

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Terasol Gallery & Cafe
t/a Terasol
5010 Connecticut Ave., NW
Retailer CR - ANC-3F
License No. 85467
Case #13-CMP-00299
(No ABC Manager on Duty, Failed
to Make Settlement Agreement
Accessible, Failed to Post
License in Conspicuous Place,
Failed to Post Pregnancy Sign,
Failed to Post Legal Drinking
Age Sign)

Show Cause
Hearing

May 21, 2014

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
HERMAN JONES, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:
MAUREEN ZANIEL, OAG

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

(3:35 p.m.)

CHAIRPERSON MILLER: Okay. I'm going to call Case No. 13-CMP-00299, Terasol located at 5010 Connecticut Avenue, N.W., License No. 85467, in ANC-3F.

Would the parties, please, come forward and take a seat at the table? And when you are ready sign in and introduce yourselves for the record.

MS. ZANIEL: Good afternoon, Maureen Zaniel on behalf of the District of Columbia.

CHAIRPERSON MILLER: Good afternoon.

MR. MOIN: Good afternoon. Alan Moin, the owner of Terasol Gallery and Cafe.

CHAIRPERSON MILLER: Okay. Good afternoon. So this is a Show Cause Hearing.

Are there any preliminary matters?

MS. ZANIEL: Yes. The parties have worked out a compromise that we would

1 recommend the Board accept.

2 And the compromise in total is a
3 fine of \$1,300 to be payable not later than 90
4 days from today. And if you want, I can
5 indicate which amount for which charges.

6 CHAIRPERSON MILLER: Yes, please.

7 MS. ZANIEL: Charge 1, operating
8 without the presence of a Board-approved
9 manager, \$300. Charge 2, failure to make the
10 voluntary agreement immediately accessible,
11 \$300. Charge 3, failure to have the license
12 posted conspicuously in the establishment,
13 \$300. Charge 4, the failure to have the
14 pregnancy warning signs up in a conspicuous
15 place, \$100. And lastly, Charge 5, failure to
16 post the current legal drinking age and notice
17 of requirement to produce valid ID, and that
18 would likewise be \$300.

19 CHAIRPERSON MILLER: Okay. Before
20 I ask the licensee whether or not he is
21 agreeable to this offer in compromise, I just
22 want to ask if there is anything else you want

1 to say with respect to why the Board should
2 accept this.

3 MS. ZANIEL: Well, I believe Mr.
4 Moin now understands all of his requirements
5 and that he, according to his word today, has
6 corrected the sign issue some time ago. We
7 believe it's a fair resolution of the charges.

8 CHAIRPERSON MILLER: Okay. Thank
9 you very much. Mr. Moin?

10 MR. MOIN: Yes, ma'am.

11 CHAIRPERSON MILLER: Are you
12 agreeable to an offer in compromise of \$1,300
13 payable within 90 days?

14 MR. MOIN: I do, yes.

15 CHAIRPERSON MILLER: Okay. And
16 Charge 1 would be for \$300; Charge 2 \$300;
17 Charge 3 \$300; Charge 4 \$100; Charge 5 \$300.

18 MR. MOIN: That's fine, yes.

19 CHAIRPERSON MILLER: Okay. And
20 you understand that you would waive your right
21 to a hearing by entering into this offer in
22 compromise?

1 MR. MOIN: I'm sorry, repeat that.

2 CHAIRPERSON MILLER: Do you
3 understand that you would waive your right to
4 a hearing if you enter into this offer in
5 compromise?

6 MR. MOIN: Yes.

7 CHAIRPERSON MILLER: Okay. Thank
8 you. All right. Are there any questions by
9 Board Members or comments?

10 All right. Then I'm going to move
11 that we accept this offer in compromise of
12 \$1,300 to be paid within 90 days. Charge 1 is
13 \$300; Charge 2 is \$300; Charge 3 is \$300;
14 Charge 4 is \$100; Charge 5 is \$300 and it
15 appears to be a fair offer in compromise to
16 me. Is there a second?

17 MEMBER BROOKS: Second.

18 CHAIRPERSON MILLER: Mr. Brooks
19 has seconded the motion.

20 All those in favor say aye.

21 MEMBER SILVERSTEIN: Aye.

22 CHAIRPERSON MILLER: Aye.

1 MEMBER RODRIGUEZ: Aye.

2 MEMBER SHORT: Aye.

3 MEMBER BROOKS: Aye.

4 CHAIRPERSON MILLER: All those
5 opposed?

6 MEMBER JONES: Opposed.

7 MEMBER ALBERTI: Opposed.

8 CHAIRPERSON MILLER: All those
9 abstaining? I believe the vote is 5-2 with
10 Alberti and Jones dissenting, unless anybody
11 else is dissenting. Okay. Then the offer in
12 compromise is approved.

13 So I will just be signing off on a
14 piece of paper that will be coming to you very
15 shortly.

16 MR. MOIN: Okay.

17 CHAIRPERSON MILLER: And that
18 concludes this case. Thank you.

19 MS. PHILLIPS: Thank you.

20 MR. MOIN: Thank you.

21 CHAIRPERSON MILLER: That
22 completes our hearings for today and the Board

1 will be recessing and then returning to do its
2 agendas shortly.

3 MS. ZANIEL: Thank you.

4 CHAIRPERSON MILLER: Thank you.

5 (Whereupon, the Show Cause Hearing
6 in the above-entitled matter was concluded at
7 3:39 p.m.)

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