

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

1819 14th Ventures, LLC
t/a El Centro D.F.
1819 14th Street, NW
Retailer CR
License No. 84847
Case No. 12-CMP-00044
ANC 1B
Failed to Comply with Board
Order No. 2013-323

Show Cause
Hearing

JUNE 25, 2014

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Washington, D.C., Ruthanne Miller, Chairperson, presiding.

PRESENT

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

ALSO PRESENT

CHRISTINE GEPHARDT, OAG

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

11:04 a.m.

CHAIRPERSON MILLER: The next case is Case No. 12-CMP-00044, El Centro, located at 1819 14th Street, N.W., License No. 84847 in ANC 1B.

MS. GEPHARDT: Good morning.

CHAIRPERSON MILLER: Good morning.

MS. GEPHARDT: I'm Chrissy Gephardt here on behalf of the Office of the Attorney General.

MR. KLINE: Good morning. Andrew Kline on behalf of the Licensee.

MR. IRICANIN: Ivan Iricanin, partner at El Centro.

CHAIRPERSON MILLER: Okay. Good morning. So this is a show cause hearing. Let me first ask if there are any preliminary matters?

MS. GEPHARDT: Yes, there is a preliminary matter. The parties have reached an Offer in Compromise in this case that we'd

1 like to present to the Board for
2 consideration. We are proposing an offer of
3 a \$1,000 fine to be paid within 15 days. If
4 the fine is not paid within 15 days, the
5 license will be suspended immediately.

6 The original fine, the underlying
7 fine was for \$500. We believe that a penalty
8 of \$1,000 on top of that is a sufficient
9 penalty for the Licensee to be filing their --
10 excuse me, not filing, to be paying the Board
11 Order, the fine per the Board Order. We
12 declined to drop this case because the fine
13 was paid after the Notice of Show Cause went
14 out. So we believed that it was fair to go
15 forward with this case.

16 In terms of the amount of money,
17 the \$1,000, we want to encourage people to pay
18 their fines, so from a policy perspective.
19 Also the Board has the authority to accept a
20 Compromise in this case. And again, we
21 believe that \$1,000 is sufficient to penalize
22 the Licensee. Thank you.

1 CHAIRPERSON MILLER: Okay. Thank
2 you.

3 MR. KLINE: Madam Chair, the only
4 thing I would like to add is -- a few things.
5 One is the Licensee regrets that this was not
6 paid. It was an oversight. As soon as the
7 Notice of Show Cause was served, it was paid.
8 I think it was paid back in January. So as
9 soon as it came to their attention. Obviously
10 as a Board Order it shouldn't have needed to
11 have been brought to their attention again,
12 but when it was, it was immediately paid.

13 Secondly, this does represent a
14 compromise. There are potential factual
15 issues, but we believe that this represents a
16 fair compromise and also aids the efficient
17 administration of the Board's administrative
18 functions in terms of getting it over with.

19 CHAIRPERSON MILLER: Okay. Thank
20 you. And so let me repeat the Offer in
21 Compromise and make sure that the Licensee is
22 amenable to that, that being \$1,000 fine to be

1 paid within 15 days, and if it's not paid
2 within 15 days, the license will be suspended
3 until it is paid.

4 MR. KLINE: Yes, that's the agreed
5 upon offer and that would be acceptable to the
6 Licensee if it's acceptable to the Board.

7 CHAIRPERSON MILLER: Okay. Do any
8 members have questions?

9 (No audible response)

10 CHAIRPERSON MILLER: Okay. Not
11 hearing any then, I would move that we accept
12 this Offer in Compromise of \$1,000 to be paid
13 within 15 days. And if it isn't paid within
14 15 days, then the license would be suspended.
15 Do I have a second?

16 MEMBER SHORT: Second.

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

20 (Chorus of ayes)

21 CHAIRPERSON MILLER: All those
22 opposed?

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(No audible response)

CHAIRPERSON MILLER: All those
abstaining?

(No audible response)

CHAIRPERSON MILLER: The motions
passes 6-0-0.

MR. KLINE: Thank you.

MS. GEPHARDT: Thank you.

CHAIRPERSON MILLER: Okay. That
completes that case and that completes the
cases on the morning calendar. So the Board
will recess until 1:30 p.m. for hearings.

(Whereupon, the above-entitled
matter went off the record at 11:08 a.m.)

A	<p>cases 6:11 cause 1:7 2:17 3:13 4:7 Centro 1:6 2:4,15 Chair 4:3 Chairperson 1:14 1:16 2:3,8,16 4:1 4:19 5:7,10,17,21 6:2,5,9 Chorus 5:20 Chrissy 2:9 CHRISTINE 1:20 COLUMBIA 1:1 completes 6:10,10 Comply 1:9 compromise 2:22 3:20 4:14,16,21 5:12 consideration 3:2 Control 1:2,12,13 CR 1:7</p>	<p>forward 3:15 functions 4:18</p>	<p>members 5:8 met 1:13 MIKE 1:18 Miller 1:14,16 2:3 2:8,16 4:1,19 5:7 5:10,17,21 6:2,5,9 money 3:16 morning 2:7,8,12 2:17 6:11 motion 5:18 motions 6:5 move 5:11</p>	<p>people 3:17 perspective 3:18 policy 3:18 potential 4:14 preliminary 2:18 2:21 present 1:15,19 3:1 presiding 1:14 proposing 3:2</p>
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C	<p style="text-align: center;">F</p> <p>factual 4:14 Failed 1:9 fair 3:14 4:16 favor 5:18 filing 3:9,10 fine 3:3,4,6,7,11,12 4:22 finances 3:18 first 2:18</p>	<p style="text-align: center;">K</p> <p>Kline 2:12,13 4:3 5:4 6:7</p>	P	S
<p>calendar 6:11 case 1:8 2:3,4,22 3:12,15,20 6:10</p>	G	<p style="text-align: center;">L</p> <p>license 1:8 2:5 3:5 5:2,14 Licensee 2:13 3:9 3:22 4:5,21 5:6 LLC 1:6 located 2:4</p>	<p>P-R-O-C-E-E-D-... 2:1 p.m 6:12 paid 3:3,4,13 4:6,7 4:8,12 5:1,1,3,12 5:13 parties 2:21 partner 2:15 passes 6:6 pay 3:17 paying 3:10 penalize 3:21 penalty 3:7,9</p>	<p>second 5:15,16 seconded 5:18 Secondly 4:13 served 4:7 Short 1:18 5:16,17 show 1:7 2:17 3:13 4:7 SILVERSTEIN 1:18 soon 4:6,9 Street 1:7,14 2:5 sufficient 3:8,21 sure 4:21 suspended 3:5 5:2 5:14</p>
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