

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

In the Matter of:)	
)	
1819 14 th Ventures, LLC)	License Number: 084847
t/a El Centro D.F.)	Case Number: 12-CMP-00044
)	Order Number: 2013-323
)	
Holder of a Retailer's Class CR License)	
at premises)	
1819 14 th Street, NW)	
Washington, D.C. 20009)	

BEFORE: Ruthanne Miller, Chairperson
Mike Silverstein, Member
Nick Alberti, Member
Donald Brooks, Member

ALSO PRESENT: Christine Gephardt, Assistant Attorney General, on behalf of the
District of Columbia

Ivan Irikanin, on behalf of the Respondent

Andrew Kline, on behalf of the Respondent

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

PROCEDURAL BACKGROUND

On November 14, 2012, the Alcoholic Beverage Control Board (Board) served a Notice of Status Hearing and Show Cause Hearing (Notice), dated November 7, 2012, on 1819 14th Ventures, LLC, t/a El Centro D.F. (Respondent), at premises 1819 14th Street, NW, Washington, D.C. 20009, charging the Respondent with the following violation:

Charge I: Failure to post ABC license in conspicuous location inside the establishment and failure to post ABRA license information on the front door or exterior window in violation of D.C. Official Code § 25-711. The date of this alleged incident was January 18, 2012.

FINDINGS OF FACT

The Board, having considered the evidence, the testimony of witnesses, the arguments of counsel, and all documents comprising the Board's official file, makes the following findings:

1. The Board issued a Notice of Status Hearing and Show Cause Hearing, dated November 7, 2012. (*See Alcoholic Beverage Regulation Administration Show Cause File Number 12-CMP-00044*). The Respondent holds a Retailer's Class CR License and is located at 1819 14th Street N.W., Washington, D.C. 20009.
2. The Show Cause Hearing in this matter was held March 16, 2013. The Respondent was charged with one violation: failure to post its ABC license in a conspicuous location inside the establishment and failure to post its ABRA license information on the front door or exterior window of the establishment, in violation of D.C. Official Code § 25-711.
3. At the hearing, Respondent conceded the violation and the facts underlying the charge as set forth in the Notice. *Transcript, 3/16/13* at 4.
4. On January 18, 2012, an ABRA investigator visited the establishment to conduct a regulatory inspection. *Notice* at 2. The investigator noticed that the establishment did not have the ABRA approved window lettering on any of its exterior windows or the front door. *Id.* Upon entering the establishment, the investigator observed that the establishment had not posted its license, certificate of occupancy and basic business license in a conspicuous place. *Id.* The owner could not locate the licenses at the time of inspection. *Id.* The investigator informed the owner of the violations. *Id.*
5. The investigator issued the owner a Notice of Violation for violation of D.C. Official Code § 25-711, which levied a fine in the amount of \$500. *Protest Report, 1/24/12* at 2. On January 23, 2012, the Respondent requested a hearing by checking the appropriate box on the back of the Notice of Violation and returning the Notice to ABRA.

CONCLUSIONS OF LAW

The Board has the authority to suspend or revoke the license of a Respondent who violates any provision(s) of Title 25 of the D.C. Official Code pursuant to D.C. Official Code § 25-823(1)(2001). Additionally, pursuant to the specific statutes under which the Respondent was charged, the Board is authorized to levy fines. D.C. Code § 25-830 and 23 D.C.M.R. 800, *et seq.*

As noted above, Respondent conceded that, as to Charge I, Respondent failed to post its ABC license in a conspicuous location inside the establishment and failed to post its ABRA license information on the front door or exterior window of the establishment, in violation of D.C. Official Code § 25-711. Accordingly the Board will treat this as an admission of guilt on the part of Respondent and need not review the evidence or make a finding in this matter.

The Government asked that the Board impose on Respondent a fine in the amount of \$500. The Board finds that such fine is warranted in this matter and, accordingly fines Respondent the amount of \$500. In the future, the Board strongly suggests that, for such secondary violations in which there is no dispute as to the facts and recognizing the voluminous nature of the Board's calendar, Respondent resolve such matters without the necessity for a show cause hearing before this Board.

ORDER

Based on the foregoing findings of fact and conclusions of law, the Board, on this 10th day of July, 2013, **ORDERS** that:

1. Respondent, no later than 30 days from the date of this Order, submit to ABRA the amount of \$500 for the conceded violation of D.C. Official Code § 25-711.

The Alcoholic Beverage Regulation Administration shall distribute copies of this Order to the Government and to the Respondent.

District of Columbia
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson



Nick Alberti, Member



Donald Brooks, Member



Herman Jones, Member



Mike Silverstein, Member

Under 23 DCMR § 1719.1 (2008), 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, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 20009.

Also, under 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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration under 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).