

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF:

Terfneh Kahsay :
t/a Salina Restaurant : Show Cause
1936 9th Street NW : Hearing
Retailer CR, ANC 1B :
License No. 82969 :
Case No. 12-AUD-00062 :
Failed to Qualify as a :
Restaurant, Failed to Maintain :
on Premises Three Years of :
Adequate Books and Records :
Showing All Sales :
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Wednesday,

November 20, 2013

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, 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

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P R O C E E D I N G S

11:07 a.m.

CHAIRPERSON MILLER: Okay, we're back on the record for our 11 o'clock hearing and that is in the Case of 12-AUD-00062, Salina Restaurant located at 1936 9th Street, N.W., License No. 82969 in ANC 1B.

Good morning.

MR. KAHSAY: Good morning.

CHAIRPERSON MILLER: I'd like to ask you to introduce yourself for the record, please?

MR. ADAMS: Walter Adams, representing the District of Columbia.

MR. KAHSAY: My name is Terfneh Kahsay, Salina Restaurant.

CHAIRPERSON MILLER: And are you the owner?

MR. KAHSAY: I am the owner.

CHAIRPERSON MILLER: All right. This is a Show Cause Hearing. Are there any

1 preliminary matters?

2 MR. ADAMS: There is a preliminary
3 matter, Madam Chairman and the Board. The
4 parties have discussed the case and there's a
5 single -- well, there are two charges here and
6 pardon me, one for failure of the
7 establishment to meet its goal for food sales
8 or failure to exhibit what they had and also
9 charge two for failure to keep and maintain
10 upon the premises for three years its books
11 and records.

12 To resolve this matter, the
13 District proposes to dismiss charge 1 and
14 proceed forward with charge 2 to settle the
15 case for a payment of a \$4,000 fine to be paid
16 within a period of 90 days. And for the
17 Board's iteration, this would be the
18 establishment's third primary tier violation
19 within the period of three years, I believe.

20 CHAIRPERSON MILLER: Okay, did you
21 say payable within 90 days?

22 MR. ADAMS: Within 90 days, yes.

1 CHAIRPERSON MILLER: Okay. Mr.
2 Kahsay, I want to ask you if you're agreeable
3 to that offer and compromise in which Mr.
4 Adams says that the Government will be
5 dismissing charge 1 and you will be paying a
6 fine of \$4,000 within 90 days.

7 MR. KAHSAY: I will.

8 CHAIRPERSON MILLER: Do you
9 understand that you waive your right to a
10 hearing by accepting this offer?

11 MR. KAHSAY: I understand.

12 CHAIRPERSON MILLER: Okay. Any
13 questions by Board members?

14 (No response.)

15 Okay, then I would move that we
16 approve this offer and compromise, OIG
17 dismissing count 1 and the licensee paying a
18 fine of \$4,000 within 90 days.

19 Do I have a second?

20 MEMBER BROOKS: Second.

21 CHAIRPERSON MILLER: All those in
22 favor of the motion say aye.

1 (Ayes.)

2 All those opposed?

3 MEMBER ALBERTI: I oppose. While
4 I agree with dropping charge 1, I believe that
5 the fine is too low at this stage of the
6 process and given the history of this
7 establishment.

8 CHAIRPERSON MILLER: Okay. I
9 think I heard the vote is 3 to 1 to approve
10 the offer and compromise.

11 I think that completes this case
12 and completes our matters for this morning's
13 calendar.

14 MR. ADAMS: Thank you, Madam
15 Chair.

16 CHAIRPERSON MILLER: Thank you.

17 MR. ADAMS: Have a good week.

18 CHAIRPERSON MILLER: Thank you,
19 you, too.

20 MR. ADAMS: Happy Thanksgiving.

21 CHAIRPERSON MILLER: Thank you.

22 So we're going into recess.

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(Whereupon, at 11:11 a.m., the

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Show Cause Hearing was concluded.)

<p style="text-align: center;">A</p> <p>\$4,000 3:15 4:6,18 a.m 2:3 6:1 accepting 4:10 Adams 2:14,14 3:2 3:22 4:4 5:14,17 5:20 Adequate 1:13 agree 5:4 agreeable 4:2 ALBERTI 1:22 5:3 Alcoholic 1:2,18,18 ANC 1:9 2:8 approve 4:16 5:9 aye 4:22 Ayes 5:1</p>	<p>concluded 6:2 Control 1:2,18,18 count 4:17 CR 1:9</p> <p style="text-align: center;">D</p> <p>D 2:2 D.C 1:19 days 3:16,21,22 4:6 4:18 discussed 3:4 dismiss 3:13 dismissing 4:5,17 District 1:1 2:15 3:13 DONALD 1:23 dropping 5:4</p>	<p style="text-align: center;">I</p> <p>introduce 2:12 iteration 3:17</p> <p style="text-align: center;">J</p> <p style="text-align: center;">K</p> <p>Kahsay 1:7 2:10,16 2:17,20 4:2,7,11 keep 3:9</p> <p style="text-align: center;">L</p> <p>License 1:10 2:8 licensee 4:17 located 2:7 low 5:5</p> <p style="text-align: center;">M</p> <p>Madam 3:3 5:14 maintain 1:12 3:9 matter 1:6 3:3,12 matters 3:1 5:12 meet 3:7 MEETING 1:3 Member 1:22,23,24 4:20 5:3 members 4:13 met 1:18 MIKE 1:24 Miller 1:20,22 2:4 2:11,18,21 3:20 4:1,8,12,21 5:8,16 5:18,21 morning 2:9,10 morning's 5:12 motion 4:22 move 4:15</p>	<p>o'clock 2:5 offer 4:3,10,16 5:10 OIG 4:16 Okay 2:4 3:20 4:1 4:12,15 5:8 oppose 5:3 opposed 5:2 owner 2:19,20</p> <p style="text-align: center;">P</p> <p>P 2:2 paid 3:15 pardon 3:6 parties 3:4 payable 3:21 paying 4:5,17 payment 3:15 period 3:16,19 please 2:13 preliminary 3:1,2 premises 1:13 3:10 PRESENT 1:21 presiding 1:20 primary 3:18 proceed 3:14 process 5:6 proposes 3:13</p>	<p>S 2:2 sales 1:14 3:7 Salina 1:8 2:7,17 says 4:4 second 4:19,20 settle 3:14 Show 1:8 2:22 6:2 Showing 1:14 SILVERSTEIN 1:24 single 3:5 stage 5:5 Street 1:9,19 2:7 Suite 1:19</p> <p style="text-align: center;">T</p> <p>t/a 1:8 Terfneh 1:7 2:16 t 1:5,14 Thank 5:14,16,18 5:21 Thanksgiving 5:20 think 5:9,11 third 3:18 three 1:13 3:10,19 tier 3:18 two 3:5,9</p>
<p style="text-align: center;">B</p> <p>back 2:5 believe 3:19 5:4 Beverage 1:2,18,18 Board 1:2,18 3:3 4:13 Board's 3:17 books 1:13 3:10 BROOKS 1:23 4:20</p>	<p style="text-align: center;">E</p> <p>E 2:2,2 establishment 3:7 5:7 establishment's 3:18 exhibit 3:8</p> <p style="text-align: center;">F</p> <p>Failed 1:12,12 failure 3:6,8,9 favor 4:22 fine 3:15 4:6,18 5:5 food 3:7 forward 3:14</p>	<p style="text-align: center;">N</p> <p>N 2:2 N.W 1:19 2:8 name 2:16 NICK 1:22 November 1:16 NW 1:9</p> <p style="text-align: center;">O</p> <p>O 2:2</p>	<p style="text-align: center;">Q</p> <p>Qualify 1:12 questions 4:13</p> <p style="text-align: center;">R</p> <p>R 2:2 recess 5:22 record 2:5,12 records 1:13 3:11 representing 2:15 resolve 3:12 response 4:14 Restaurant 1:8,12 2:7,17 Retailer 1:9 right 2:21 4:9 Room 1:19 Ruthanne 1:20,22</p>	<p style="text-align: center;">U</p> <p>understand 4:9,11</p> <p style="text-align: center;">V</p> <p>violation 3:18 vote 5:9</p> <p style="text-align: center;">W</p> <p>waive 4:9 Walter 2:14 want 4:2 Washington 1:19 we're 2:4 5:22 Wednesday 1:15 week 5:17</p>
<p style="text-align: center;">C</p> <p>C 2:2 calendar 5:13 case 1:10 2:6 3:4,15 5:11 Cause 1:8 2:22 6:2 Chair 5:15 Chairman 3:3 Chairperson 1:19 1:22 2:4,11,18,21 3:20 4:1,8,12,21 5:8,16,18,21 charge 3:9,13,14 4:5 5:4 charges 3:5 Columbia 1:1 2:15 completes 5:11,12 compromise 4:3,16 5:10</p>	<p style="text-align: center;">G</p> <p>G 2:2 given 5:6 goal 3:7 going 5:22 good 2:9,10 5:17 Government 4:4</p> <p style="text-align: center;">H</p> <p>Happy 5:20 heard 5:9 hearing 1:9,19 2:5 2:22 4:10 6:2 history 5:6</p>	<p style="text-align: center;">X</p> <p>X</p> <p style="text-align: center;">Y</p> <p>years 1:13 3:10,19</p>	<p style="text-align: center;">S</p> <p>S</p>	<p style="text-align: center;">Y</p> <p>years 1:13 3:10,19</p>

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