

BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:)

Hae D. Lee)
t/a Kennedy Liquors)

Application for a Retailer's)
Class A - renewal)
at premises)

5501 1st Street, NW)
Washington, DC 20011)

Case No. 154-01/040P

Jeffrey Tignor, Protestant

Hae D. Lee, Owner, Applicant

**BEFORE: RODERIC L. WOODSON, ESQUIRE, CHAIR
VERA M. ABBOTT, MEMBER
ELLEN OPPER-WEINER, ESQUIRE, MEMBER
CHARLES A. BURGER, MEMBER
JUDY A. MOY, MEMBER
AUDREY E. THOMPSON, MEMBER
LAURIE COLLINS, MEMBER**

ORDER ON WITHDRAWN PROTEST AND VOLUNTARY AGREEMENT

This matter, having been protested, was scheduled for a roll call hearing on May 16, 2001, in accordance with D.C. Code Section 25-115(c)(5) (1999 Supp.), providing for the protestants to be heard. The Board received a timely protest letter from Jeffrey Tignor, dated May 1, 2001.

The official records of the Board reflect that the parties have reached an agreement that has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the agreement, dated August 8, 2001, the protestants have agreed to withdraw the opposition, provided, however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the agreement.

Hae D. Lee
t/a Kennedy Liquors
Page 2

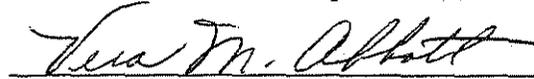
Accordingly, it is this 5th day of September 2001, **ORDERED** that:

1. The opposition of Jeffrey Tignor, be, and the same hereby is **WITHDRAWN**;
2. The application of Hae D. Lee, t/a Kennedy Liquors, for a retailer's class A license (renewal) at premises 5501 1st Street, N.W., Washington, DC, 20011, be, and the same hereby, is **GRANTED**; and
3. The above-referenced agreement between the parties, be, and the same hereby is **INCORPORATED** and part of this **ORDER**; and;
4. Copies of this Order shall be sent to the Protestant and the Applicant.

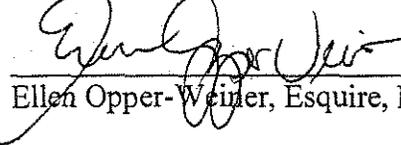
DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL
BOARD



Roderic L. Woodson, Esquire, Chair

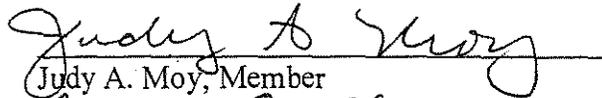


Vera M. Abbott, Member

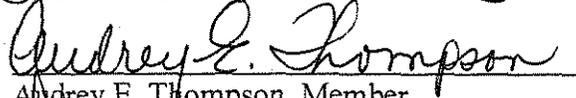


Ellen Oppen-Weiner, Esquire, Member

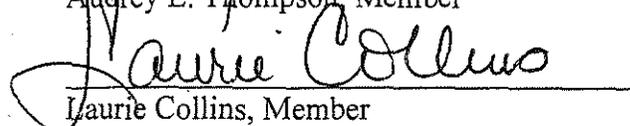
Charles A. Burger, Member



Judy A. Moy, Member



Audrey E. Thompson, Member



Laurie Collins, Member

Voluntary Agreement Between
Kennedy Hae D. Lee t/a Kennedy Liquors and Jeffrey Tignor, Protestant
(Case No. 154-01/040P)

Whereas, Hae D. Lee has applied for renewal of an ABC Class A license at premises 5501 1st Street NW, Washington, DC 20011; and

Whereas, Jeffrey Tignor on behalf of the Longfellow Street, NW, Unit Block Club, filed a protest to the renewal of the license; and

Whereas, the parties have discussed the concerns of the neighborhood and have reached an understanding related to the cooperative efforts of the licensee.

Now therefore, in consideration of the agreement set forth herein, Jeffrey Tignor agrees to withdraw the protest and the licensee agrees to comply fully with the terms of the agreement.

Licensee agrees:

- A. To comply with all laws and regulations governing the operation of the establishment at 5501 1st Street, NW, Washington, DC., including the laws and regulations governing the Class A (retail) license to which this agreement applies.
- B. Licensee will continue to cooperate with the neighborhood to address any alleged violations of the laws and regulations referenced in paragraph A above.
- C. Within ^{45 J.T.H.A.}30 days from the date of this agreement, Licensee agrees to sell all single containers of beer of 40 or fewer ounces ("singles") only in clear or translucent plastic bags, except where a customer refuses to complete the sale of a "single" solely because the customer would receive the "single" in a clear or translucent plastic bag,
- D. Licensee agrees to amend existing posted signs inside the establishment within (5) calendar days from the date of this agreement to inform customers as follows:

No Loitering.

Drinking in public is illegal.

Double parking outside of the store is discouraged.

As a condition of the license of this establishment, single containers of beer of 40 or fewer ounces ("singles") may be placed in clear or translucent plastic bags.

E. Licensee agrees to continue to keep the immediate environs of the establishment free of litter in accordance with Section 25-726 of ABC regulations (Title 25, D.C. Code Enactment and Related Amendments Act of 2001) which states in pertinent part:

"the licensee under a retailers license shall take reasonable measures to ensure that the immediate environs of the establishment, including adjacent alleys, sidewalks, or other public property immediately adjacent to the establishment, or other property used by the licensee to conduct its business, are kept free of litter."

F. Both parties understand and agree that the provisions of this voluntary agreement shall become part of the conditions of the ABC license and shall remain in force upon renewal or transfer of the liquor license. Violations of the voluntary agreement by the licensee, shall be just cause for the protestant to petition the ABC Board to suspend or revoke the ABC license of the establishment.

G. Both parties agree that prior to petitioning the ABC board, the protestant shall notify the licensee of any alleged violations and afford licensee ten (10) business days in which to address or correct the alleged violation.

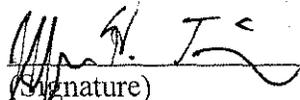
Licensee:



(Signature)

Date: 8/8/01

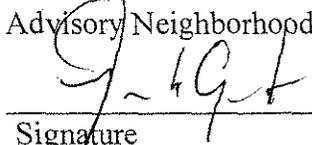
Protestant (Jeffrey Tignor)



(Signature)

Date: 8/8/01

Advisory Neighborhood Commission ANC 4B07



Signature
RONALD AUSTIN

Date 8/8/01

Print Name Here