

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

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|-----------------------------|---|--------------------|
| In the Matter of: |) | |
| |) | |
| YDK, Inc. |) | |
| t/a Guilford Liquor |) | License No. 76393 |
| |) | Order No. 2009-084 |
| Holder of a Retailer's |) | |
| Class A License |) | |
| at premises |) | |
| 446 Rhode Island Ave., N.W. |) | |
| Washington, D.C. 20001 |) | |

Yong Dan Kim, on behalf of the Licensee

Doris Brooks, Chair, Advisory Neighborhood Commission, 2C

BEFORE: Peter B. Feather, Chairperson
Mital M. Gandhi, Member
Nick Alberti, Member
Charles Brodsky, Member
Donald Brooks, Member
Herman Jones, Member

**ORDER ON APPLICATION FOR EXCEPTION
TO SINGLE SALE MORATORIUM
AND ON VOLUNTARY AGREEMENT**

The official records of the Alcoholic Beverage Control Board (Board) reflect that YDK, Inc. t/a Guilford Liquor holder of a Retailer's Class A license, located at 446 Rhode Island Avenue, N.W., Washington, D.C., has applied for an exception to the statutory single sale moratorium that currently exists in Ward 2.

The official records of the Board also reflect that the Licensee has provided the required information and supporting documentation, including a Voluntary Agreement, dated March 4, 2009, entered into with Advisory Neighborhood Commission (ANC) 2C in support of the Application. The Voluntary Agreement permits the expiration of the exemption on May 1, 2010 upon the filing of a revocation of support by ANC 2C with 60 days notice to the Licensee. The Board's official records also reflect the absence of any primary or secondary tier violations against the Licensee in the 12 months preceding the filing of the application.

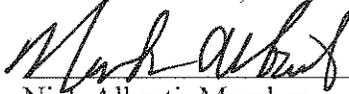
YDK, Inc.
t/a Guilford Liquor
License No. 76393
Page Two

Accordingly, the Board does hereby, this 15th day of April, 2009, **APPROVE** the Application filed by YDK, Inc. t/a Guilford Liquor located at premises 446 Rhode Island Avenue, N.W., Washington, D.C, for an exception to the single sale moratorium in Ward 2. The Board also **APPROVES** the Voluntary Agreement entered into with ANC 2C. Copies of this Order shall be sent to the Applicant and to ANC 2C.

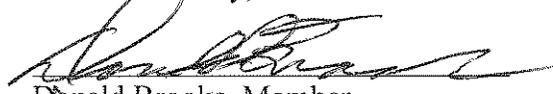
District of Columbia
Alcoholic Beverage Control Board

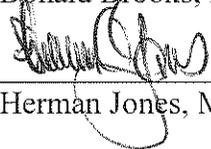

Peter B. Feather, Chairperson

Mital M. Gandhi, Member


Nick Alberti, Member

Charles Brodsky, Member


Donald Brooks, Member


Herman Jones, 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, 941 North Capitol Street, N.E., Suite 7200, Washington, D.C. 20002.

4. **DISCOURAGING AND REPORTING DRUG ACTIVITY.** Applicant agrees to assist ANC 2C and CCCA to improve the quality of life in the Shaw community. To that end, Applicant agrees to contact police in the event of suspected drug activity on/near the Premises and to cooperate with law enforcement in prosecuting violations. Applicant agrees not to sell single cigarettes, cigarette-rolling papers, glassine bags, plastic bags smaller than sandwich size or in non-prepackaged form, or other form of drug paraphernalia.
5. **DISCOURAGING LOITERING AND PUBLIC INTOXICATION.** Applicant will post a prominent "No Loitering" sign and will actively discourage loitering in the vicinity of the Establishment. Applicant shall discourage public consumption of alcoholic beverages by refraining from selling or giving away plastic or paper cups in quantities of 10 or less or providing individual servings of ice. This provision does not prohibit, however, the Applicant from holding special events, such as tastings.
6. **MAINTENANCE OF PREMISES.** Applicant shall keep the sidewalk (up to and including the curb) and exterior areas of the Premises free of litter, bottles, and other debris in compliance with D.C. Code and Municipal Regulations. Applicant shall police these areas sufficiently to assure that refuse and other materials are promptly removed. Applicant agrees to oppose installation of any public telephones on or near the Premises.
7. **LICENSE OWNERSHIP AND COMPLIANCE WITH ABRA REGULATIONS.** Applicant agrees to abide by all Alcoholic Beverage Regulations Administration (ABRA) regulations regarding the ownership of the license and all other provisions applicable to liquor licensees, and agrees that Parties shall have standing to ask the ABC Board to enforce any violations of this agreement. Applicant also agrees to be the sole owner of the ABC license and agrees not to transfer or sell to any other entity before obtaining approval from the ABC Board. Applicant agrees to notify any prospective transferee, assignee, or successor in interest by contract, statute, or testamentary transfer of the existence of this Agreement and to provide them with a copy.
8. **PARTICIPATION IN THE COMMUNITY.** Applicant agrees to maintain open communication with the community, local law enforcement, and the Parties. To this end, Applicant shall occasionally attend ANC 2C public meetings, which currently occur on the first Wednesday of each month at 6:30 p.m. at the Kennedy Recreation Center, and CCCA meetings, which occur on the last Tuesday of the month at a location posted on the Association's website, <http://www.ccca-online.org>. Applicant, upon notice from ANC 2C or CCCA, shall send a representative of the Establishment to a meeting(s) to confer and deal in good faith with issues raised under this Agreement.
9. **NOTICE AND OPPORTUNITY TO CURE.** In the event of a violation of the provisions of this agreement, Applicant shall be notified in writing of such violation and shall be entitled to a reasonable opportunity to cure as a condition precedent to seeking enforcement of this agreement. Applicant agrees to respond to written response to any notice under this agreement within ten (10) business days. Notices shall be sent via first class mail postage prepaid, hand delivered or by recognized overnight delivery service at the following address:

If to Applicant:

ATTN: Yong Dan Kim, President
Guilford Liquors
446 Rhode Island Avenue, NW

11/16
1 P 3:00
DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE
REGULATION ADMINISTRATION

Washington, DC 20001
(202) 232-4623

Failure to give notice shall not constitute waiver or acquiescence to the violation, but notice shall be a prerequisite to the filing of a complaint with the ABC Board or any other enforcement action.

10. **COUNTERPARTS.** This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which, when taken together, constitute one and the same document. The signature of any party to any counterpart shall be deemed a signature to, and may be appended to, any other counterpart.

11. **SUPPORT OF EXEMPTION.** The Parties join with Applicant in requesting that the ABC Board accept this Agreement as a condition of approval of the exemption pursuant to Section 2 of the "Consolidated Mt. Pleasant, Ward 2, and Ward 6 Single Sales Moratorium Act of 2008" (to be codified at D.C. Code § 25-346(c)(2)).

For YDK, Inc. t/a Guilford Liquors



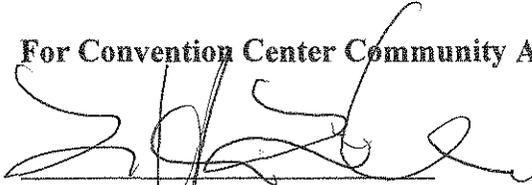
By: Yong Dan Kim, President

For Advisory Neighborhood Commission 2C (ANC 2C)



By: Doris Brooks, Chairperson

For Convention Center Community Association (CCCA)



By: Martin Moulton, President


REC'D BY [Signature]
2009 APR - 1 P 3:01
DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE
REGULATION ADMINISTRATION