

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

American Arab Communication
& Translation Center, LLC Fact Finding
t/a Zenobia Lounge Hearing
1025 31st Street NW
Retailer CR
License No. 8503

Case No.

August 13, 2014

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

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
HECTOR RODRIGUEZ, Member
MICHAEL SILVERSTEIN, Member

ALSO PRESENT:

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

2 (9:45 a.m.)

3 CHAIRPERSON MILLER: Next case is
4 Zenobia Lounge located at 1025 31st Street
5 Northwest, License number 85003. Anybody here
6 from Zenobia Lounge? This is a fact finding
7 case. Okay. No one is here from Zenobia
8 Lounge. And we haven't been contacted, to the
9 best of my knowledge, that anyone is coming.

10 So we can either take this case
11 under advisement or take action on canceling
12 the license, as I think we had indicated in
13 the last fact finding hearing that the license
14 would be canceled if documents weren't
15 submitted, and they have not been submitted to
16 the Board. I think there's a letter here.

17 Oh, we had sent them the letter on
18 July 16th, 2014 putting in writing the
19 instructions we had given to Mr. Khanji to
20 provide documents and return here on today,
21 August 13 for the second fact finding hearing.

22 It says, "Additionally, by close

1 of business Friday July 18th, 2014, you must
2 submit documentation demonstrating efforts to
3 utilize your license." This is one that's
4 been in safekeeping for a long time.

5 And we listed the documents. And
6 these were documents that he had indicated he
7 had at that hearing. And then we said please
8 know that if you can't demonstrate a return to
9 operations, you risk having your license
10 cancelled.

11 MEMBER SILVERSTEIN: Madam Chair?

12 CHAIRPERSON MILLER: Yes?

13 MEMBER SILVERSTEIN: I'd like to
14 read this into the record because of the
15 gravity of the matter.

16 CHAIRPERSON MILLER: Okay.

17 MEMBER SILVERSTEIN: It says, this
18 is to Charif Khanji, the owner of Zenobia
19 Lounge, and the address given is 1025 31st
20 Street Northwest, Washington D.C. 20007.

21 And the enacting part of this is,
22 "You are to return to ABRA on August 13th,

1 2014 at 9:30 a.m. for a second fact finding
2 hearing." They're not here.

3 "Additionally, by close of
4 business on July 18th, you must submit
5 documentation demonstrating efforts to utilize
6 your license. This documentation should
7 include one, a copy of your BZA application or
8 order. Two, a copy of your HPRB application
9 or order.

10 "Three, a copy of your DCRA
11 construction application and the permit
12 application number. Four, copies of your
13 architectural drawings. And five, a copy of
14 the fire report from June 17th, 2014.

15 "Please know that if you can't
16 demonstrate or return to operations, you risk
17 having your license cancelled." And it was
18 signed by Danette Walker of this agency.

19 CHAIRPERSON MILLER: Thank you.

20 MEMBER SILVERSTEIN: Have any of
21 those documents been received?

22 CHAIRPERSON MILLER: No, not to my

1 knowledge.

2 MEMBER SILVERSTEIN: Very well.

3 We may proceed.

4 CHAIRPERSON MILLER: And I would
5 also say that the Licensee was granted this
6 license in 2011, and has not used it since
7 then. And that's why we called them in for
8 the fact finding hearing. Yes?

9 MEMBER ALBERTI: Madam Chair, this
10 license was granted to this licensee in 2011
11 as one of the new licenses that opened up in
12 Georgetown in Georgetown Moritorium area.

13 It has not been used since it was
14 approved. It hasn't been issued, it was only
15 approved. It hasn't been issued because of
16 the incomplete set of documents and the fact
17 that he hasn't had a place to place the
18 license.

19 And on May 29, 2013, we had a fact
20 finding where we asked the licensee about the
21 status of the license. And again, on May
22 19th, 2014, that's when we last called the

1 license before us.

2 And we made it clear at that time
3 that we needed concrete proof that he had
4 plans, substantial plans to use this license.
5 He represented that he was about to, he was
6 very close to being able to use it, and we had
7 discussed the documents that he volunteered,
8 that he had the documents that Mr. Silverstein
9 listed and that are listed in this letter.

10 So we asked him to produce them.
11 He has not acted in good faith. So at this
12 time, I move that we cancel this license.

13 MEMBER BROOKS: I second that
14 motion.

15 CHAIRPERSON MILLER: Okay,
16 discussion? I just want to add also that I
17 think it was important that we had a face to
18 face hearing with him on the 16th, and he had
19 notice that he needed to submit these
20 documents.

21 Actually, he did volunteer them
22 himself. So it's not like we don't know that

1 he doesn't have notice. He actually had
2 notice and we told him at that hearing that he
3 risks losing the license.

4 So I would support this motion.
5 Any other comments? And also, would note that
6 he would still have an opportunity to do the
7 motion for consideration.

8 Okay, then there's the motion to
9 cancel this on the table. It's been seconded,
10 all those in favor say aye.

11 (Chorus of ayes)

12 CHAIRPERSON MILLER: All those
13 opposed?

14 (No audible response)

15 CHAIRPERSON MILLER: All those
16 abstaining?

17 (No audible response)

18 CHAIRPERSON MILLER: Motion passes
19 five, zero, zero. Okay, good. All right,
20 that concludes that.

21 (Whereupon, the hearing in the
22 above-entitled matter was concluded at 9:52

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a.m.)

<p style="text-align: center;">A</p> <p>a.m 2:2 4:1 8:1 able 6:6 above-entitled 7:22 ABRA 3:22 abstaining 7:16 acted 6:11 action 2:11 add 6:16 Additionally 2:22 4:3 address 3:19 advisement 2:11 agency 4:18 ALBERTI 1:16 5:9 Alcoholic 1:2,12,12 American 1:6 Anybody 2:5 application 4:7,8 4:11,12 approved 5:14,15 Arab 1:6 architectural 4:13 area 5:12 asked 5:20 6:10 audible 7:14,17 August 1:11 2:21 3:22 aye 7:10 ayes 7:11</p>	<p>case 1:9 2:3,7,10 Center 1:6 Chair 3:11 5:9 Chairperson 1:13 1:15 2:3 3:12,16 4:19,22 5:4 6:15 7:12,15,18 Charif 3:18 Chorus 7:11 clear 6:2 close 2:22 4:3 6:6 COLUMBIA 1:1 coming 2:9 comments 7:5 Communication 1:6 concluded 7:22 concludes 7:20 concrete 6:3 consideration 7:7 construction 4:11 contacted 2:8 Control 1:2,12,12 copies 4:12 copy 4:7,8,10,13 CR 1:8</p>	<p>efforts 3:2 4:5 either 2:10 enacting 3:21</p> <p style="text-align: center;">F</p> <p>face 6:17,18 fact 1:6 2:6,13,21 4:1 5:8,16,19 faith 6:11 favor 7:10 finding 1:6 2:6,13 2:21 4:1 5:8,20 fire 4:14 five 4:13 7:19 Four 4:12 Friday 3:1</p>	<p style="text-align: center;">L</p> <p>letter 2:16,17 6:9 license 1:8 2:5,12 2:13 3:3,9 4:6,17 5:6,10,18,21 6:1,4 6:12 7:3 licensee 5:5,10,20 licenses 5:11 listed 3:5 6:9,9 LLC 1:6 located 2:4 long 3:4 losing 7:3 Lounge 1:7 2:4,6,8 3:19</p> <p style="text-align: center;">M</p> <p>Madam 3:11 5:9 matter 1:5 3:15 7:22 MEETING 1:3 Member 1:16,16,17 1:17 3:11,13,17 4:20 5:2,9 6:13 met 1:12 MICHAEL 1:17 Miller 1:14,15 2:3 3:12,16 4:19,22 5:4 6:15 7:12,15 7:18 Moritorium 5:12 motion 6:14 7:4,7,8 7:18 move 6:12</p>	<p>Oh 2:17 Okay 2:7 3:16 6:15 7:8,19 opened 5:11 operations 3:9 4:16 opportunity 7:6 opposed 7:13 order 4:8,9 owner 3:18</p>
<p style="text-align: center;">B</p> <p>best 2:9 Beverage 1:2,12,12 Board 1:2,12 2:16 BROOKS 1:16 6:13 Building 1:13 business 3:1 4:4 BZA 4:7</p>	<p style="text-align: center;">D</p> <p>D.C 1:13 3:20 Danette 4:18 DCRA 4:10 demonstrate 3:8 4:16 demonstrating 3:2 4:5 discussed 6:7 discussion 6:16 DISTRICT 1:1 documentation 3:2 4:5,6 documents 2:14,20 3:5,6 4:21 5:16 6:7,8,20 DONALD 1:16 drawings 4:13</p>	<p style="text-align: center;">H</p> <p>hearing 1:7,13 2:13 2:21 3:7 4:2 5:8 6:18 7:2,21 HECTOR 1:17 HPRB 4:8</p> <p style="text-align: center;">I</p> <p>important 6:17 include 4:7 incomplete 5:16 indicated 2:12 3:6 instructions 2:19 issued 5:14,15</p>	<p style="text-align: center;">N</p> <p>N.W 1:13 needed 6:3,19 new 5:11 NICK 1:16 Northwest 2:5 3:20 note 7:5 notice 6:19 7:1,2 number 2:5 4:12 NW 1:7</p>	<p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-... 2:1 part 3:21 passes 7:18 permit 4:11 place 5:17,17 plans 6:4,4 please 3:7 4:15 PRESENT 1:15,20 presiding 1:14 proceed 5:3 produce 6:10 proof 6:3 provide 2:20 putting 2:18</p>
<p style="text-align: center;">C</p> <p>called 5:7,22 cancel 6:12 7:9 canceled 2:14 canceling 2:11 cancelled 3:10 4:17</p>	<p style="text-align: center;">E</p>	<p style="text-align: center;">J</p> <p>July 2:18 3:1 4:4 June 4:14</p> <p style="text-align: center;">K</p> <p>Khanji 2:19 3:18 know 3:8 4:15 6:22 knowledge 2:9 5:1</p>	<p style="text-align: center;">O</p>	<p style="text-align: center;">Q</p> <p style="text-align: center;">R</p> <p>read 3:14 received 4:21 record 3:14 Reeves 1:13 report 4:14 represented 6:5 response 7:14,17 Retailer 1:8 return 2:20 3:8,22 4:16 right 7:19 risk 3:9 4:16 risks 7:3 RODRIGUEZ 1:17 Room 1:13 Ruthanne 1:14,15</p> <p style="text-align: center;">S</p>

safekeeping 3:4	X		
says 2:22 3:17	Y		
second 2:21 4:1 6:13	Z		
seconded 7:9	Zenobia 1:7 2:4,6,7		
sent 2:17	3:18		
set 5:16	zero 7:19,19		
signed 4:18	0		
Silverstein 1:17 3:11,13,17 4:20 5:2 6:8	1		
status 5:21	1025 1:7 2:4 3:19		
Street 1:7,13 2:4 3:20	13 1:11 2:21		
submit 3:2 4:4 6:19	13th 3:22		
submitted 2:15,15	14th 1:13		
substantial 6:4	16th 2:18 6:18		
support 7:4	17th 4:14		
T	18th 3:1 4:4		
t/a 1:7	19th 5:22		
table 7:9	2		
take 2:10,11	2000 1:13		
Thank 4:19	20007 3:20		
think 2:12,16 6:17	2011 5:6,10		
Three 4:10	2013 5:19		
time 3:4 6:2,12	2014 1:11 2:18 3:1 4:1,14 5:22		
today 2:20	29 5:19		
told 7:2	3		
Translation 1:6	31st 1:7 2:4 3:19		
Two 4:8	4		
U	5		
use 6:4,6	6		
utilize 3:3 4:5	7		
V	8		
volunteer 6:21	9		
volunteered 6:7	85003 2:5		
W	8503 1:8		
Walker 4:18	9		
want 6:16	9:30 4:1		
Washington 1:13 3:20	9:45 2:2		
weren't 2:14	9:52 7:22		
writing 2:18			