

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

_____)
In the Matter of:)
)
1 Dupont Circle, LLC)
t/a Wahlburgers-DC)
)
Holder of a Retailer's)
Class CR License)
)
at premises)
1 Dupont Circle, NW)
Washington, D.C. 20036)
_____)

License No.: ABRA-103639
Order No.: 2018-178

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Donald Isaac, Sr., Member
Bobby Cato, Member
Rema Wahabzadah, Member

ORDER RESCINDING APPROVAL OF ABRA LICENSE NO. ABRA-103639

1 Dupont Circle, LLC, t/a Wahlburgers-DC (Applicant), filed an Application for a Retailer's Class CR License (Application) at 1 Dupont Circle, NW, Washington, D.C. The Application was approved under 23 DCMR § 405.1, which authorizes the Alcoholic Beverage Control Board (Board) to issue a license to an applicant that lacks a certificate of occupancy for the premises so long as the applicant satisfies the requirements of § 405.1. 23 DCMR 405.1 (West Supp. 2015).

However, approval of an application under § 405.1 is conditioned on the Applicant's payment of the annual license fee. 23 DCMR § 405.4 (West Supp. 2015). In this case, the Applicant failed to pay the annual license fee for the period of 2017 to 2018 by March 31, 2017, and the third year license fees for the period of 2018 to 2019 by March 31, 2018; therefore, the Applicant is not eligible to hold its License No. ABRA-103639 under § 405.1.

Therefore, on this 25th day of April, 2018, the Board **RESCINDS** its previous approval of ABRA License No. ABRA-103639, held by the Applicant, and the license shall be deemed **CANCELLED**. A copy of this Order shall be sent to the Applicant.

District of Columbia
Alcoholic Beverage Control Board

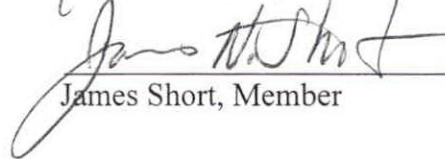


Donovan Anderson, Chairperson

Nick Alberti, Member



Mike Silverstein, Member



James Short, Member

Donald Isaac, Sr., Member

Bobby Cato, Member

Rema Wahabzadah, 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).