

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

In the Matter of:

Addis Ethiopian Restaurant, LLC
t/a Addis Ethiopian Restaurant

Holder of a Retailer's
Class CR License

at premises
707 H Street, N.E.
Washington, D.C. 20002

License No.: ABRA-097534
Case No.: 15-CMP-00978
Order No.: 2016-373

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
Ruthanne Miller, Member
James Short, Member

ALSO PRESENT: David Fox, Esquire, on behalf of the Respondent

Zachary Shapiro, Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING OFFER IN COMPROMISE

This case arises from a Notice of Status and Show Cause Hearing (Notice) issued by the Alcoholic Beverage Control Board (Board) against Addis Ethiopian Restaurant, LLC, t/a Addis Ethiopian Restaurant (Respondent). The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case Number 15-CMP-00978 on the Respondent on March 31, 2016. *ABRA Show Cause File No.15-CMP-00978.*

The Notice charges the Respondent with seven violations, which if proven true, would justify the imposition of a fine, as well as the suspension or revocation of the Respondent's license.

Specifically, the Notice charges the Respondent with the following violations:

- Charge I: [On Sunday, December 6, 2015] [y]ou sold, served, or permitted the consumption of alcoholic beverages on the licensed premises beyond authorized hours, in violation of D.C. Official Code § 25-723(b)(1)...
- Charge II: [On Sunday, December 6, 2015] [y]ou made a substantial change in the operation of your establishment by expanding the operation of your establishment to another floor, in violation of D.C. Official Code §§ 25-762(a) and 25-762(b)(3)...
- Charge III: [On Sunday, December 6, 2015] [y]ou made a substantial change in the operation of your establishment by providing a space for dancing, in violation of D.C. Official Code §§ 25-762(a) and 25-762(b)(6)...
- Charge IV: [On Sunday, December 6, 2015] [y]ou made a substantial change in the operation of your establishment by providing an area for a disc jockey, in violation of D.C. Official Code §§ 25-762(a) and 25-762(b)(4)...
- Charge V: [On Sunday, December 6, 2015] [y]ou violated your Settlement Agreement approved by the Board on May 6, 2015 by increasing the hours of operation, in violation of D.C. Official Code § 25-823(6)...
- Charge VI: [On Sunday, December 6, 2015] [y]ou violated your Settlement Agreement approved by the Board on May 6, 2015 by permitting amplified music beyond restricted hours and allowing patrons to dance, in violation of D.C. Official Code § 25-823(6)...
- Charge VI: [On Sunday, December 6, 2015] [y]ou failed to comply with D.C. Official Code 23 DCMR § 600.1 by changing your trade name without Board approval, in violation of D.C. Official Code § 25-823(6)...

ABRA Show Cause File No., 15-CMP-00978, Notice of Status Hearing and Show Cause Hearing, 2-5 (March 25, 2016).

At the Show Cause Hearing held on June 8, 2016, the Respondent and the Government entered into an Offer in Compromise (OIC), which resolved the charges set forth above.

The terms of the OIC are as follows:

1. For Charge I - The Respondent shall pay a \$1,250.00 fine.
2. For Charge II – The Respondent shall pay a \$1,250.00 fine.
3. For Charge III - The Respondent shall pay a \$1,250.00 fine.
4. For Charge IV – This Charge is merged into Charge III because both Charge III and Charge IV are violations related to the Respondent’s Entertainment Endorsement.
5. For Charge V – This Charge is dismissed.
6. For Charge VI – This Charge is dismissed
7. For Charge VII - The Respondent shall be issued a Warning.

In sum, the Respondent shall pay a total fine in the amount of \$3,750.00. All fines must be paid within sixty (60) days from the date of this Order or the license will be suspended until payment of the fines is received.

By agreeing to the terms of the OIC, the Respondent hereby waives its right to a Show Cause Hearing and appeal.

ORDER

Accordingly, the Board having found the terms of the OIC to be fair, reasonable and adequate, does hereby, this 8th day of June, 2016, **APPROVE** the terms of the Offer in Compromise entered into by the Government and Addis Ethiopian Restaurant, LLC, t/a Addis Ethiopian Restaurant, located at premises 707 H Street, N.E., Washington, D.C.

It is further **ORDERED** that the Respondent will operate in accordance with the ~~terms of the OIC which are binding on the Respondent.~~

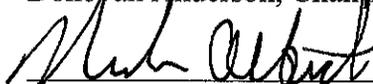
It is further **ORDERED** that the Respondent shall abide by all laws and regulations of the District of Columbia, shall operate its establishment in a safe and competent manner, and shall refrain from engaging in the type of activity that led to this disciplinary action.

A copy of this Order shall be sent to the Respondent and to the Government.

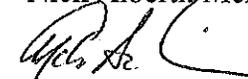
District of Columbia
Alcoholic Beverage Control Board



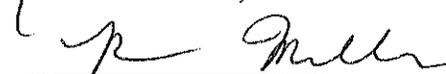
Donovan Anderson, Chairperson



Nick Alberti, Member



Mike Silverstein, Member



Ruthanne Miller, Member



James Short, Member

Pursuant to D.C. Official Code § 25-433(d)(1), 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 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code §2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).