

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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ROLL CALL HEARING

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IN THE MATTER OF:

Gerald Yun
t/a 9 & P St. Liquor
1428 9th Street, NW
Retailer A - ANC-2F
License No. ABRA-093199
Case #15-PRO-00041

(License Renewal)

June 1, 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, Ms. LaVerne
Fletcher, Agent, presiding.

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

2 10:37 a.m.

3 AGENT FLETCHER: Would the parties in
4 the matter of 9 & P St. Liquor come forward? The
5 parties in the matter of 9 & P St. Liquor come
6 forward.

7 Present on behalf of ANC-2F?

8 MR. TUMA: Pepin Tuma, Vice Chair of
9 ANC-2F. My name is spelled P-E-P-I-N last name
10 Tuma, T-U-M-A.

11 We have been in contact with these
12 individuals.

13 AGENT FLETCHER: Yes.

14 MR. TUMA: They have been to our ABRA
15 Policy Committee. We are working with them and
16 we hope to solve the problem, but I think it
17 would be helpful still to set meeting dates, even
18 in their absence.

19 AGENT FLETCHER: Okay. Thank you very
20 much. The application for license renewal filed
21 by 9 & P St. Liquor is dismissed because the
22 applicant failed to appear.

1 MR. TUMA: The application for renewal
2 has been dismissed?

3 AGENT FLETCHER: Yes. That's the --
4 yes, that's -- you have something different in
5 your record other than a license renewal?

6 MR. TUMA: So it's -- and I apologize.
7 I'm fairly new at this.

8 AGENT FLETCHER: Yes.

9 MR. TUMA: So they -- this is a non-
10 operating facility currently, but the license
11 exists. It's under construction. They --

12 AGENT FLETCHER: I understand. Thank
13 you. I understand exactly what you mean. They
14 still have to keep the license.

15 MR. TUMA: So is there any opportunity
16 for them, given if -- is there a -- I wish they
17 were here. I'm sure we all do.

18 AGENT FLETCHER: Yes, they will have
19 an opportunity to petition the Board for
20 reinstatement if they have a good reason for not
21 being here today. So they will receive an order
22 from the Board dismissing the application and

1 they will have 10 days to seek reinstatement of
2 the application.

3 MR. TUMA: 10 days to seek
4 reinstatement of the application?

5 AGENT FLETCHER: Yes, from the date
6 that they receive the Board order dismissing the
7 application. They will have 10 days to seek
8 reinstatement of the application.

9 MR. TUMA: And just so I'm -- okay.

10 AGENT FLETCHER: And you will be kept
11 informed also, the ANC.

12 MR. TUMA: Me personally as the
13 representative --

14 AGENT FLETCHER: Yes, as the --

15 MR. TUMA: -- here.

16 AGENT FLETCHER: Yes.

17 MR. TUMA: And our ABRA Policy
18 Committee Chairperson?

19 AGENT FLETCHER: Now, what is going to
20 happen beyond, you are the designated
21 representative, so all of our communication will
22 be directly to you beyond today.

1 MR. TUMA: Thank you. And I apologize
2 for asking these questions.

3 AGENT FLETCHER: That's okay.

4 MR. TUMA: So their options consist of
5 -- there was discussion and I'm trying to find in
6 my notes, which apparently I've been to way too
7 many meetings to find them easily, there is an
8 opportunity for some sort of waiver or some sort
9 of temporary non-operating permit or something
10 like that? Is that --

11 AGENT FLETCHER: Yes. That is not --
12 if that is possible, it's not something -- that
13 would have to be something that occurs on a
14 separate track, on a separate agenda. What is up
15 for today is only the renewal of the license at
16 that location.

17 And so when the establishment receives
18 the order dismissing the application, they can
19 make a case for whenever they want to make a case
20 for at the same time that they explain why they
21 weren't here today. And then if there is
22 something else that needs to be done, if they are

1 going to get any waivers of any sort, they can
2 make a request in that letter.

3 But the license renewal application is
4 dismissed because they are not here today.

5 MR. TUMA: Thank you. Can I ask one
6 last question?

7 AGENT FLETCHER: Yes.

8 MR. TUMA: Is there somewhere that I
9 can find a list of reasons that this committee
10 has found acceptable for reasons not to show up?

11 AGENT FLETCHER: Yes. I will send the
12 regulation to you when I get back to my desk.

13 MR. TUMA: I really appreciate it.

14 AGENT FLETCHER: Yes. I will send it
15 to you. It's for good cause, but there is a
16 definition of good cause.

17 MR. TUMA: Very helpful. Thank you so
18 much.

19 AGENT FLETCHER: Okay. You're welcome.

20 (Whereupon, the Roll Call Hearing in
21 the above-entitled matter was concluded at 10:42
22 a.m.)

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