

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

In the Matter of:)	
JLC, Inc.)	Case Nos.: 19-CC-00134
t/a Towne Wine & Liquor)	19-CC-00151
Holder of a)	License No.: ABRA-093813
Retailer's Class A License)	Order No.: 2021-004
at premises)	
1326 Wisconsin Avenue, NW)	
Washington, D.C. 20007)	

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: JLC, Inc., t/a Towne Wine & Liquor, Respondent

Stephen A. Ortiz, 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 6th day of January 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: ac430b9b09d35f9e4b730093d1dcd8

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 347ae3f3829327a4811d332905048ec

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 25603fcd86e146474675d47917422d

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rema Wahabzadah, Member
Key: b12ca40b580b74099b19b35b738f15e7

Rema Wahabzadah, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b5d0e01845e18e4016155a5c1291c0

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 8217291f209447481850e2a1189f

Jeni Hansen, Member

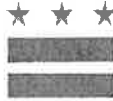
eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda7090040ec14adeb52541cd5

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 11 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**



<p>IN THE MATTER OF:</p> <p>JLC, INC., t/a TOWNE WINE & LIQUOR,</p> <p style="text-align:right">Respondent.</p>	<p>Case Nos. 19-CC-00134, 19-CC-00151 License No. 093813 Retailer's Class A</p>
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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, the cases will conclude and any 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 matters will be continued to a Show Cause Hearing, currently unscheduled.

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 to Minor.

Statutory Authority: D.C. Code §§ 25-781, 25-823.

(1) Fine: \$3,000 for each case, 19-CC-00134 and 19-CC-00151, for a total of \$6,000 to be paid within 90 days or the license will be suspended until the fine is paid.

(2) Suspension: The license shall be suspended for 10 days for each case, for a total of 20 days, with 8 days to be served (four days per case) and 12 days stayed for one year (six days per case), provided there are no violations in that time. In addition, the establishment will serve five suspension days activated from Case No. 18-CC-00130 for a total of 13 days served. The date of the 13-day suspension shall be Monday, January 4, 2021 through Saturday, January 16, 2021. The license suspension shall be lifted at 8:00 a.m. on Sunday, January 17, 2021.

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

Charge II: Failed to Take Reasonable Steps Necessary to Ascertain Legal Drinking Age.

Statutory Authority: D.C. Code §§ 25-783, 25-823.

(1) Fine: N/A.

(2) Suspension: N/A

(3) Other term: Charge dismissed in each case.

Dated: January 4, 2021

Respectfully submitted,

KARL A. RACINE
Attorney General for the District of Columbia

TONI MICHELLE JACKSON
Deputy Attorney General
Public Interest Division

/s/ Fernando Rivero
FERNANDO RIVERO [478765]
Assistant Chief, Civil Enforcement Section

/s/ Stephen A. Ortiz
STEPHEN A. ORTIZ [1721407]
Assistant Attorney General
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400 Sixth Street, N.W.
Washington, D.C. 20001
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E-mail: Stephen.Ortiz@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/ [Signature]
Respondent

January 4, 2021
DATE

/s/ [Signature]
Attorney for Respondent

January 4, 2021
DATE

CERTIFICATE OF SERVICE

I certify that on January 4, 2021, the foregoing Offer in Compromise for Board Approval was served by electronic mail or by U.S. mail, first class postage pre-paid, to:

Stephen J. O'Brien, Esq.
Mallios O'Brien & Sandground
2600 Virginia Avenue, N.W.
Suite 406
Washington, D.C. 20037
sobrien@malliosobrien.com

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

/s/ Stephen A. Ortiz
STEPHEN A. ORTIZ
Assistant Attorney General