

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Haile G. Binosai
t/a Selam Restaurant
1524 U Street, NW
Retailer CR - ANC-2B
License No. 60080
Case #14-CMP-00543

Show Cause
Hearing

(No ABC Manager on Duty)

May 20, 2015

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
Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

WALTER ADAMS, OAG

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

2 10:06 a.m.

3 CHAIRPERSON MILLER: Hearing Case No.
4 14-CMP-00543, Selam Restaurant located at 1524 U
5 Street, N.W., License No. 60080, in ANC-2B.

6 MR. ADAMS: Madam Chairman, Walter
7 Adams representing the District of Columbia.
8 This matter is here for a Show Cause Hearing.

9 I was just briefly speaking with the
10 owners of the establishment. Apparently, they
11 are waiting for their daughter to arrive, who is
12 apparently coming up the stairs.

13 MEMBER SILVERSTEIN: I'm sorry, Mr.
14 Adams?

15 MR. ADAMS: The establishment and the
16 owners are waiting for their daughter to come
17 upstairs --

18 MEMBER SILVERSTEIN: Yes.

19 MR. ADAMS: -- to present to the
20 Board. Obviously, I am not necessarily on it.
21 The person that was assigned is, I assume, on his
22 way. However, I would like to wait for his

1 daughter. So if the Board could give us about
2 five minutes or five or ten minutes?

3 CHAIRPERSON MILLER: Okay.

4 MR. ADAMS: To allow them time.

5 CHAIRPERSON MILLER: Okay. All right.

6 Why don't we take a 10 minute break then.

7 MR. ADAMS: Thank you, Madam Chair.

8 CHAIRPERSON MILLER: Okay.

9 (Whereupon, the above-entitled matter
10 went off the record at 10:08 a.m. and resumed at
11 10:12 a.m.)

12 CHAIRPERSON MILLER: Okay. Good
13 morning.

14 MS. HAILE: Good morning.

15 MR. BAINOSAI: Good morning.

16 CHAIRPERSON MILLER: Let's start with
17 introductions. Could you give your name for the
18 record, please?

19 MR. BAINOSAI: My name Haile Bainosai.

20 CHAIRPERSON MILLER: You can sit down.
21 Actually, the microphone is on the table.

22 MR. BAINOSAI: Okay. Haile Bainosai.

1 CHAIRPERSON MILLER: Are you the
2 owner?

3 MR. BAINOSAI: Yes.

4 CHAIRPERSON MILLER: Okay.

5 MS. HAILE: Hello. Hi, I'm Betelehem
6 Haile and I'm Haile's daughter.

7 CHAIRPERSON MILLER: Okay. Thank you.

8 MR. ADAMS: As a preliminary matter,
9 I would just ask them to sign the sign-in sheet,
10 so that the court reporter can have the correct
11 spelling for names.

12 And I'm Walter Adams. I represent the
13 District of Columbia.

14 CHAIRPERSON MILLER: Okay. So this is
15 a Show Cause Hearing. Are there any preliminary
16 matters?

17 MR. ADAMS: There is a preliminary
18 matter that the parties would like to discuss.
19 As we just recently discussed, this case is for a
20 single charge for the establishment not having an
21 ABC Manager on duty last year. To the District's
22 information, this would be the establishment's

1 first secondary tier violation, so which would
2 have a statutory range of \$250 to \$500 to resolve
3 this case.

4 The District is -- or the parties are
5 willing to propose that the establishment pays
6 \$350 to be paid within a 30 day period. If the
7 establishment fails to pay the \$350 with the 30
8 day period, the establishment's license would be
9 suspended until they pay.

10 CHAIRPERSON MILLER: Okay. Let me ask
11 the owner then if he is agreeable to this Offer
12 in Compromise of a \$350 penalty to be paid within
13 30 days and if not paid within 30 days, the
14 license will be suspended until paid?

15 MS. HAILE: I'm going to translate for
16 him.

17 CHAIRPERSON MILLER: Either. If you--

18 MR. BAINOSAI: Okay.

19 MS. HAILE: He wants to talk.

20 MR. BAINOSAI: Sorry. I'm totally
21 okay with this. (Foreign language spoken.)

22 MS. HAILE: Dad -- I'm sorry. My

1 father what he say is that for 20 years that he
2 been with the Selam Restaurant and never, never
3 had any problem.

4 MR. BAINOSAI: Yes.

5 MS. HAILE: That from what happened
6 last year, he was there at the restaurant, which
7 I was there, and soon he -- which he had to run
8 upstairs. He wasn't feeling well. So which he
9 had to leave the establishment to go upstairs,
10 then that's when the ABC guy came in and that's
11 when I told him if he can wait, there will be
12 somebody coming down with the manager's license.

13 CHAIRPERSON MILLER: Okay. Let me
14 just tell you about the process here. You won't
15 have a hearing on the facts to argue, you know,
16 your case for no penalty or you could have no
17 penalty if you go to a hearing or you could have
18 a larger penalty.

19 And so I think what Mr. Adams was
20 representing was that he thought there was an
21 agreement to this penalty of \$350.

22 MS. HAILE: Yes, there is.

1 CHAIRPERSON MILLER: You know, if
2 there is that, then we don't -- you may want to
3 tell us that, you know, explain, but that doesn't
4 factor in our decision. We either, you know,
5 accept your \$350 or not. Do you understand what
6 I'm saying?

7 MS. HAILE: Yes, I definitely agree.

8 CHAIRPERSON MILLER: Okay.

9 MS. HAILE: And we are going to pay
10 the \$350, yes.

11 CHAIRPERSON MILLER: And do you
12 understand that -- and does he understand that he
13 waives his right to a hearing.

14 MS. HAILE: I tell him, yes. I told
15 him everything.

16 CHAIRPERSON MILLER: Okay.

17 MS. HAILE: He wanted to come in to
18 explain --

19 CHAIRPERSON MILLER: I understand.

20 MS. HAILE: -- everything that
21 happened.

22 CHAIRPERSON MILLER: Okay. I

1 understand, yes.

2 MS. HAILE: Okay. I explained.

3 CHAIRPERSON MILLER: Okay. Any
4 questions by Board Members?

5 MEMBER SHORT: No.

6 CHAIRPERSON MILLER: Okay. All right.
7 Then I move that we approve this Offer in
8 Compromise of \$350 to be paid within 30 days. If
9 not paid within 30 days, then the license will be
10 suspended until paid.

11 MEMBER SILVERSTEIN: Second.

12 CHAIRPERSON MILLER: Mr. Silverstein
13 seconded the motion.

14 All those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON MILLER: All those
17 opposed? All those abstaining? The motion
18 passes 6-0-0. Thank you.

19 MR. BAINOSAI: Thank you.

20 MS. HAILE: Thank you again.

21 MEMBER SHORT: Thank you.

22 CHAIRPERSON MILLER: Thank you. I

1 just need your signature.

2 MS. HAILE: Sure.

3 CHAIRPERSON MILLER: Okay. So our
4 next case is at 11:00 a.m., so it's 10:17, so the
5 Board will now --

6 MEMBER SHORT: Thank you, sir. Thank
7 you. Have a nice day.

8 CHAIRPERSON MILLER: -- take a recess.
9 Thank you.

10 MEMBER SHORT: Have a nice day.

11 CHAIRPERSON MILLER: Until 11:00. All
12 right.

13 (Whereupon, the Show Cause Hearing in
14 the above-entitled matter was concluded at 10:18
15 a.m.)

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