

**THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:	)	
	)	
1541 Q, LLC	)	
	)	
Applicant for a New	)	Case No. 12-PRO-00005
Retailer's Class CR License	)	License No. ABRA-088504
	)	Order No. 2012-100
at premises	)	
1541 14 <sup>th</sup> Street, N.W.	)	
Washington, D.C. 20005	)	

1541 Q, LLC (Applicant)

Michael B. Benardo, Chairperson, on behalf of Advisory Neighborhood Commission (ANC) 2F

**BEFORE:** Ruthanne Miller, Chairperson  
Nick Alberti, Member  
Donald Brooks, Member  
Herman Jones, Member  
Calvin Nophlin, Member  
Mike Silverstein, Member  
Jeannette Mobley, Member

**ORDER DENYING ANC 2F'S REQUEST FOR REINSTATEMENT**

The Application filed by 1541 Q, LLC for a new Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on February 21, 2012, in accordance with D.C. Official Code § 25-601 (2001).

On February 21, 2012, the Board dismissed the Protest of ANC 2F, because ANC 2F failed to appear at the Roll Call Hearing. *See* Order No. 2012-073, dated February 22, 2012.

On February 29, 2012, Chairperson Michael B. Benardo, on behalf of ANC 2F, requested that ANC 2F's Protest be reinstated, indicating that he was not given notice of the Roll Call Hearing on February 21, 2012.

On March 12, 2012, the Applicant filed an opposition to ANC 2F's request for reinstatement, indicating that Alcoholic Beverage Regulation Administration (ABRA)

staff properly notified ANC 2F of the Application and Roll Call Hearing's date. The Applicant stated the following:

1. On December 23, 2011, ABRA staff mailed copies of the application's placards to ANC 2F's office, former Chairperson Charles Reed's home, and the ANC 2F01 Single Member District's home.
2. On January 27, 2012, ANC 2F's protest letter stated that ANC 2F "reviewed the application...and after discussion, ANC 2F unanimously (6-0)" voted to protest 1541 Q LLC's Application, which is an indication that all six Commissioners received notice of the Application; thereby, the hearing's date.
3. ANC 2F's protest letter stated that the Commission would be represented by Commissioners Michael Benardo, Matt Raymond, Charles Reed, Samuel V. Goekjian, Nick Barron, or Matthew Connolly, or any of such persons, before the ABC Board. Therefore, Chairperson Benardo and the ANC 2F Commissioners were aware of the details of the Application.

ABRA records shows that, on December 23, 2011, ABRA staff e-mailed the Applicant's Notice of Public Hearing (placards) to ANC 2F's office, former Chairperson Charles Reed's home, and the ANC 2F01 Single Member District's home.

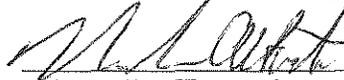
Based upon the above, the Board finds that ANC was notified of the Application and does not find good cause to reinstate ANC 2F, because ANC 2F did not demonstrate an effort to send a representative to attend the Roll Call Hearing. Further, Chairperson Michael B. Benardo explanation does not constitute good cause under 23 DCMR § 1602.3.

### ORDER

The Board does hereby, this 21st day of March, 2012, **DENY** the reinstatement of ANC 2F. Copies of this Order shall be sent to the Applicant and ANC 2F.

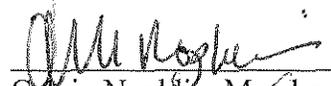
District of Columbia  
Alcoholic Beverage Control Board

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Ruthanne Miller, Chairperson

  
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Nick Alberti, Member

  
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Donald Brooks, Member

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Jeannette Mobley, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, DC 20009.