

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

In the Matter of:)		
)		
Zenebe Shewayene)	Case No.:	N/A
t/a TBD)	License No.:	ABRA-100620
)	Order No.:	2019-007
Holder of a)		
Retailer's Class B License)		
)		
at premises)		
[REDACTED])		
[REDACTED])		
)		

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

ALSO PRESENT: Zenebe Shewayene, Licensee

Workneh Churnet, Esq., Counsel, on behalf of the Licensee

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

**ORDER DENYING PETITION FOR REDUCTION IN FEES AND ORDERING
PAYMENT**

The Alcoholic Beverage Control Board **DENIES** the motion by the license holder of ABRA License No. 100620, which without citation to authority, asks for a reduction in fees assessed to the license for the period of time that the license was cancelled. The Board notes that the mere fact that a license is cancelled and later reinstated does not excuse the holder from paying all annual license fees, safekeeping fees, and other fees that accrue during the cancellation period. Indeed, by vacating the cancellation on November 28, 2018, the license is legally deemed restored as of the date of the original cancellation, May 16, 2018. *In re Zenebe Shewayene*, ABRA License No. 100620, Board Order No. 2018-707, 1-2 (D.C.A.B.C.B. Nov. 28, 2018). Therefore, the license holder must pay all fees that accrued during the cancellation period.

The Board further notes that the order reinstating the license was conditioned on the license holder paying all “required fees,” and was not intended to allow for an unlimited amount of time to pay the required fees. *In re Zenebe Shewayene*, ABRA License No. 100620, Board Order No. 2018-707, 1 (D.C.A.B.C.B. Nov. 28, 2018). Consequently, the license shall not be deemed restored until the license holder pays all fees charged by ABRA, and this should occur within a reasonable amount of time or the license shall remain cancelled.

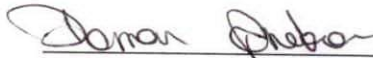
ORDER

Therefore, the Board, on this 9th day of January 2019, **DENIES** the motion filed by the license holder of ABRA License No. 100620.

IT IS FURTHER ORDERED that the license holder shall pay all fees charged by ABRA within fourteen days (14) of receipt of this Order or the license shall be deemed cancelled for the reasons stated above and in Board Order No. 2018-333.

The ABRA shall deliver copies of this Order to the license holder.

District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson



Nick Alberti, Member



Mike Silverstein, Member



James Short, 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, 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. 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 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).