptable form of signature from each protestant. A simple restatement of the protestant’s name in a type-written format is not an acceptable form of signature. A protestant may use a digital copy of an actual signature as an electronic signature or may create an electronic signature using a software program. Simply typing out a name on the signature line is an acceptable electronic signature for a protest.

*Protest Letter*, 1 (Jan. 5, 2023). The Group subsequently filed a motion requesting reinstatement of their protest and reconsideration of the decision to dismiss the protest.

The Board grants the motion because the regulations solely require an “electronic signature[.]” in 23 DCMR § 1602.5. The definition of an electronic signature or additional requirements for the acceptability of such a signature, such as security features or copies of wet ink signatures, are not provided for in the Title 25 of the D.C. Official Code and Title 23 of the D.C. Municipal Regulations. As noted in *Black’s Law Dictionary*, an “electronic signature” is “An electronic symbol, sound, or process that is either attached to or logically associated with a document (such as a contract or other record) and executed or adopted by a person with the intent to sign the document.” *SIGNATURE, Black’s Law Dictionary (11th ed. 2019)*. Therefore, the typed restatement of protestant’s name is sufficient.

## **ORDER**

Therefore, the Board, on this 25th day of January 2023, hereby **GRANTS** the motion for reinstatement filed by the Group and recognizes the standing of the Group to proceed with its protest. The Board notes that this determination does not prejudice the ability of the Applicant to challenge the standing of the Group on alternative grounds should the Applicant so desire. The ABRA shall deliver a copy of this order to the Parties.

District of Columbia  
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com  
*Donovan Anderson*  
Key: ac430b9696d5f0e4b736093d1dccc8

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Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com  
*James Short*  
Key: 54f7ae373f620de6ac8c1b332d22949e

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James Short, Member

eSigned via SeamlessDocs.com  
*Bobby Cato*  
Key: 286d3fcaadfb148c774b75bd7917d20d

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Bobby Cato, Member

eSigned via SeamlessDocs.com  
*Rafi Aliya Crockett, Member*  
Key: b560e61845e139e4016155e5c12f81cc

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Rafi Crockett, Member

eSigned via SeamlessDocs.com  
*Jeni Hansen, Member*  
Key: 82172931f050844740f1b56f9c2a41898

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Jeni Hansen, Member

eSigned via SeamlessDocs.com  
*Edward Grandis, Member*  
Key: 5027bda7f9f0040ec14adeb52541ce5

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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, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. 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. However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 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).