

DISTRICT OF COLUMBIA  
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 ALCOHOLIC BEVERAGE CONTROL BOARD  
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 MEETING

IN THE MATTER OF: :

Mezze and More, LLC :  
 t/a Zaytinya :  
 701 9th Street NW : Show Cause  
 Retailer CR - ANC 2C : Hearing (Status)  
 License No. 60438 :  
 Case #19-CIT-00355 :  
 (No ABC Manager on Duty) :

Wednesday  
 December 4, 2019

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Donovan W. Anderson, presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson  
 BOBBY CATO, JR., Member  
 RAFI ALIYA CROCKETT, Member  
 JAMES SHORT, JR., Member

ALSO PRESENT:

STEPHEN ORTIZ, DC OAG  
 FARHAT HAQ, Applicant

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

2 9:38 a.m.

3 CHAIRPERSON ANDERSON: All right. The  
4 next case in our calendar is Case Number 19-CIT-  
5 00355, Zaytinya, License Number 60438. Would the  
6 parties please approach and identify themselves  
7 for the record, please.

8 MR. ORTIZ: Steven Ortiz, on behalf of  
9 the District.

10 CHAIRPERSON ANDERSON: Good morning  
11 again, Mr. Ortiz.

12 MR. ORTIZ: Good morning.

13 CHAIRPERSON ANDERSON: And you, sir?

14 MR. HAQ: Farhat Haq.

15 CHAIRPERSON ANDERSON: Mr. Farhat --  
16 Mr. who?

17 MR. HAQ: Farhat Haq, H-A-Q.

18 CHAIRPERSON ANDERSON: And who are you  
19 with; your relationship to this establishment?

20 MR. HAQ: I'm the general manager.

21 CHAIRPERSON ANDERSON: And have you --  
22 is there a preliminary matter?

23 MR. ORTIZ: At this time, there are no  
24 preliminary matters, however, he is the general  
25 manager. He does not have the letter at this

1 time, granting him authority to represent the  
2 establishment.

3 He has indicated to me, just moments  
4 ago, that he will be able to have that letter and  
5 pay the fine by, I think he indicated, noon  
6 today?

7 CHAIRPERSON ANDERSON: So are you  
8 saying that there's a preliminary matter or  
9 there's no preliminary matter?

10 MR. ORTIZ: Yes, I'm saying that there  
11 is a preliminary matter. Sorry.

12 CHAIRPERSON ANDERSON: All right. So  
13 what's the preliminary matter?

14 MR. ORTIZ: Well, the offer in  
15 compromise is -- well, the offense is secondary  
16 tier violation and it's the charges of no ABC  
17 manager, and the OIC is that the establishment  
18 shall pay \$600 within 30 days or its license  
19 shall be suspended indefinitely until this fine  
20 is paid.

21 The general manager of the  
22 establishment has indicated that he will have the  
23 authority that is required, and have the payment  
24 as of today, by noon.

25 CHAIRPERSON ANDERSON: All right.

1 What's your last name again, sir?

2 MR. HAQ: Haq, H-A-Q, sir.

3 CHAIRPERSON ANDERSON: Mr. Haq.

4 MR. HAQ: Yes, sir.

5 CHAIRPERSON ANDERSON: You see, I try  
6 to pronounce everyone's name. That's why I keep  
7 on asking, Mr. Haq. All right. It's my  
8 understanding that there's a offer in compromise  
9 and the offer in compromise is that there is a  
10 fine of \$600, payable within 30 days.

11 If the fine is not paid within 30  
12 days, the license will be suspended until the  
13 fine has been paid.

14 MR. HAQ: Understood.

15 CHAIRPERSON ANDERSON: Now, because  
16 you do not have -- normally, when we do these  
17 preliminary matters, if you're not the owner,  
18 once you show up, you need to bring a letter on  
19 letterhead of the establishment authorizing you  
20 to accept an offer in compromise.

21 So are you saying that you will be  
22 able to provide the agency a letter today from  
23 your company saying that you -- from the owner,  
24 that says that you are authorized to represent  
25 the agency in this matter?

1 MR. HAQ: Absolutely.

2 CHAIRPERSON ANDERSON: All right. And  
3 so with that said, are you aware, then, by  
4 accepting an offer in compromise, that you are  
5 giving up your right to a hearing?

6 MR. HAQ: Yes.

7 CHAIRPERSON ANDERSON: Are you also  
8 aware that by accepting an offer in compromise,  
9 that you're giving up your right to appeal this  
10 matter? With that said, I then make a motion  
11 that the offer in compromise of a fine of \$600,  
12 payable within 30 days, be accepted.

13 If the fine is not paid within 30  
14 days, the license will be suspended until the  
15 fine has been paid. Is there a second?

16 MEMBER SHORT: Second.

17 CHAIRPERSON ANDERSON: Mr. Short has  
18 seconded the motion. All those in favor, say  
19 aye.

20 (Chorus of Ayes)

21 CHAIRPERSON ANDERSON: Those opposed.  
22 The matter passed 4-0-0. So the understanding,  
23 sir, is that you will provide -- even if you're  
24 paying the fee, you still need to provide this  
25 agency authorization saying that you are

1 authorized to accept this offer in compromise  
2 today.

3 MR. HAQ: Okay.

4 CHAIRPERSON ANDERSON: All right.  
5 Thank you. I'll give you paperwork to sign-off  
6 on, sir. Thank you.

7 MR. HAQ: Thank you.

8 CHAIRPERSON ANDERSON: Thank you.  
9 Have a good day. She'll help you sign. You can  
10 step back.

11 MR. HAQ: Thank you.

12 CHAIRPERSON ANDERSON: All right.  
13 Thank you.

14 (Whereupon, the hearing in the above-  
15 entitled matter was concluded at 9:42 a.m.)  
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<p style="text-align: center;"><b>A</b></p> <p>a.m 2:2 6:15  <b>ABC</b> 1:9 3:16  <b>able</b> 3:4 4:22  <b>above-</b> 6:14  <b>Absolutely</b> 5:1  <b>accept</b> 4:20 6:1  <b>accepted</b> 5:12  <b>accepting</b> 5:4,8  <b>agency</b> 4:22,25 5:25  <b>ago</b> 3:4  <b>Alcoholic</b> 1:2,13,13  <b>ALIYA</b> 1:18  <b>ANC</b> 1:7  <b>Anderson</b> 1:15,17 2:3  2:10,13,15,18,21 3:7  3:12,25 4:3,5,15 5:2,7  5:17,21 6:4,8,12  <b>appeal</b> 5:9  <b>Applicant</b> 1:22  <b>approach</b> 2:6  <b>asking</b> 4:7  <b>authority</b> 3:1,23  <b>authorization</b> 5:25  <b>authorized</b> 4:24 6:1  <b>authorizing</b> 4:19  <b>aware</b> 5:3,8  <b>aye</b> 5:19  <b>Ayes</b> 5:20</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>back</b> 6:10  <b>behalf</b> 2:8  <b>Beverage</b> 1:2,13,13  <b>Board</b> 1:2,13  <b>BOBBY</b> 1:18  <b>bring</b> 4:18  <b>Building</b> 1:14</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>calendar</b> 2:4  <b>case</b> 1:8 2:4,4  <b>CATO</b> 1:18  <b>Cause</b> 1:7  <b>Chairperson</b> 1:14,17  2:3,10,13,15,18,21  3:7,12,25 4:3,5,15 5:2  5:7,17,21 6:4,8,12  <b>charges</b> 3:16  <b>Chorus</b> 5:20  <b>COLUMBIA</b> 1:1  <b>company</b> 4:23  <b>compromise</b> 3:15 4:8,9  4:20 5:4,8,11 6:1  <b>concluded</b> 6:15  <b>Control</b> 1:2,13,13  <b>CR</b> 1:7  <b>CROCKETT</b> 1:18</p>	<p style="text-align: center;"><b>D</b></p> <p><b>D.C</b> 1:14  <b>day</b> 6:9  <b>days</b> 3:18 4:10,12 5:12  5:14  <b>DC</b> 1:21  <b>December</b> 1:11  <b>District</b> 1:1 2:9  <b>Donovan</b> 1:15,17  <b>Duty</b> 1:9</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>entitled</b> 6:15  <b>establishment</b> 2:19 3:2  3:17,22 4:19  <b>everyone's</b> 4:6</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>Farhat</b> 1:22 2:14,15,17  <b>favor</b> 5:18  <b>fee</b> 5:24  <b>fine</b> 3:5,19 4:10,11,13  5:11,13,15</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>general</b> 2:20,24 3:21  <b>give</b> 6:5  <b>giving</b> 5:5,9  <b>granting</b> 3:1</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>H-A-Q</b> 2:17 4:2  <b>Haq</b> 1:22 2:14,14,17,17  2:20 4:2,2,3,4,7,14  5:1,6 6:3,7,11  <b>hearing</b> 1:7,13 5:5 6:14  <b>help</b> 6:9</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p><b>identify</b> 2:6  <b>indefinitely</b> 3:19  <b>indicated</b> 3:3,5,22</p> <hr/> <p style="text-align: center;"><b>J</b></p> <p><b>JAMES</b> 1:19  <b>JR</b> 1:18,19</p> <hr/> <p style="text-align: center;"><b>K</b></p> <p><b>keep</b> 4:6</p> <hr/> <p style="text-align: center;"><b>L</b></p> <p><b>letter</b> 2:25 3:4 4:18,22  <b>letterhead</b> 4:19  <b>license</b> 1:8 2:5 3:18  4:12 5:14  <b>LLC</b> 1:6</p>	<p style="text-align: center;"><b>M</b></p> <p><b>manager</b> 1:9 2:20,25  3:17,21  <b>matter</b> 1:5 2:22 3:8,9,11  3:13 4:25 5:10,22  6:15  <b>matters</b> 2:24 4:17  <b>MEETING</b> 1:3  <b>Member</b> 1:18,18,19  5:16  <b>met</b> 1:13  <b>Mezze</b> 1:6  <b>moments</b> 3:3  <b>morning</b> 2:10,12  <b>motion</b> 5:10,18</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p><b>N.W</b> 1:14  <b>name</b> 4:1,6  <b>need</b> 4:18 5:24  <b>noon</b> 3:5,24  <b>normally</b> 4:16  <b>Number</b> 2:4,5  <b>NW</b> 1:7</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>OAG</b> 1:21  <b>offense</b> 3:15  <b>offer</b> 3:14 4:8,9,20 5:4,8  5:11 6:1  <b>OIC</b> 3:17  <b>once</b> 4:18  <b>opposed</b> 5:21  <b>Ortiz</b> 1:21 2:8,8,11,12  2:23 3:10,14  <b>owner</b> 4:17,23</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>P-R-O-C-E-E-D-I-N-G-S</b>  2:1  <b>paid</b> 3:20 4:11,13 5:13  5:15  <b>paperwork</b> 6:5  <b>parties</b> 2:6  <b>passed</b> 5:22  <b>pay</b> 3:5,18  <b>payable</b> 4:10 5:12  <b>paying</b> 5:24  <b>payment</b> 3:23  <b>please</b> 2:6,7  <b>preliminary</b> 2:22,24 3:8  3:9,11,13 4:17  <b>PRESENT</b> 1:16,20  <b>presiding</b> 1:15  <b>pronounce</b> 4:6  <b>provide</b> 4:22 5:23,24</p>	<p style="text-align: center;"><b>Q</b></p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>RAFI</b> 1:18  <b>record</b> 2:7  <b>Reeves</b> 1:14  <b>relationship</b> 2:19  <b>represent</b> 3:1 4:24  <b>required</b> 3:23  <b>Retailer</b> 1:7  <b>Room</b> 1:14</p> <hr/> <p style="text-align: center;"><b>S</b></p> <p><b>saying</b> 3:8,10 4:21,23  5:25  <b>says</b> 4:24  <b>second</b> 5:15,16  <b>secondary</b> 3:15  <b>seconded</b> 5:18  <b>She'll</b> 6:9  <b>Short</b> 1:19 5:16,17  <b>show</b> 1:7 4:18  <b>sign</b> 6:9  <b>sign-off</b> 6:5  <b>sir</b> 2:13 4:1,2,4 5:23 6:6  <b>Sorry</b> 3:11  <b>Status</b> 1:7  <b>step</b> 6:10  <b>STEPHEN</b> 1:21  <b>Steven</b> 2:8  <b>Street</b> 1:7,14  <b>Suite</b> 1:14  <b>suspended</b> 3:19 4:12  5:14</p> <hr/> <p style="text-align: center;"><b>T</b></p> <p><b>t/a</b> 1:6  <b>Thank</b> 6:5,6,7,8,11,13  <b>tier</b> 3:16  <b>today</b> 3:6,24 4:22 6:2  <b>try</b> 4:5</p> <hr/> <p style="text-align: center;"><b>U</b></p> <p><b>understanding</b> 4:8 5:22  <b>Understood</b> 4:14</p> <hr/> <p style="text-align: center;"><b>V</b></p> <p><b>violation</b> 3:16</p> <hr/> <p style="text-align: center;"><b>W</b></p> <p><b>W</b> 1:15,17  <b>Washington</b> 1:14  <b>Wednesday</b> 1:11</p> <hr/> <p style="text-align: center;"><b>X</b></p> <hr/> <p style="text-align: center;"><b>Y</b></p>
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<b>Z</b>
<b>Zaytinya</b> 1:6 2:5
<b>0</b>
<b>00355</b> 2:5
<b>1</b>
<b>14th</b> 1:14 <b>19-CIT-</b> 2:4 <b>19-CIT-00355</b> 1:8
<b>2</b>
<b>2000</b> 1:14 <b>20009</b> 1:14 <b>2019</b> 1:11 <b>2C</b> 1:7
<b>3</b>
<b>30</b> 3:18 4:10,11 5:12,13
<b>4</b>
<b>4</b> 1:11 <b>4-0-0</b> 5:22 <b>400S</b> 1:14
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<b>6</b>
<b>600</b> 3:18 4:10 5:11 <b>60438</b> 1:8 2:5
<b>7</b>
<b>701</b> 1:7
<b>8</b>
<b>9</b>
<b>9:38</b> 2:2 <b>9:42</b> 6:15 <b>9th</b> 1:7



C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Zaytinya

Before: DCABRA

Date: 12-04-19

Place: Washington, DC

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

*Neal R Gross*

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Court Reporter

**NEAL R. GROSS**

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