



1 BOARD MEMBERS PRESENT

2 NICK ALBERTI, BOARD MEMBER

3 RUTHANNE MILLER, BOARD MEMBER

4 JAMES SHORT, BOARD MEMBER

5 MIKE SILVERSTEIN, BOARD MEMBER

6

7 OTHER PERSON PRESENT

8 HOURI RAZJOOYAN

9 LIEUTENANT SUBRENA RIVERS

10 JASON PERU

11

1 P R O C E E D I N G S

2

3 CHAIRPERSON ANDERSON: Now the next case we  
4 have is a fact finding hearing for Houri  
5 Razjooyan and if I made a terrible -- pronouncing  
6 the name -- I have done that. Basically, this  
7 is, the purpose of this fact finding hearing is  
8 there is a Cease and Desist order #2016-137  
9 issued and you can come up, sir, if you are Mr.  
10 Razjooyan.

11 MR. RAZJOOYAN: Good afternoon, how are you?

12 CHAIRPERSON ANDERSON: Good afternoon. Have  
13 a seat. Can you identify yourself for the record  
14 please?

15 MR. RAZJOOYAN: Houri Razjooyan.

16 CHAIRPERSON ANDERSON: Razjooyan?

17 MR. RAZJOOYAN: Razjooyan, yes.

18 CHAIRPERSON ANDERSON: I'm going to refer to  
19 you a whole lot, so help me pronounce your last  
20 name.

1 MR. RAZJOOYAN: Razjooyan.

2 CHAIRPERSON ANDERSON: Razjooyan. Okay.

3 Please, there's a sign-in sheet there, I would  
4 like you to sign your name for the record. Do  
5 you have any witnesses today, sir, or are you  
6 going to be the only one who is going to testify?  
7 Just you?

8 MR. RAZJOOYAN: Yes.

9 CHAIRPERSON ANDERSON: All right. Do we have  
10 any members of the public who are here for this  
11 case? I see that we have some representatives of  
12 the police department, are they here for this  
13 case? All right. You can -- you can come up and  
14 identify yourself for the record, please.

15 MS. RIVERS: Good afternoon. Lieutenant  
16 Subrena Rivers, Metropolitan Police Department.

17 CHAIRPERSON ANDERSON: Thank you, Miss  
18 Williams?

19 MS. RIVERS: Rivers.

1 CHAIRPERSON ANDERSON: Rivers. Lieutenant  
2 Rivers, I think that he didn't hear you also.  
3 Please sign in there. Yes sir, go ahead.

4 MR. PERU: ABRA Investigator, Jason Peru.

5 CHAIRPERSON ANDERSON: Officer Peru. All  
6 right, what I'm going to have you do, Mr. Peru,  
7 can you raise your right hand, please. Let me  
8 just -- I want everyone to -- I'm going to swear  
9 everyone in, so I want everybody to raise your  
10 right hand. Do you swear or affirm to tell the  
11 truth and nothing but the truth? And so all  
12 three people are sworn in. Okay, fine, thank  
13 you. Yes, Mr. Peru. Let us know what is it that  
14 you have to share with the board?

15 MR. PERU: This investigation is in reference  
16 to 2419 Evarts Street, Northeast. On or about  
17 Saturday, February 6, I received a hotline phone  
18 call on the ABRA hotline from MPD regarding a  
19 possible party at this location -- unlicensed  
20 party. So, myself and Investigator Shawn

1 Townsend responded at approximately 10:40 p.m.  
2 We arrived on scene and with an MPD officer  
3 Thomas Duvall. After sitting outside for a while  
4 at the establishment, we decided to enter the  
5 establishment and officer Duvall and myself and  
6 Investigator Townsend entered the establishment,  
7 identified ourselves to security officers and  
8 asked to speak to the ABC manager/owner of the  
9 establishment.

10 Upon entering, we observed the security  
11 checking identification at the door, a \$20 cover  
12 charge, being charged for entry, a well-stocked  
13 bar with alcoholic beverages, alcohol being  
14 consumed by patrons and approximately 200 people  
15 inside of the warehouse and no food being served.  
16 The security then directed us to manager, Brian  
17 Bess. Mr. Bess stated that he was not an ABC  
18 manager and that he was using a caterer for the  
19 event to provide alcohol. Mr. Bess stated that  
20 the warehouse was usually used for contract

1 business, he said, 500 Incorporated, in the  
2 daytime hours and a private club in the evenings.  
3 Mr. Bess stated that members could rent out the  
4 private club for parties and events.

5 Mr. Bess stated that the warehouse C OF O, he  
6 could not locate -- he could not locate the  
7 caterer license for us initially as well. I  
8 asked to speak to the caterer of the event and  
9 Mr. Bess contacted a representative from Grace  
10 Period Catering, a Mr. Glenworth Campbell. I  
11 spoke with Mr. Campbell and asked him if he was  
12 the ABC manager/owner. He said no. I asked Mr.  
13 Campbell for the caterer's license which he then  
14 provided to me. I explained to him that as a  
15 caterer they were required to have food at all  
16 catered events where alcohol is being served and  
17 consumed. He stated that the food had not yet  
18 arrived.

19 Mr. Campbell stated that the bar was open,  
20 alcoholic beverages were being sold, and

1 therefore there should be food present. While  
2 speaking to Mr. Campbell from Grace Period  
3 Catering, Fire Inspector, Thomas Burr, arrived on  
4 scene. I believe MPD contacted Mr. Burr after we  
5 were discussing what we saw.

6 Investigator Thompson and myself spoke to  
7 Fire Inspector Burr, briefed them on our findings  
8 and observations, and Mr. Burr stated that the  
9 warehouse had multiple fire code violations and  
10 was in no conditions to be a nightclub and to  
11 hold an event of this nature. Mr. Burr stated  
12 that the location was in violation for not having  
13 a C OF O or business license.

14 Mr. Burr advised Mr. Bess, the manager of the  
15 warehouse, and Mr. Campbell the caterer  
16 representative that the event was immediately  
17 shut down and all patrons had to leave. Myself  
18 and Investigator Townsend exited at approximately  
19 12:15a.m. and there was still no food present.  
20 MPD and fire remained on scene.

1           As a follow-up to this investigation on  
2 Thursday February 25th, I received information  
3 from DCRA Supervisor, Vince Parker. Mr. Parker  
4 provided a DCRA report that showed 2419 Evarts St  
5 Northeast was in violation of D.C. Official Codes  
6 for not having a public certificate of occupancy  
7 and operating as such.

8           The report states that DCRA had received  
9 multiple complaints from the neighborhood  
10 regarding the locations holding multiple parties  
11 with loud music and acting as a nightclub. The  
12 report also states that the location does not  
13 have a proper business license.

14          I spoke to -- I contacted the owner of the  
15 catering company, The Grace Period, on February  
16 26th, Ms. Arzo Amin, and she stated that she was  
17 aware of the incident that occurred on Friday,  
18 February 5th (sic), and she stated that she did  
19 not know that an ABC manager had to be present  
20 during catered events. She stated she didn't

1 know food was not being served, and she stated  
2 that Mr. Campbell was a manager for her company  
3 and should have been handling any issues that  
4 came up. Ms. Amin stated that Mr. Campbell was  
5 unable to produce invoices.

6 I advised her that if you cannot produce  
7 invoices to me for alcohol that was being served  
8 at the event, she stated that Mr. Campbell should  
9 have had those receipts on his person, which he  
10 did not. During the telephone call, Ms. Amin  
11 stated that she had an emergency and would call  
12 me back and she never did. I never heard from  
13 Ms. Amin again, the caterer of the event.

14 You can see my exhibits. I'll kind of walk  
15 you through to give you an idea of the warehouse:  
16 The first exhibit, I guess it's #2, would be of  
17 the case report, would be the exterior of this  
18 warehouse where there's a red car in the picture  
19 and it says 500 [inaudible 09:23] -- the door --  
20 if you see the roll down door, the wire roll down

1 door, to the left you see a small entry door,  
2 that's the entry that they were using as a club  
3 entrance, where they were checking IDs and taking  
4 a cover charge.

5 Exhibit #3 just shows the size of the crowd  
6 or the general depiction of the size of the crowd  
7 inside the warehouse when we entered.

8 Number #4 would be the bar that was set up.

9 Number #5 just shows you the bar the list and  
10 the cost of the alcoholic beverages inside the  
11 warehouse.

12 Number #6 is showing you the empty food trays  
13 and catering trays -- there were multiple  
14 present.

15 Number #7 is the copy of The Grace Period  
16 Catering license. That's all I have.

17 CHAIRPERSON ANDERSON: All right. Thank  
18 you, sir. Lieutenant or -- I want to make sure I  
19 give you the right, I didn't hear the beginning,  
20 now I know the last name, I want to make sure

1 that Lieutenant Rivers, are you able to add  
2 anything about this establishment or what was  
3 going on? Announce who you are please.

4 MS. RIVERS: I'm Lieutenant Rivers. At the  
5 time I was working as the watch commander at the  
6 5th District where this establishment is located.  
7 So, I initially got a phone call from a couple of  
8 citizens and also we'd gotten a radio runs about  
9 the large crowd and people outside in that  
10 particular area. It was loud noise and things  
11 that were going on, people in the streets, cars  
12 everywhere, and a large amount of people. So, we  
13 sent officers down there to investigate what was  
14 going on in that block, to that particular  
15 address, and like he said, it was a huge party.

16 So, at that time, I sent my sergeant down  
17 there to -- you know -- speak with -- you know --  
18 whoever the person that was in charge, the  
19 manager at the time and see -- you know -- check  
20 out what was going on. So, once it was decided

1 that the crowd appeared to be extremely large,  
2 that's when I notified the fire board to come out  
3 to assess the crowd level and the crowd amount at  
4 the location. At that point I responded out  
5 there and witnessed all that the ABRA person just  
6 said about everything that was going on, the  
7 codes and that was just too much for that  
8 particular location to handle. And at that time  
9 the fire code personnel came out and assessed the  
10 whole area and the situation and they made a  
11 decision to shut the club down, the location  
12 down.

13 CHAIRPERSON ANDERSON: Well -- I'm not going  
14 to ask you questions, but you said the club down.

15 MS. RIVERS: I mean, I'm not -- I didn't mean  
16 to say it was a club, but I mean that particular  
17 location.

18 CHAIRPERSON ANDERSON: No, I'm just saying  
19 why would you even say it was a club? I'm just -  
20 - from your view, yeah.

1 MS. RIVERS: It was -- it wasn't a club per  
2 se, but it's a location where they were having a  
3 large party.

4 UNKNOWN SPEAKER: An illegal club.

5 MS. RIVERS: Illegal club.

6 CHAIRPERSON ANDERSON: Well, I asked the  
7 question for a reason, so I'm just trying, I know  
8 it was a slip of the tongue when you said that, I  
9 know it's not a -- it's not -- it's my  
10 understanding it's not a licensed club, but  
11 you're saying that it appeared to be a club.  
12 That's what I'm trying to say. Thank you. Sir,  
13 state your name for the record and, again, what  
14 is your relationship to this location?

15 MR. RAZJOOYAN: Houri Razjooyan. I own the  
16 building. I am the building owner.

17 CHAIRPERSON ANDERSON: And so what is it that  
18 -- are you aware of any of these incidents in the  
19 area and tell us why you're here.

1           MR. RAZJOOYAN: So, the situation is that we  
2 own the warehouse, zone CM1, we have multiple  
3 tenants there that conduct different businesses.  
4 The leases are all commercial leases and they all  
5 stipulate that whatever tenant that we have they  
6 are responsible for their own C of O and their  
7 own business license and they are obligated to  
8 produce them to us. This particular tenant, 500  
9 Inc., had came to us to rent the space as storage  
10 and under the umbrella of government contracts  
11 and in order to solicit government contracts to  
12 have events of such nature, so that was of  
13 particular concern.

14           So -- can you hear me better? So, that was  
15 when they first leased the space which was a year  
16 and a half or so before this incident. I didn't  
17 realize, I didn't hear a notice about the club  
18 activity or in this notice with selling liquor.  
19 What happened was I received a notice from DCRA  
20 that there was no business license or C OF O for

1 that space and it was a \$4000 fine. So, once I  
2 received that I notified the tenant and then as  
3 they were in breach of their lease for not  
4 producing these documents to us or to the city,  
5 we terminated the lease immediately. And I have  
6 a determination agreement here too.

7 Then after that, I submitted the same  
8 documentation to the DCRA to show that we're just  
9 the owners, we had no interest in the business,  
10 we're only there to maintain the building. The  
11 tenants are responsible for business activities,  
12 whatever, and they understood and they dismissed  
13 the case and then I had another incident with an  
14 inspector, Investigator Cliff Dietrich, from  
15 DCRA, because we have a new tenant that's there  
16 and that tenant, they have a -- it's a private  
17 organization who facilitates the understanding of  
18 medical grade marijuana.

19 So, after this situation has gone on record,  
20 he came and said, 'oh, well, we still are under

1 the assumption that this building is operating as  
2 a nightclub.' So, I had to meet with him and  
3 explain the situation again. It wasn't us, it  
4 was the previous tenant, they've been evicted due  
5 to breach, and no other activity like that is  
6 occurring here, and then this was brought to my  
7 attention two or three weeks ago also that  
8 there's a Cease and Desist for nightclub  
9 activity.

10 So, I was recommended by Inspector Dietrich  
11 to make the appearance, I called myself to your  
12 offices and explained the situation also and they  
13 said request a hearing and explain what's going  
14 on to show that the building and current tenants  
15 aren't operating in this fashion and whatever  
16 previous activity has been going on were the  
17 responsibilities of the previous tenants who had  
18 misinformed us of their activities.

19 CHAIRPERSON ANDERSON: So, is the property  
20 currently leased?

1 MR. RAZJOOYAN: The space is leased, yes.

2 MR. ALBERTI: Pardon?

3 MR. RAZJOOYAN: The space now -- that is  
4 under question -- is now leased again to a  
5 different entity.

6 CHAIRPERSON ANDERSON: As of when?

7 MR. RAZJOOYAN: April 1st.

8 CHAIRPERSON ANDERSON: So, who is it leased  
9 to now as of April 1st?

10 MR. RAZJOOYAN: Is it okay if I share the  
11 documents?

12 MR. ALBERTI: You can just read the name.

13 MR. RAZJOOYAN: So it's called Cannabis  
14 Alliance Network Group.

15 CHAIRPERSON ANDERSON: Okay, so, do they have  
16 parties? Do they have parties and do you -- do  
17 they have parties there?

18 MR. RAZJOOYAN: So, he has a C of O and a  
19 business license -- a general business license,  
20 which 500 never had, so they're legally allowed

1 to operate their own activities under the  
2 stipulation of his executive summary for his  
3 business, he would have meetings, because it's a  
4 members only organization to promote whatever  
5 activity associated with marijuana growth or use  
6 or what have you.

7 So, they have meetings, it's fine, I'm not  
8 privy to them and I at least stipulates that as  
9 long as he conducts himself legally we have no  
10 issue, but if he breaks the law or if there's a  
11 violation due to his activities then that's  
12 grounds for a breach and then termination.

13 CHAIRPERSON ANDERSON: I guess the reason I'm  
14 asking, sir, you're saying that this previous  
15 establishment that was there you didn't have any  
16 idea what was going on --

17 MR. RAZJOOYAN: No.

18 CHAIRPERSON ANDERSON: -- and so now that  
19 you're on notice that the previous establishment  
20 was doing -- it was a nightclub --

1 MR. RAZJOOYAN: Right.

2 CHAIRPERSON ANDERSON: What mechanism have  
3 you put in place to ensure that whatever  
4 establishment that's now in the vicinity that  
5 they're not doing what the other person used to  
6 do?

7 MR. RAZJOOYAN: So, what the other tenant had  
8 done was just show an older business license and  
9 an LLC registration to say that they were in good  
10 standing with the city and they could conduct  
11 business and our property manager at the time  
12 didn't follow up to make sure we had the correct  
13 documentation. That property manager has been  
14 fired.

15 So, I stepped in to secure this lease and  
16 I've made sure personally that this lease has a C  
17 of O, so he did have the zoning inspection and it  
18 had passed and he did obtain his basic business  
19 license which he does have now. So, at least  
20 he's in compliance with DCRA regulations and I

1 made aware to him this notice also, because  
2 Inspector Dietrich was on site and asked for his  
3 contact information and I know for a fact that  
4 they spoke also and I let this new tenant know  
5 what had happened to the previous tenants and if  
6 he was going to have meetings they should be  
7 conducted within whatever the law dictates of the  
8 hours of operation, no alcohol can be served, no  
9 loitering that would cause the neighbors to  
10 complain to the 5th District police department.

11 So all that's been made avail -- that  
12 information has been made available to him and I  
13 have asked him to post signs on the property that  
14 says "private members only" so the space doesn't  
15 get confused as a public hall, because they are  
16 not operating as a public hall. So that's the  
17 steps I've taken to prevent this from happening.

18 CHAIRPERSON ANDERSON: Any questions by any  
19 Board members to any party? Go ahead, Mr.  
20 Alberti.

1 MR. ALBERTI: Mr. Razjooyan?

2 MR. RAZJOOYAN: Yes?

3 MR. ALBERTI: Who is the owner?

4 MR. RAZJOOYAN: I am the owner.

5 MR. ALBERTI: Oh, you're the owner.

6 MR. RAZJOOYAN: Yes.

7 MR. ALBERTI: Of the property.

8 MR. RAZJOOYAN: Yes.

9 MR. ALBERTI: So, what is the C of O that the  
10 Cannabis whatever name --

11 MR. RAZJOOYAN: So, the original C of O was  
12 the Cannabis, the oldest C of O that was on file  
13 that had warehouse office space was --  
14 warehouse/office -- accessory office space -- and  
15 under that umbrella the C of O was able to obtain  
16 his C of O to occupy the space.

17 MR. ALBERTI: Okay, great. So, you have this  
18 overall C of O --

19 MR. RAZJOOYAN: Right.

1 MR. ALBERTI: -- for warehouse/office and  
2 wherever [inaudible 20:06] and so what is the C  
3 of O within that? The more focused C of O that  
4 this new tenant has.

5 MR. RAZJOOYAN: So, under the umbrella of  
6 office space and semi office space, the zoning  
7 says that there's -- I'm doing this from memory,  
8 forgive me -- every square footage is a set  
9 square footage they can have X amount of  
10 occupants depending on what event they're having.  
11 I think it's 7 feet for standing, 15 for seated,  
12 100 for general purpose office, and the building,  
13 his space is 7000 square feet, 7200. So, I know  
14 whatever activity that he has going on is in the  
15 confines of that.

16 MR. ALBERTI: Okay so what I'm hearing from  
17 you is that there is no -- the C of O that this  
18 person had, that this company has --

19 MR. RAZJOOYAN: The new tenant, yes.

1 MR. ALBERTI: -- which I'm a little cloudy on  
2 because I didn't realize that tenants had to have  
3 an additional C of O from the general C of O of  
4 the building.

5 MR. RAZJOOYAN: Yeah, under the general he  
6 received his own.

7 MR. ALBERTI: Okay, great --

8 MR. RAZJOOYAN: --that is zoning accessory --

9 MR. ALBERTI: What is that a classification  
10 for?

11 MR. RAZJOOYAN: Just to obtain his business  
12 license so he can apply.

13 MR. ALBERTI: I understand, but is it also  
14 for warehouse, office and --

15 MR. RAZJOOYAN: Right. Warehouse and office.

16 MR. ALBERTI: Okay. And what is the  
17 occupancy that that C of O has. I know, I'm well  
18 aware that there are guidelines, I have copies of  
19 those guidelines, I need to know what the totals  
20 -- when implementing those -- there's other

1 things that go into implementing those. So, I  
2 can't just say 7000 square feet and know what it  
3 is. What is the C of O -- what is the occupancy  
4 that DCRA has assigned on that C of O for the  
5 tenant?

6 MR. RAZJOOYAN: There's no load value --  
7 there's no load value on the C of O.

8 MR. ALBERTI: There's no load value on the C  
9 of O?

10 MR. RAZJOOYAN: That's correct.

11 MR. ALBERTI: And the underlying C of O has  
12 no load value?

13 MR. RAZJOOYAN: Correct. So, that's a DCRA  
14 issue, but zoning --

15 MR. ALBERTI: That's interesting.

16 MR. RAZJOOYAN: I was told, because I did  
17 some investigation just to make sure it was on  
18 the up and up, so I was told that it is a legal C  
19 of O but it's always good to have more  
20 information than less, so that's why I did the

1 research about the assembly and the standing and  
2 the [inaudible 22:24] so he has a permit that I'm  
3 pushing him to obtain to re-update the C of O  
4 that he has now to make sure that they do  
5 actually do a load calculation so in the future  
6 we won't have this problem ever again.

7 MR. ALBERTI: So, they have a business  
8 license. Is there a class of business license  
9 they have?

10 MR. RAZJOOYAN: Because he's a private  
11 assembly organi -- private organization -- they  
12 just -- DCRA didn't stipulate that based on the  
13 nature of his activity he just needs a basic  
14 business license.

15 MR. ALBERTI: Okay. And you have a basic  
16 business license yourself to run that this way?

17 MR. RAZJOOYAN: I have one as the -- for the  
18 rental property [inaudible 23:07].

1           MR. ALBERTI: I will tell you, since we're on  
2 this topic, that I don't know what the outcome of  
3 this is going to be --

4           MR. RAZJOOYAN: Okay.

5           MR. ALBERTI: -- but if you have a hope, if  
6 anyone has any hope of even getting one day  
7 permits to sell alcohol, all right, you can't get  
8 a permit if your property doesn't qualify for  
9 one. Your C of O doesn't qualify for a permit --  
10 but even if you want -- even if you had any hope  
11 of getting a temporary, I would recommend not  
12 giving them the one day because your C of O  
13 doesn't have a load.

14          MR. RAZJOOYAN: So, that's kind of the thing  
15 --

16          MR. ALBERTI: I'm just letting you know, I  
17 mean. I think it's completely irresponsible to  
18 sit there and even allow this tenant to occupy  
19 this place without a load. I think you are  
20 putting yourself at risk. But anyways, that's

1 your problem. I have no further questions right  
2 now.

3 CHAIRPERSON ANDERSON: I'm going to -- hold  
4 on -- do you have a response or?

5 MR. RAZJOOYAN: I do. There's no intention  
6 of selling liquor or having a nightclub in there,  
7 that's not the whole point. I don't want that to  
8 hap- that's too much headache. I own other real  
9 estate properties, too. That's not the intention  
10 with this tenant. We just want to make sure that  
11 this doesn't happen again, that he knows the law,  
12 he's not applying for a [inaudible 24:22] liquor  
13 serving license, so I know there won't be an  
14 issue in the future.

15 MR. ALBERTI: Okay, let me follow up on that.  
16 So, you would really have no problem if he said  
17 "what if we left this order in place? No alcohol  
18 service at this establishment. You said you'd  
19 really have no problem with them not serving  
20 alcohol. Those were your words. So, if we left

1 this order in place, it really doesn't, it  
2 doesn't really impact you is that correct?

3 MR. RAZJOOYAN: But now, if I go to get a C  
4 of O or say this tenant leaves and there's an  
5 issue with DCRA, an issue with zoning and  
6 somebody raises a red flag and also I'm under  
7 contract to sell the building, so say the new  
8 owner changes his -- the use of the building  
9 itself.

10 MR. ALBERTI: They can easily come back to  
11 us.

12 MR. RAZJOOYAN: Well, maybe it's just easier  
13 now for me to get this resolved now.

14 MR. ALBERTI: All right.

15 MR. RAZJOOYAN: If I'm in compliance and he's  
16 in compliance, there's no future --

17 MR. ALBERTI: Thank you.

18 CHAIRPERSON ANDERSON: Lieutenant Rivers?

19 MS. RIVERS: I just want to take you back and  
20 say he has a new tenant since April 1st, but on

1 April 2nd the fifth District went back if people  
2 call for large parties and things again, and he  
3 didn't have a business license for the club per  
4 se and the fire inspector came out and shut it  
5 down again.

6 CHAIRPERSON ANDERSON: So, you're saying  
7 April -- so the new tenant?

8 MS. RIVERS: Second, yes. The new tenant  
9 which is Cannabis Alliance Network. Yeah, so  
10 this April 2nd, I'm reading from the report down  
11 here, April 2nd we were called for another large  
12 party and that was the new tenant, so we did the  
13 same thing, we shut -- we called everyone and had  
14 to come down and shut them down again.

15 CHAIRPERSON ANDERSON: So, what's the  
16 difference between the old tenants and the new  
17 tenant, sir?

18 MR. RAZJOOYAN: Can I ask a question about  
19 that report?

20 MR. ALBERTI: Sure.

1 MR. RAZJOOYAN: Did he cite him for using the  
2 liquor or was it just -- I don't have the details  
3 on that.

4 MS. RIVERS: Right. So, it says that fire  
5 inspectors that came to the scene it was  
6 determined that the location did not have a  
7 business license to operate as a club --

8 MR. RAZJOOYAN: Okay.

9 MS. RIVERS: So, as a club. The first  
10 inspector also issued a violation for design  
11 occupant load and another violation for means of  
12 egress containment.

13 MR. RAZJOOYAN: But they didn't say liquor,  
14 they just said club?

15 MS. RIVERS: Right.

16 MR. RAZJOOYAN: Okay.

17 MR. ALBERTI: Did it indicate how many  
18 people?

19 MS. RIVERS: No, it doesn't indicate how many  
20 people.

1 MR. RAZJOOYAN: Do they say anything about  
2 charging admission or other things associated  
3 with that?

4 MS. RIVERS: No.

5 MR. RAZJOOYAN: They just said large size?

6 MS. RIVERS: Yes.

7 MR. RAZJOOYAN: Okay, so I believe that was  
8 just a capacity issue. Because he doesn't,  
9 again, have a C of O that has a number. Clearly  
10 that's a [inaudible 26:54] result. That  
11 resulting now with a newer C of O with a load cap  
12 on it.

13 CHAIRPERSON ANDERSON: Lieutenant, what -- do  
14 you recall what time the call came in -- is it  
15 listed?

16 MS. RIVERS: Around 10:00 - 10:30, 10:00 -  
17 10:15.

18 CHAIRPERSON ANDERSON: And, Lieutenant, when  
19 the other tenant, do you recall about what time  
20 the calls came in about a large crowd?

1 MS. RIVERS: Yeah, this was about 10:40.

2 CHAIRPERSON ANDERSON: Sir, I'm troubled.

3 You have one tenant who you got rid of --

4 MR. RAZJOOYAN: Right.

5 CHAIRPERSON ANDERSON: -- and the same  
6 problems that we had with the first tenant you  
7 now say you have a new tenant and we're having  
8 the same problem, whether or not it's a large  
9 crowd -- one thing is obvious from what I'm being  
10 told, is a large crowd.

11 MR. RAZJOOYAN: Large crowd. So, to me --

12 CHAIRPERSON ANDERSON: So, what's the  
13 difference between -- it's the same time --

14 MR. RAZJOOYAN: Okay.

15 CHAIRPERSON ANDERSON: -- so, it doesn't  
16 appear that there's a difference between the two  
17 tenants.

18 MR. RAZJOOYAN: Respectfully, I would say  
19 that the first issue is selling liquor and they  
20 have signs and cover charges and selling liquor

1 and the caterer had a problem with his license  
2 too, and if this tenant is holding meetings, now  
3 yes it's a later time, yes it's a larger crowd,  
4 maybe more than what the zoning allows for.

5 So that the other three issues, the liquor,  
6 the charging and the caterer's license, that's  
7 not an issue of the police as was in the report,  
8 it only seems that his issue is the amount of  
9 people occupying the space. So, if that's the  
10 case, then we have to go back and make sure that  
11 he gets a C of O that has a proper load  
12 calculation and proper load value so if he has an  
13 event in the future he doesn't violate whatever  
14 the fire marshal or the zoning code says.

15 CHAIRPERSON ANDERSON: But do you know how  
16 ABRA became involved in this situation?

17 MR. RAZJOOYAN: I have no idea. I just --  
18 they -- one of the -- there was an officer for --  
19 I think on the same night they -- the next day --  
20 they called me and they left a notice there on

1 the building I believe, and then I got a phone  
2 call about there's a Cease and Desist from ABRA  
3 for whatever the -- something about -- something  
4 entertainment, throwing a party -- and they were  
5 selling liquor. Yes, something about selling  
6 liquor. I forgot, there was like two entities  
7 that promoters or private clubs make for D.C.  
8 Entertainment, under that umbrella, that's what I  
9 was --

10 MS. RIVERS: Okay, so I have one more -- okay  
11 --

12 CHAIRPERSON ANDERSON: Yeah, go ahead.

13 MS. RIVERS: So I have one more April 16th at  
14 around -- this was about 2:00 in the morning, MPD  
15 was called for a noise complaint at the address.  
16 The organization was found to be in violation of  
17 their cease and disorder in an organization that  
18 was serving alcohol but was unable to provide  
19 alcohol license, so that was on the 16th of  
20 April.

1 MR. RAZJOOYAN: Mr. Chair, I just think the -  
2 -

3 MR. ALBERTI: What was the date?

4 MS. RIVERS: April 16th.

5 MR. PERU: Those were all Saturdays. My  
6 incident, the second incident and this third  
7 incident, all Saturdays, so that's a pattern as  
8 well.

9 MR. RAZJOOYAN: The 16th event, if I can  
10 comment, I did get a direct call then because the  
11 new tenant was on site and the -- whoever the  
12 officer was on site -- said there's a Cease and  
13 Desist for liquor sales and you can't have -- and  
14 there's also a Cease and Desist for all business  
15 activities related to a nightclub, so that's when  
16 he reiterated that it was this issue and I think  
17 at 2:00 or something they called me but they were  
18 closing down, but they didn't go in -- to my  
19 knowledge, they didn't go inside, they didn't say  
20 anything about liquor sales.

1 CHAIRPERSON ANDERSON: But I think that  
2 you're missing the point, okay? And maybe I'm  
3 missing the point. All right. Why did you -- when  
4 did you get rid of the old tenant?

5 MR. RAZJOOYAN: February 29th we signed the  
6 termination of the lease.

7 CHAIRPERSON ANDERSON: February 29th. And  
8 when did they leave the property? When did they  
9 turn the property over to you?

10 MR. RAZJOOYAN: Officially a week before --  
11 they were moving things so a week before I had  
12 full access to the building.

13 CHAIRPERSON ANDERSON: So, March.

14 MR. RAZJOOYAN: Yes.

15 CHAIRPERSON ANDERSON: So, who -- who's  
16 renting the property in March and early April?

17 MR. RAZJOOYAN: April 1st is when officially  
18 the new tenant took over, so anything beforehand  
19 there was no activity, there was just a period  
20 from February 29th when they signed the

1 termination and they were moving out whatever  
2 they had and I was working on the lease with the  
3 new tenant, so [inaudible 32:14].

4 CHAIRPERSON ANDERSON: So are there any  
5 individuals who were a part of the old lease who  
6 are now part of this new lease?

7 MR. RAZJOOYAN: I would say no.

8 CHAIRPERSON ANDERSON: You'd say no, or  
9 you're saying no, which one is it? There's a  
10 difference between I would say no and no.

11 MR. RAZJOOYAN: Is your question, is there an  
12 association, are they trying to pull a  
13 switcheroo?

14 CHAIRPERSON ANDERSON: Yeah, I'm asking you.

15 MR. RAZJOOYAN: Okay, no they are not trying  
16 to do that, no.

17 CHAIRPERSON ANDERSON: So, but, from what the  
18 police is stating there's no difference -- at  
19 least from what I'm hearing here, there's no

1 difference between what was going on in February  
2 and what is going on here as late as April 16th.

3 MR. RAZJOOYAN: Okay.

4 CHAIRPERSON ANDERSON: So, who are these  
5 people having large crowds and parties at 2:00 in  
6 the morning?

7 MR. RAZJOOYAN: To my understanding -- now,  
8 if I'm wrong, please tell me because I just want  
9 to rectify the situation --

10 CHAIRPERSON ANDERSON: It's your business, so  
11 you're telling me what's going on -- it's your  
12 property, you're telling me what's going on on  
13 your property. You're the one who has a Cease  
14 and -- so you need to tell me what's going on on  
15 your property --

16 MR. RAZJOOYAN: The Cease and Desist was for  
17 serving alcohol and the inspector --

18 CHAIRPERSON ANDERSON: It's not for serving  
19 alcohol, sir, it's for -- it's for operating an  
20 illegal establishment without having -- without

1 having a basic business license or a certificate  
2 of occupancy.

3 MR. RAZJOOYAN: Which was for the previous  
4 tenant, 500 Inc, who was the -- that's why the  
5 notice was served for the Cease and Desist, and  
6 all the penalties and fines are associated with  
7 that tenant.

8 CHAIRPERSON ANDERSON: But, your new tenant  
9 is doing the same thing that your old tenant was  
10 doing.

11 MR. RAZJOOYAN: I agree with you there. It  
12 looks -- if they're having events or what have  
13 you that are that late on a Saturday, yes,  
14 they're doing the same activities, but if the law  
15 says get a C of O and business license and don't  
16 serve liquor, I'm not an expert. I'm just trying  
17 to make sure that he's in compliance so I don't -  
18 - he continues to pay his rent and they don't  
19 keep calling me to fight for him or make sure  
20 he's in compliance or else then I have to vacate

1 the lease. But anyway, if he's -- if he's in  
2 compliance and he's legally obligated to --  
3 allowed to operate -- then whatever issue, in my  
4 mind, if I make sure he has all his ducks in a  
5 row and he can operate then he can operate, and  
6 if there's any issues then he has to deal with  
7 it.

8 CHAIRPERSON ANDERSON: What was he doing  
9 April 2nd -- April 16th?

10 MR. RAZJOOYAN: To my knowledge, he was  
11 throwing an event for private members. He's  
12 telling me that because he's a private member  
13 organization, based on the executive summary that  
14 he produced when we were looking over his -- that  
15 he can have meetings without serving alcohol,  
16 what else? Without serving alcohol, it's  
17 consider private assembly? Private assembly.  
18 That's his claim to whatever his activity is.  
19 Now, if it's incorrect, that's on him to rectify.  
20 I can only do so much to ensure that he has a

1 basic business license and C of O so if the law  
2 says, 'no, you're a public hall' for example, and  
3 he's operating in a public hall, then you tell me  
4 he's a public hall, make sure either he gets his  
5 license or you terminate his lease.'

6 CHAIRPERSON ANDERSON: So, why are you here?  
7 Why is it that -- what is it that you're asking  
8 us to do?

9 MR. RAZJOOYAN: To my -- okay, so my  
10 understanding is that -- when I called ABRA to  
11 set up this hearing they said because I'm the  
12 business owner --

13 CHAIRPERSON ANDERSON: Right.

14 MR. RAZJOOYAN: -- everything falls back on  
15 me, even if the tenants [inaudible 35:30].

16 So, they just -- I was informed unofficially  
17 that if I just come and explained that the old  
18 tenant was doing X and that they have been  
19 removed and all this has been resolved and a new  
20 tenant is doing something similar but different

1 but has a new lease and they are under, they have  
2 a C of O and they have a business license, I  
3 should just make that evident so that Cease and  
4 Desist and all penalties are waived and then this  
5 tenant can operate however he wants to as long as  
6 it's legal. So, that was my only intention, was  
7 just to show you that the termination of the  
8 lease exists and there's a new lease, the new  
9 tenant has a C of O, has a business license.

10 CHAIRPERSON ANDERSON: But today's April  
11 27th.

12 MR. RAZJOOYAN: Yes.

13 CHAIRPERSON ANDERSON: And we have a report  
14 from the police that on April -- as late as April  
15 16 -- your new tenant is serving alcohol at 2:00  
16 a.m. in the morning.

17 MR. RAZJOOYAN: That might be in the report  
18 but I didn't speak to the tenant directly, when  
19 they called me directly that night at 2:30 and  
20 they never mentioned anything serving liquor, all

1 they said to me was there was a Cease and Desist,  
2 you can't operate in the realm of what looks like  
3 a nightclub and there's also a Cease and Desist  
4 on the DCRA side, and that's when Inspector  
5 Dietrich from DCRA recontacted me, and then this  
6 had to be resolved also.

7 CHAIRPERSON ANDERSON: You know -- anyway, go  
8 ahead Mr. Short.

9 MR. SHORT: Good afternoon, sir.

10 MR. RAZJOOYAN: Good afternoon.

11 MR. SHORT: You've been in business how long?

12 MR. RAZJOOYAN: We bought the property in  
13 2002.

14 MR. SHORT: This is the only business you  
15 have in Washington, D.C.

16 MR. RAZJOOYAN: I own the building so it's a  
17 rental property and I have a few other apartment  
18 buildings as rentals.

19 MR. SHORT: So you know something about the  
20 construction codes and laws.

1 MR. RAZJOOYAN: Yes.

2 MR. SHORT: Now, your business on Evarts  
3 Street, what is the square footage?

4 MR. RAZJOOYAN: The whole building is 17,000  
5 square feet.

6 MR. SHORT: 17,000 square feet. Now, how  
7 many exits and egress doors do you have for that?

8 MR. RAZJOOYAN: To my knowledge I think it's  
9 150 feet distance from exit to exit.

10 MR. SHORT: How many -- the number of exits  
11 you have in that building. That number of exit  
12 doors that take you outside from inside or inside  
13 to --

14 MR. RAZJOOYAN: I have multiple spaces so are  
15 you referring to this space?

16 MR. SHORT: How many exits on the whole  
17 building?

18 MR. RAZJOOYAN: The whole building?

19 MR. SHORT: Yes.

20 MR. RAZJOOYAN: Five on the first floor.

1 MR. SHORT: Hmm?

2 MR. RAZJOOYAN: Five on the first floor.

3 MR. SHORT: Five exit doors that are marked  
4 with an Exit sign over the top of them?

5 MR. RAZJOOYAN: Yes.

6 MR. SHORT: So, you have five doors for how  
7 many square feet?

8 MR. RAZJOOYAN: The first floor would be  
9 around 14,000.

10 MR. SHORT: 14,000, the first floor.

11 MR. RAZJOOYAN: Give or take.

12 MR. SHORT: Okay. So, you have two floors.  
13 You have five exits for all that space, upstairs,  
14 'cause everybody upstairs has to exit to the  
15 first floor, then out, correct?

16 MR. RAZJOOYAN: One of the upstairs spaces  
17 has a secondary egress.

18 MR. SHORT: Not -- that has an exit sign over  
19 the top of it. Does it say Exit over the top of  
20 that door?

1 MR. RAZJOOYAN: Separate from the first floor  
2 exits.

3 MR. SHORT: I asked you if -- every door that  
4 has an exit sign.

5 MR. RAZJOOYAN: Every door has an exit sign  
6 on the top of it, yes.

7 MR. SHORT: Okay, five doors.

8 MR. RAZJOOYAN: On the first floor. I'm  
9 trying to say that on one of the second floor  
10 spaces, there's another staircase.

11 MR. SHORT: Let's go to the next thing  
12 because you said five exits, I'm holding you to  
13 five exits.

14 MR. RAZJOOYAN: Okay, five exits.

15 MR. SHORT: How many people can be in a  
16 building with five exits?

17 MR. RAZJOOYAN: That I don't know.

18 MR. SHORT: Okay, you need to know that. And  
19 I will just say this -- a warehouse can have two  
20 exits for 17,000 square feet. There is a reason

1 why you cannot use it for people. You need to  
2 have more exit doors with the number of people.  
3 Do you have sprinklers in the building?

4 MR. RAZJOOYAN: One section does have  
5 sprinklers, one section.

6 MR. SHORT: One section, but the whole  
7 building isn't 100% is not sprinkled?

8 MR. RAZJOOYAN: Correct.

9 MR. SHORT: So, you can't use that for  
10 multiple purpose or for occupancies above certain  
11 numbers.

12 MR. RAZJOOYAN: My response to that is that  
13 we don't do the work ourselves to make the tenant  
14 put the building in compliance.

15 MR. SHORT: I understand that but you are the  
16 owner, correct?

17 MR. RAZJOOYAN: Yes.

18 MR. SHORT: So, if somebody dies in that  
19 building are they going to sue the owner of that

1 building or the person that had an occupancy  
2 permit?

3 MR. RAZJOOYAN: Apparently it always comes  
4 back to me so --

5 MR. SHORT: Oh.

6 MR. RAZJOOYAN: Yes.

7 MR. SHORT: Oh, okay.

8 MR. RAZJOOYAN: But the other tenants who are  
9 there, they are all in compliance, they all have  
10 C of O --

11 MR. SHORT: They're -- we are about illegal  
12 activities.

13 MR. RAZJOOYAN: Okay.

14 MR. SHORT: Clubs open, a lot of people  
15 making a lot of noise. You care to explain why  
16 something's happening April the 16th when you  
17 understand there has been a problem before?

18 And now you're coming to this Board to ask us  
19 what? What do you want from this Board?

1 MR. RAZJOOYAN: All I want is that the Cease  
2 and Desist be removed so I'm not responsible and  
3 if this new tenant wants to get a public hall  
4 license or whatever he wants to do --

5 MR. SHORT: He won't be able to get it with  
6 five exit doors, let me tell you that right now,  
7 the law won't allow it with five exit doors, he  
8 won't be able to get it.

9 MR. RAZJOOYAN: His space has two.

10 MR. SHORT: Excuse me?

11 MR. RAZJOOYAN: His space has two.

12 MR. SHORT: Two exit doors? In 17,000 square  
13 feet. How many -- I want to ask this -- how many  
14 officers, Officer, Lieutenant, forgive me, thank  
15 you for your service, how many people  
16 approximately were in that building the night  
17 they were closed down on the 16th and the 2nd?  
18 The approximate number?

19 MS. RIVERS: I'd say the 2nd easily 200 to  
20 300 people.

1 MR. SHORT: Okay. And the reason why, sir,  
2 nightclubs either have to be 100% sprinkled or  
3 have more exit doors or give off some kind of  
4 trade-off is because not in this city in a long  
5 time -- I'll take that back -- not in this city  
6 in a very, very long time have we had people to  
7 die in a nightclub there was not enough exit  
8 doors.

9 MR. RAZJOOYAN: I understand, but my --

10 MR. SHORT: Please let me finish and then  
11 I'll give you a question. You, sir, are  
12 operating what could be considered to be a  
13 nuisance. What is the -- what is your building  
14 zoned for? What is the zoning on your building?

15 MR. RAZJOOYAN: CM 1.

16 MR. SHORT: Meaning what?

17 MR. RAZJOOYAN: To my knowledge, mixed use,  
18 depending on the different classes.

19 MR. SHORT: CMR and you don't have an idea  
20 what that means, and you -- you're in the real

1 estate business and you can't explain to me what  
2 your certificate of occupancy or zoning is for  
3 your building, is that what you're saying?

4 MR. RAZJOOYAN: I know CM1 --

5 MR. SHORT: You don't know, you don't know.  
6 Go ahead.

7 MR. RAZJOOYAN: I know CMI, right now we have  
8 a tenant who is a marijuana cultivator on site,  
9 there's a mechanic's shop on site, there are  
10 office spaces.

11 MR. SHORT: I didn't ask you what was on  
12 site, I asked you what legally can you have with  
13 the zone that you're in?

14 MR. RAZJOOYAN: I'm answering your question.  
15 To my knowl -- those businesses were able to get  
16 C of O that are legal to operative legal business  
17 licenses, so my assumption was that any class of  
18 business can obtain a business license there if  
19 they're in compliance.

20 MR. SHORT: Can I tell you why you're wrong?

1 MR. RAZJOOYAN: Okay.

2 MR. SHORT: If I wanted to lease your 17,000  
3 square feet and I went and got a basic business  
4 license and said I wanted to be a nursery school  
5 --

6 MR. RAZJOOYAN: Okay.

7 MR. SHORT: I have a legal occupancy, but  
8 then I start to have at 2:00 in the morning, 300  
9 or 400 people in the place selling whiskey and  
10 doing other things and you have no  
11 responsibility?

12 MR. RAZJOOYAN: That's different.

13 MR. SHORT: No, that's not different. You  
14 say -- do you have a license for a public hall?

15 MR. RAZJOOYAN: The building is not a  
16 licensed public hall.

17 MR. SHORT: Does the persons leasing from you  
18 have a permit for a public hall?

19 MR. RAZJOOYAN: No, they have a basic  
20 business license.

1 MR. SHORT: Do they have a license for a  
2 nightclub?

3 MR. RAZJOOYAN: No.

4 MR. SHORT: Do you think a person with a  
5 nightclub could run a nightclub with a basic  
6 business license?

7 MR. RAZJOOYAN: I don't want to -- I don't  
8 want them to run a nightclub. I don't want a  
9 nightclub on the building.

10 MR. SHORT: Okay. Well, so apparently can we  
11 agree upon something?

12 MR. RAZJOOYAN: Okay.

13 MR. SHORT: When you got a Cease and Desist  
14 it was for what?

15 MR. RAZJOOYAN: For selling alcohol.

16 MR. SHORT: And having an illegal nightclub.

17 MR. RAZJOOYAN: Right. But it was designated  
18 to the previous tenant. My knowledge with DCRA  
19 this tenant could not finalize his business

1 license, could not operate or get any additional  
2 licenses until [inaudible 43:05].

3 MR. SHORT: Let me collect myself. The  
4 Cease and Desist came under the very first tenant  
5 who was closed down, correct? For illegal  
6 activities, is that correct? The first Cease and  
7 Desist.

8 MR. RAZJOOYAN: This is the only Cease and  
9 Desist I have.

10 MR. SHORT: Okay. Well, the first time the  
11 fire marshal came there and said people had to  
12 leave the building.

13 MR. RAZJOOYAN: Right.

14 MR. SHORT: Okay, after that happened you got  
15 a second tenant.

16 MR. RAZJOOYAN: Right.

17 MR. SHORT: Correct?

18 MR. RAZJOOYAN: Mm hmm.

1 MR. SHORT: And they did the same thing that  
2 the fire marshal shut down the first person for.  
3 Is that correct?

4 MR. RAZJOOYAN: To my knowledge, 'cause the  
5 first one had liquor sales, they did not have  
6 liquor sales. When this issue happened I knew  
7 there was no liquor -- I specifically told him to  
8 don't have -- don't intent to have liquor sales  
9 until this gets resolved. If you want to have  
10 liquor sales then you have to get a license, you  
11 have to do this, you have to do that, there was  
12 no sale of liquor. So, if the report says  
13 something, the 16th, I'm not trying to cover his  
14 tenant's activities, but I know the 16th there  
15 was no liquor sales.

16 MR. SHORT: Okay, I understand, that's been  
17 your testimony.

18 MR. RAZJOOYAN: Yeah.

19 MR. SHORT: You personally had no knowledge  
20 of that. Correct? That's what --

1           MR. RAZJOOYAN: That was the first time, I  
2 was responding the officer there.

3           MR. SHORT: I would like to quote to you from  
4 our code book which is the ABRA code book section  
5 25-335. And it is under the subject of Denial  
6 Public Health and Safety Restrictions. This is  
7 when licenses are denied. And this reads:  
8 Notwithstanding any other provision of this  
9 title, the Board shall deny a license if the  
10 evidence reasonably shows that the establishment  
11 for which the license is sought is in violation  
12 of one or more construction codes for the  
13 District contained in Titles 12 District of  
14 Columbia Municipal Regulations or any other law  
15 or rule the District intends to protect public  
16 safety. I think that you need to, if you don't  
17 have one of these publications, you need to  
18 purchase one if you're a businessman in  
19 Washington, D.C. and you need to know what your  
20 business can do when it comes to alcohol or large

1 crowds. I think that you have not done that so  
2 far and I think you've run into problems in the  
3 city and you'll continue to if you don't do that.  
4 I would just like to go on public record and just  
5 simply say from what I've heard, the knowledge  
6 that I have of the construction laws in the city,  
7 sir, you are running a public nuisance. That's  
8 just my opinion as a Board member. And I'd like  
9 the police department and the DCRA to really  
10 check up on that under the nuisance laws, if we  
11 do it again, anything can happen that this board  
12 and no one else can save you from. Thank you Mr.  
13 Chair, that's all I have.

14 CHAIRPERSON ANDERSON: Thank you, Mr. Short.  
15 Mr. Alberti.

16 MR. ALBERTI: Mr. Razjooyan, I sort of want  
17 to understand what the building looks like, so  
18 I'm looking at DCRA database and it has for 2417  
19 and 2419 it has a general office space listed as  
20 the C of O but then it has several within that,

1 all right? So, how many units are in this  
2 building?

3 MR. RAZJOOYAN: Seven.

4 MR. ALBERTI: Seven? Okay, so I see A, B  
5 listed here, F and D. What am I missing? I  
6 don't see C of Os for those other units. Who's  
7 in each of those units. Tell me who's in each --  
8 'cause I want to know what we're talking about  
9 here.

10 MR. RAZJOOYAN: I have to, can I draw  
11 something? It's easier for me to draw the  
12 layout.

13 MR. ALBERTI: Go ahead and just tell me who's  
14 in what -- who, or generally, what's occupying  
15 those, you know -- what kind of companies are  
16 these?

17 MR. RAZJOOYAN: May I approach the desk? I  
18 just want to show you this sketch I drew up.

19 MR. ALBERTI: You can just tell me.

20 MR. RAZJOOYAN: Okay --

1 MR. ALBERTI: You can just sort of -- you can  
2 just sort of --

3 MR. RAZJOOYAN: If you imagine like a  
4 rectangle split down the middle, one side is 2417  
5 and one side is 2419.

6 MR. ALBERTI: Okay.

7 MR. RAZJOOYAN: Okay, so 2417 there's a  
8 mechanic shop there.

9 MR. ALBERTI: There's a what?

10 MR. RAZJOOYAN: A mechanic shop, auto body.

11 MR. ALBERTI: Okay, 2417 has an auto shop,  
12 auto/body shop? Is that correct?

13 MR. RAZJOOYAN: Yes.

14 MR. ALBERTI: On the first floor or second  
15 floor?

16 MR. RAZJOOYAN: First.

17 MR. ALBERTI: First floor.

18 MR. RAZJOOYAN: Yes.

19 MR. ALBERTI: All right, what else?

20 MR. RAZJOOYAN: Marijuana Cultivation Center.

1 MR. ALBERTI: And which floor is that on?

2 MR. RAZJOOYAN: A portion of the first and a  
3 portion of the second.

4 MR. ALBERTI: Okay, first and second, okay.

5 MR. RAZJOOYAN: And then general office space  
6 upstairs.

7 MR. ALBERTI: Okay, and second floor is  
8 general office space. Who occupies the general  
9 office space?

10 MR. RAZJOOYAN: A private individual under  
11 the music.

12 MR. ALBERTI: A private individual?

13 MR. RAZJOOYAN: A private individual.

14 MR. ALBERTI: Okay. 2419 -- is that all of  
15 2417?

16 MR. RAZJOOYAN: Yes.

17 MR. ALBERTI: Okay, 2419?

18 MR. RAZJOOYAN: 2419, is the first, the  
19 warehouse space now that Cannabis Alliance  
20 leases.

1 MR. ALBERTI: The first floor is the Cannabis  
2 Alliance?

3 MR. RAZJOOYAN: Yes.

4 MR. ALBERTI: Okay. And that's all of the  
5 first floor?

6 MR. RAZJOOYAN: Yes.

7 MR. ALBERTI: Okay, what else?

8 MR. RAZJOOYAN: Second floor is a company  
9 called Aces.

10 MR. ALBERTI: Second floor is a --

11 MR. RAZJOOYAN: An office space for a company  
12 called Aces.

13 MR. ALBERTI: Their office space? Okay. Is  
14 that it?

15 MR. RAZJOOYAN: That's it.

16 MR. ALBERTI: All right, very good. So,  
17 we're talking about the first floor of 2419,  
18 right?

19 MR. RAZJOOYAN: Yes.

1 MR. ALBERTI: I'm assuming that that is --  
2 I'm looking at the database and trying to match  
3 this up with what you've indicated here. It's  
4 interesting, they have 2419 as the auto body  
5 garage so they kind of have it switched.

6 MR. RAZJOOYAN: There was a previous tenant  
7 before this 500 Inc. and this tenant who in the  
8 past had auto body and that was removed and all  
9 the equipment was removed so they changed the use  
10 there.

11 MR. ALBERTI: So, it's hard to see what they  
12 -- so, I have 2417 with the medical marijuana  
13 cultivation center with accessory food prep, I  
14 guess they make edibles, and then I have 2417 for  
15 the Medical Marijuana Cultivation Center as  
16 authorized by blah, blah, blah, and I do not see  
17 any -- I don't see any other space for the C of O  
18 for the Cannabis Alliance.

19 MR. RAZJOOYAN: The Cannabis Alliance is  
20 2419.

1           MR. ALBERTI: I know, but I've got 2419 and  
2   2417, it's not in D.C.'s --

3           MR. RAZJOOYAN: I have a copy here for you.

4           MR. ALBERTI: You know, one of the things you  
5   may want to do -- I don't know when this Board is  
6   going to make a decision, if we don't make a  
7   decision today you may want to provide us with  
8   all of the copies of all of those C of Os.

9           MR. RAZJOOYAN: I think I have the C of O for  
10   Cannabis here I think, let me check, if that  
11   helps.

12          MR. ALBERTI: Sure. I think I'd like to see  
13   C of Os for all of them. But I'll get to my  
14   final point here. It's my understanding, and I  
15   could be wrong but we will double check, that  
16   none of these C of Os allow for general assembly.  
17   All right? Not even for private parties, really.

18          MR. RAZJOOYAN: Okay.

19          MR. ALBERTI: Depending on the scope and  
20   really nature of the private party. But if

1 you're having -- regularly having large parties  
2 there I would imagine that someone's going to  
3 look askance at what's going on, so you as owner  
4 are responsible, as Mr. Short said, you as an  
5 owner are responsible and to sit here and tell  
6 us "oh that April event, they didn't have any  
7 alcohol" well, wait, let me finish -- and  
8 nothing's wrong -- is misguided. There is  
9 something wrong. The C of Os -- none of the C of  
10 Os for this place, as far as I know, allow for  
11 that type of gathering, and so --

12 MR. RAZJOOYAN: May I respond?

13 MR. ALBERTI: I'm having a -- go ahead and  
14 respond.

15 MR. RAZJOOYAN: I'm not saying nothing is  
16 wrong, I'm -- but to my knowledge -- if this says  
17 they're selling alcohol illegally, they need a  
18 license, the previous tenant, okay that's on  
19 them, no problem.

20 MR. ALBERTI: Right.

1 MR. RAZJOOYAN: If the new tenant, so that's  
2 -- that's separate.

3 MR. ALBERTI: Right.

4 MR. RAZJOOYAN: If the tenant, the new  
5 tenant, Cannabis wants to sell liquor or  
6 whatever, nightclub or private assembly, no  
7 problem. As long as he gets his own Certificate  
8 of Occupancy and building and business permit.

9 MR. ALBERTI: But you don't --

10 MR. RAZJOOYAN: So if he doesn't have those,  
11 so then he has to get them.

12 MR. ALBERTI: He hasn't -- he hasn't, and you  
13 haven't told us -- you haven't told us that he is  
14 and you haven't provided any evidence that he is,  
15 and you still want us to take the chance of  
16 lifting this order and you really haven't shown  
17 us that you're responsibly taking steps to make  
18 sure that there aren't illegal uses, which as Mr.  
19 Short said --

20 MR. RAZJOOYAN: No, I said --

1           MR. ALBERTI: Let me finish -- let me finish  
2 -- as Mr. Short says a risk to public safety.  
3 So, why should I? You know -- why should I --  
4 why should I -- why should this Board take the  
5 chance that you aren't going to take that next  
6 step that whoever is renting from you isn't going  
7 to take that next step, they've already had --  
8 appear -- they already appear to have used this  
9 place for public assembly, which isn't in the C  
10 of O and, you know, we just had this experience  
11 with someone obviously running a club atmosphere  
12 with alcohol and everything, so tell me why  
13 should I take a chance?

14           MR. RAZJOOYAN: So, I'm not asking you to  
15 take a chance but I did mention before that he  
16 does have now a C of O and a basic business  
17 license, and the C of O doesn't have the loading  
18 calculation, and I said earlier that I'm working  
19 with him to make sure he gets a new building

1 permit to get a new C of O that has the  
2 calculation.

3 MR. ALBERTI: You know, and I hear you, but  
4 what I know, what I know and what Mr. Short  
5 knows, is that to get a C of O, to have public  
6 assembly, it's going to take, he's going to have  
7 to have some buildup. He's not just going to be  
8 able to go in there and say, "oh, I can use my  
9 present space."

10 MR. RAZJOOYAN: And that's fine. That's  
11 okay. But he has to --

12 MR. ALBERTI: But there's no evidence that  
13 he's doing this.

14 MR. RAZJOOYAN: I have and application for --  
15 I got the application for him myself. I'm not  
16 trying to say lift it so he can have a party.

17 MR. ALBERTI: Do you have building permits to  
18 show that he's doing this?

19 MR. RAZJOOYAN: We're applying for them now.

20 MR. ALBERTI: For building permit?

1 MR. RAZJOOYAN: Yes.

2 MR. ALBERTI: All right. So, maybe when all  
3 that's done you should come back to us. I'm  
4 done.

5 MR. RAZJOOYAN: I -- can I say something?

6 CHAIRPERSON ANDERSON: Of course, sir you  
7 have the opportunity.

8 MR. RAZJOOYAN: All I wanted -- because I'm  
9 selling the building also in the next three to  
10 four months on the contract. I just want to make  
11 sure: 1) That the -- when the new buyer takes  
12 over that there are no fees or penalties, Cease  
13 and Desist here, that would affect him collecting  
14 rent, because that affects me being able to  
15 close; 2) If any tenant, particularly this  
16 tenant, is doing something wrong or if his C of O  
17 and his business license aren't sufficient to do  
18 whatever he wants to do, and tell me what exactly  
19 he needs or specifically who I need to have him  
20 contact or permits to get so I can work with him

1 to make sure he gets it. Now, right now, he's  
2 not, he doesn't occupy the space this past two  
3 weeks until we get this resolved, so if it takes  
4 longer, that's fine, but at least, you know, I  
5 want to make sure he's okay to operate. And even  
6 if you say he can't operate or they won't give  
7 him a license, that's fine, so I'll retract the  
8 lease and then I'll put it back on the market.

9 MR. ALBERTI: What are his plans for  
10 occupying this place? How does he plan to use  
11 it? Specifically, how does he plan to use it?

12 MR. RAZJOOYAN: He's saying "private assembly  
13 hall."

14 MR. ALBERTI: He's saying private assembly  
15 hall?

16 MR. RAZJOOYAN: Private assembly, private  
17 meeting, private organization. That's what's --  
18 it's not on a lease.

19 MR. ALBERTI: There's a different between a  
20 private meeting and a private assembly hall.

1 MR. RAZJOOYAN: I personally don't know the  
2 difference.

3 MR. ALBERTI: Pardon?

4 MR. RAZJOOYAN: I don't know the difference.  
5 I didn't check the DCRA regulations for the  
6 permit.

7 MR. ALBERTI: Well, you should. You can go  
8 on the data --

9 MR. RAZJOOYAN: Fine, I understand.

10 MR. ALBERTI: I mean, they're all listed  
11 here, I have auto/body repair, I have general  
12 office, I have medical marijuana cultivation  
13 center, I have general office, and I have  
14 marijuana cultivation with the second address.

15 MR. RAZJOOYAN: I understand.

16 MR. ALBERTI: Those are the only C of Os I  
17 see for all the units in your establishment, none  
18 of them say public assembly.

19 MR. RAZJOOYAN: So if he, under the -- I'm  
20 not an expert on his activities, but if the law

1 says for office space you can have x amount of  
2 occupants and do x kind of business and he  
3 complies with that, good. If he wants to oversee  
4 or have more occupants and have a different  
5 umbrella for the use, say he wants it as a larger  
6 meeting hall, and that requires a different  
7 business license, no problem, just whatever it  
8 is, I have to --

9 MR. ALBERTI: Well, then go to DCRA and find  
10 out and then come back to us and tell us. But  
11 right now you don't even know exactly what his  
12 plans are, you don't even know what he's allowed  
13 to do, given the --

14 MR. RAZJOOYAN: Because to my knowledge --

15 MR. ALBERTI: -- given the environment of  
16 that building, you don't know this and so you're  
17 bringing us no information. You're bringing us  
18 no new information.

19 MR. RAZJOOYAN: My understanding was just to  
20 show that this was on the previous tenant, so I'm

1 not trying to sit here and trying to promote his  
2 activity or push him to do it.

3 MR. ALBERTI: You are responsible for what  
4 the previous tenant did as well as the previous  
5 tenant, and you have not provided us any new  
6 information to assure us that you as the owner  
7 will prevent the next tenant from making the same  
8 mistakes.

9 MR. RAZJOOYAN: So all you would like to see  
10 is that I'm taking the steps, the documented  
11 steps to assure that this doesn't happen. That  
12 he doesn't serve liquor and what else? Just tell  
13 me what you want.

14 MR. ALBERTI: That -- that -- that the use of  
15 that space is legally within the confines of the  
16 C of O.

17 MR. RAZJOOYAN: Okay, done.

18 CHAIRPERSON ANDERSON: Yes, Lieutenant.

19 MR. RIVERO: I just wanted to add that I know  
20 he's saying that they're saying they're using

1 the property for private use, but I constantly  
2 get e-mails from the neighborhood and neighbors  
3 saying that it's being advertised on social  
4 media, so how's that private?

5 MR. RAZJOOYAN: That I think explains that  
6 the previous report had a different entity from  
7 the previous tenant that had the -- whatever the  
8 club promotion was and that were advertising and  
9 I have that defined from way before, even before  
10 all this happened, from months and months.  
11 That's not associated with this.

12 MR. ALBERTI: That's fine. I will just tell  
13 you I'm confident that the new tenants are doing  
14 something or using this for public assembly for  
15 some sort of group that's kind of open to the  
16 public and we have people coming in and  
17 [inaudible 58:16] we will know about it, so you  
18 can work with them to make sure they're not doing  
19 it, but we'll know about it if it happens.

20 MR. RAZJOOYAN: Then that's [inaudible 58:29]

1 MR. ALBERTI: And we hope that you'll help us  
2 with it. Thank you.

3 MR. RAZJOOYAN: If he does I will be the  
4 first one to call you guys and tell you that he's  
5 serving liquor and that terminates the lease.

6 MR. ALBERTI: I wish you were the first one  
7 to call us before.

8 MR. RAZJOOYAN: No, if I'm selling, put  
9 yourself in my -- if I'm selling the building  
10 it's not worth my aggravation to keep him there,  
11 it's not making or breaking.

12 MR. ALBERTI: I don't see how this prevents  
13 you from selling the building. The new owner can  
14 come to us and say "hey, I've got some new C of  
15 Os, I'm refitting the building, I'm doing X and  
16 Y --"

17 MR. RAZJOOYAN: The new owner is going to be  
18 a landscape -- is a landscape contractor -- so  
19 I'm just -- but he --

20 MR. ALBERTI: I don't care who he is.

1           CHAIRPERSON ANDERSON: Hold on -- hold on --  
2 hold on -- this Cease and Desist order that the  
3 board issued says that Cease and Desist from  
4 selling, serving or permitting the consumption of  
5 alcohol at 2417 and 2419 Evarts Street Northeast.  
6 That's not going to stop you from selling your  
7 property, sir. All it says is that you can sell  
8 your property, you can do whatever you want to  
9 do, it just says that you should stop selling,  
10 serving or permitting the consumption of alcohol  
11 at the property.

12           MR. RAZJOOYAN: Okay, I understand.

13           CHAIRPERSON ANDERSON: And if you -- if  
14 neither you or none of your tenants are doing  
15 that there is no problem. At least with ABRA,  
16 there's no problem with ABRA. ABRA there's no  
17 selling, serving or permitting the consumption.  
18 If you want to sell --

19           MR. RAZJOOYAN: Is the Cease and Desist  
20 associated with any business in that space?

1 MR. SILVERSTEIN: Sir, please allow him to --

2 CHAIRPERSON ANDERSON: All -- the only thing  
3 we can do, we regulate alcohol.

4 MR. RAZJOOYAN: Okay.

5 CHAIRPERSON ANDERSON: That's all we do. We  
6 don't do anything else. So, the only thing --  
7 what we're -- the Cease and Desist is to say to  
8 you that you should, as the owner and Grace  
9 Period, should Cease and Desist from selling,  
10 serving or permitting the consumption of alcohol.  
11 If you want to sell your property to a  
12 landscaping, building, landscaper, as long as  
13 they're not selling, serving or they're  
14 permitting consumption of alcohol there's no  
15 issue. I'm not even sure why -- I'm not even  
16 sure why you are here, because if, as far as  
17 you're concerned, none of your tenants are  
18 serving, selling, serving or permitting the  
19 consumption of alcohol they're having private

1 events, that's not an issue because there's no --  
2 it doesn't impact what you're doing.

3 MR. RAZJOOYAN: I was just -- the notice came  
4 to me and it had to be associated with the  
5 previous tenant, I was just told 'bring what you  
6 have to show that they're gone and all the fines  
7 associated with the other tenant not having a  
8 business license or C of O and that was it.

9 CHAIRPERSON ANDERSON: Well, we're telling  
10 you as the owner --

11 MR. RAZJOOYAN: Okay.

12 CHAIRPERSON ANDERSON: -- that this is going  
13 on in your building and that you, as the owner of  
14 the building, you should make sure that none of  
15 these things are happening. That's all that  
16 we're telling you. That's what the order is.  
17 That's what it is. So, if, based on --

18 MR. RAZJOOYAN: So I didn't even need to come  
19 here, essentially.

20 CHAIRPERSON ANDERSON: No.

1 MR. RAZJOOYAN: Okay.

2 CHAIRPERSON ANDERSON: Based on -- I'm going  
3 to let other Board members, but based on what  
4 you're saying today, no one in your establishment  
5 is doing any of these things.

6 MR. RAZJOOYAN: Okay.

7 CHAIRPERSON ANDERSON: That's what you're  
8 saying. You had a previous owner, you got rid of  
9 them because they were selling alcohol, now --  
10 I'm sorry, previous tenant -- but now I'm hearing  
11 of a tenant as late as April 16th is doing the  
12 same thing, so we're telling you this is  
13 happening, you need to make sure it doesn't  
14 happen. Now, the other thing that's going on  
15 with the other agency that's another concern. I  
16 mean, if there are large crowds -- you can have -  
17 - ABRA doesn't really care if there is a thousand  
18 people in your building as long as you're not --  
19 MR. RAZJOOYAN: Selling alcohol.

1 CHAIRPERSON ANDERSON: -- selling, serving or  
2 permitting alcohol. Your issue is with another  
3 agency.

4 MR. RAZJOOYAN: Okay.

5 CHAIRPERSON ANDERSON: What we're saying to  
6 you is that alcohol should not be served in the  
7 building. Now, go ahead, Ms. Miller if you have  
8 any questions.

9 MS. MILLER: Well, I have a comment. I guess  
10 I have a little different outlook on this because  
11 it sounds to me -- you can tell me if I'm  
12 mistaken -- that you want to get the order lifted  
13 because it casts a shadow on your title of the  
14 building when you're trying to sell it.

15 MR. RAZJOOYAN: To my understanding, yes.

16 MS. MILLER: Okay. So, you have a copy of  
17 the Cease and Desist order?

18 MR. RAZJOOYAN: Yes.

19 MS. MILLER: Okay. So, I mean, just looking  
20 at some of the paragraphs, I mean it says the

1 board will lift this order upon a showing that  
2 the use of the premises for alcohol-related  
3 purposes complies with the laws of the District  
4 of Columbia and then, as I peruse this order, I  
5 see references to the Board finding that there is  
6 an imminent danger to the public because the  
7 premises are unfit and unsafe for human  
8 occupation -- this is paragraph 20 -- due to a  
9 lack of a C of O, public hall license and prior  
10 code violations, so my quest -- so that's why I  
11 think it doesn't just pertain to the previous  
12 tenant, I think it would behoove you to show that  
13 the fire code violations have been corrected and  
14 you have the Certificate of Occupancy that would  
15 be required, things like that.

16 MR. RAZJOOYAN: I -- when the tenant received  
17 the C of O there was a section on the space which  
18 allowed him to be able to accept -- so that I can  
19 control because I know the DCRA and I know the

1 certificate, so that I was involved in and that I  
2 know and I think --

3 MS. MILLER: You can get?

4 MR. RAZJOOYAN: I'm sorry.

5 MS. MILLER: Are you saying you know you can  
6 get that?

7 MR. RAZJOOYAN: I got that already. The  
8 generic one that he has now that doesn't have the  
9 logo, so he has that now and I think I have a  
10 copy.

11 MR. ALBERTI: You have one that he has now,  
12 and I see on the DCRA page website, okay, going  
13 by the DCRA website does not allow for public  
14 assembly. I have said that to you several times  
15 today and I have told you that if you want -- and  
16 wish to -- and with your current questioning it's  
17 very clear to me that for you to get a C of O,  
18 I'm just using the information I've gotten today,  
19 for you to get a C of O that would allow for  
20 public assembly, all right, of sorts, you would

1 actually have to do some construction to that  
2 building.

3 MR. RAZJOOYAN: Yes, I understand, but Ms.  
4 Miller was saying --

5 MR. ALBERTI: All right so, I'll just leave  
6 that there.

7 MS. MILLER: Do you --

8 MR. ALBERTI: So we're on the same page  
9 there.

10 MR. RAZJOOYAN: If he wants the public -- the  
11 public assembly he needs to have a different C of  
12 O, I understand.

13 MR. ALBERTI: Absolutely.

14 MR. RAZJOOYAN: If the building is in  
15 compliance for any of it says "unsafe for  
16 occupancy" but if there was a generic C of O and  
17 a city inspector came or a fire marshal came to  
18 inspect it, to say this site is okay, there's an  
19 exit sign, fire extinguishers up to code, that  
20 kind of stuff, that has been passed, I can say

1 for sure because I was involved in that, that was  
2 done and then the building is in, in that sense,  
3 in compliance. Not for public --

4 MR. ALBERTI: All right.

5 MR. RAZJOOYAN: That's what I'm saying, not I  
6 got you that public. I understand.

7 MS. MILLER: So, my question is have you  
8 corrected all the fire code violations?

9 MR. RAZJOOYAN: Yes.

10 MS. MILLER: And how do we know that?

11 MR. RAZJOOYAN: So the -- let me show you  
12 this. This is the C of O not for public  
13 assembly, just for regular C of O.

14 MR. ALBERTI: Mr. Short, correct me if I'm  
15 wrong, but I suspect it's a fire code violation,  
16 if you're using it for something that's beyond  
17 what it's been approved for then you get a fire  
18 code book violation for that illegal use.

19 MR. SHORT: If I could piggyback on your  
20 question, I just thought I heard the owner say

1 that it's an auto body shop, part of it? The  
2 body shop using the same space?

3 MR. RAZJOOYAN: No.

4 MR. SHORT: In the same building?

5 MR. RAZJOOYAN: In the same building on a  
6 different -- on the other end.

7 MR. ALBERTI: Are you aware that when you  
8 have an auto body shop or mixed occupancy with  
9 those kinds of -- you have to have a two wall  
10 separation between, which means fire walls -- two  
11 hour rated -- between the auto body and the  
12 office space?

13 MR. RAZJOOYAN: Yes, I do. We have a permit  
14 for the construction that was obtained three  
15 years ago for the dividing wall for the auto body  
16 comparative space and it was approved by DCRA  
17 that it shows a two hour firewall.

18 MR. ALBERTI: So, you have all the plans and  
19 the ventilation systems?

20 MR. RAZJOOYAN: Yes.

1 MR. ALBERTI: All that's tethered to your  
2 fire alarm system?

3 MR. RAZJOOYAN: For that mechanic's shop,  
4 yes. So there's a two hour fire rating on his  
5 side of the wall and there's a two hour fire  
6 rating on this side, so that was in compliance.  
7 We got the permit for it, that construction was  
8 done. It was [inaudible 1:07]. So, that section  
9 of 2417.

10 MR. SHORT: That is your testimony. So if we  
11 found out that wasn't true and you would say,  
12 well I really don't know the codes, I thought  
13 that was true, how could you prove that?

14 MR. RAZJOOYAN: I have a copy of the -- any  
15 building permit is on public record, you can  
16 look, there's a --

17 MR. SHORT: Did you bring anything with you  
18 to show us today? Anything. Did you bring any  
19 records to show us today?

1 MR. RAZJOOYAN: Why would I bring that with  
2 me when the situation's for alcohol?

3 MR. SHORT: Okay, not a problem. You could  
4 help yourself --

5 MR. RAZJOOYAN: If you told me I would bring  
6 it.

7 MR. SHORT: If the next time you're coming  
8 here about your property and selling alcohol,  
9 mixed occupancy, please know that you need to  
10 bring those kinds of records with you.

11 MR. RAZJOOYAN: I will 100% bring them.

12 MS. MILLER: Can I continue my question?

13 CHAIRPERSON ANDERSON: I'm sorry, Ms. Miller.

14 MR. ALBERTI: I apologize.

15 CHAIRPERSON ANDERSON: Go ahead, Ms. Miller.  
16 And then we'll -- I'll bring it to a close here.

17 MS. MILLER: What is the use of the space  
18 that the new tenant intends? There's a tenant  
19 there, right?

20 MR. RAZJOOYAN: There's a tenant there.

1 MS. MILLER: What -- I understand the name of  
2 it but what category does it fall in for use of  
3 that space?

4 MR. RAZJOOYAN: To my understanding, based on  
5 what he told me, if it's a private members  
6 association and they're on limited, they're not  
7 access to the public and they want to have group  
8 meetings, then based on the -- in the warehouse  
9 space loading and the office space loading they  
10 can have X amount of individuals in that space  
11 safely to code. Now --

12 MS. MILLER: But what is it? Is it an  
13 office? Is it office use?

14 MR. RAZJOOYAN: It's offices in the  
15 warehouse, so it's sectionalized, and the --  
16 Inspector Dietrich from DCRA took photos to  
17 document everything.

18 MR. ALBERTI: So, I can help you out, Ms.  
19 Miller, the C of O that's on the website says  
20 general office space.

1 MS. MILLER: Okay, so it's office space, it's  
2 not public hall use, correct?

3 MR. RAZJOOYAN: Right.

4 MS. MILLER: But, they want to have private  
5 parties?

6 MR. RAZJOOYAN: If it's considered private  
7 parties where it needs a public hall or private  
8 hall license, I don't know if that's his  
9 intention, then he needed a new C of O and a new  
10 business license. But what he has now is a basic  
11 business license for the office space. There has  
12 to be -- there's some set number of individuals  
13 and whatever activity they say. That was what I  
14 signed the agreement with them for, not to go  
15 public space -- so if he goes public space, then  
16 that's different. He has to obtain those, I have  
17 to make sure he obtains it or I'm not going to  
18 get my rent and I'm going to have this issue with  
19 ABRA and with DCRA.

1 MS. MILLER: Okay, so, I mean I -- I don't  
2 want to be in the position of giving legal advice  
3 but on the other hand I want to give you some  
4 feedback because you're here saying 'what do I  
5 need to do'?

6 MR. RAZJOOYAN: Right.

7 MS. MILLER: Okay, so to me -- I mean I would  
8 look at what the paragraph said that you need,  
9 you know, with the respect to certificate of  
10 occupancy, public hall if you're going to use it,  
11 if you're not going to use it as a public hall  
12 then they need to probably have to say that or  
13 commit to that and prove that you've cured the  
14 fire code violations. If they are going to want  
15 to use the -- sell alcohol somehow, they really  
16 need to clarify, I would say, in what way and  
17 then see. It doesn't sound like they want to  
18 sell alcohol, it sounds like they want to party  
19 in some sense.

20 MR. RAZJOOYAN: That's right.

1 MS. MILLER: And this partying -- I do want  
2 to get back to -- is it Lieutenant Rivers?

3 MS. RIVERS: Yes.

4 MS. MILLER: There has been a problem with  
5 partying at this --

6 MS. RIVERS: Absolutely.

7 MS. MILLER: -- establishment -- even with  
8 the new tenant, right?

9 MS. RIVERS: Yes.

10 MS. MILLER: Can you just describe that a  
11 little further, what the problem has been? You  
12 said you didn't see alcohol necessarily?

13 MS. RIVERS: As far as the partying there --  
14 I mean they're holding parties so the neighbors  
15 they're calling because it's a loud party,  
16 they're being a nuisance, there's large crowds in  
17 the street, it's a small street, it's not big at  
18 all. Actually there was one time when one of the  
19 neighbors had their car vandalized and had an  
20 issue with that, so it just snowballed when you

1 have the amount of people that's coming out to  
2 that location, and even when I said 250 to 300  
3 people, but there was another maybe another 150  
4 to 200 people outside that hadn't even got in  
5 there, waiting to try to get in but at that point  
6 it was shut down. It's just an ongoing Saturday  
7 night, every other Saturday night maybe.

8 CHAIRPERSON ANDERSON: Mr. Silverstein? Oh,  
9 I'm sorry.

10 MS. MILLER: I just think that that's  
11 something that needs to be addressed because if  
12 you're talking about office use but then you're  
13 talking about but there's this Saturday night  
14 partying, that seems like a problem.

15 MR. RAZJOOYAN: That's where I have to get  
16 clarification either from your Board -- you say  
17 your Board is just liquor and you say don't sell  
18 it and this is where we say and anything else is  
19 a DCRA issue. Okay, then I go to DCRA and say  
20 "he has a business license, what is the maximum

1 number of individuals or bodies that can occupy  
2 this space? What are the hours of operation?  
3 Post something -- tell me so I can post it there  
4 and tell him "hey, tenant, this is what the law  
5 says.

6 If you wanna expand the hours of operation or  
7 the occupancy then you need a new business  
8 license, so that's DCRA, and that I can fix, I  
9 know, permanently, but this is alcohol so I'm --  
10 my intention was only, if he's not serving  
11 alcohol, what documentation do you need from me  
12 to show that the new tenant isn't, in my  
13 knowledge, based on my other conversation calling  
14 the office showed that the previous tenant,  
15 they're no longer there, they didn't have a  
16 business license, they were illegally operating.

17 CHAIRPERSON ANDERSON: I think we're telling  
18 you that -- we're telling you that you should not  
19 allow -- currently no one has a liquor license?

20 MR. RAZJOOYAN: Yes.

1           CHAIRPERSON ANDERSON: I'm telling you and  
2 so, therefore, you should not allow anyone to  
3 serve, sell the liquor in your establishment  
4 without -- because a I guess what we're saying is  
5 that we are aware that folks are selling liquor  
6 in the -- and no one has applied for a liquor  
7 license.

8           MR. RAZJOOYAN: I understand. So, what I can  
9 do is, in my lease, to come at it I can write an  
10 addendum saying 'do not serve, based on this law,  
11 you're not permitted to sell liquor' and then  
12 have a notice telling them it's a breach.

13           CHAIRPERSON ANDERSON: There's a Cease and  
14 Desist to say that these are the problems it's  
15 having. The bottom line is that, sir, if this is  
16 not your intent to -- if you're -- based on what  
17 you have stated today, it's not apparent that any  
18 of these establishments should be -- run afoul of  
19 ABRA regulations. Based on who you said your  
20 tenants are --

1 MR. RAZJOOYAN: Right, no ABRA. Now if he  
2 has a noise or occupancy, in my mind that's a  
3 fire marshal.

4 CHAIRPERSON ANDERSON: That's an issue with  
5 another agency.

6 MR. RAZJOOYAN: Right.

7 CHAIRPERSON ANDERSON: That's not an issue  
8 with ABRA.

9 MR. RAZJOOYAN: Right.

10 CHAIRPERSON ANDERSON: Yes, Mr. Silverstein?

11 MR. SILVERSTEIN: I will wrap this up and be  
12 very brief. First of all, Mr. Razjooyan, you've  
13 been running, your tenants have been running a  
14 speakeasy here. I don't think it's necessarily  
15 any time for you to come asking for any waivers  
16 or favors. Second, Lieutenant Rivers you  
17 mentioned there were 150 people outside. How  
18 many were inside?

19 MS. RIVERS: Anywhere from 200 or more people  
20 inside.

1 MR. SILVERSTEIN: 200 or more?

2 MS. RIVERS: Right, or more. So, we had shut  
3 the door, closed the doors so that fire marshals  
4 could come in and assess the building and as  
5 we're doing that there's 150 or so outside and  
6 more people driving up, "what's going on? You  
7 can't get in?" There's people coming, just  
8 constantly coming to the --

9 MR. SILVERSTEIN: I want this part of it on  
10 the record. We're at cross purposes maybe with  
11 what we're doing. There were 200 people inside  
12 or more, 150 outside, people coming by, the fire  
13 marshals -- what did they say? What did they do?

14 MS. RIVERS: The first marshals at that point  
15 once they got there they assessed the -- the --  
16 the inside of the building and the codes and  
17 closed the door at that point so they could do  
18 their job and figuring out if there were  
19 violations, code violations, and once they  
20 determined that, they stopped the people from

1 coming in. So, we had to stop folks from coming  
2 in and turn them away to send them out of the --  
3 out of the location -- bring the 200 or so odd  
4 people that's in the building out, and have them  
5 disperse in the neighborhood and that took up a  
6 lot of MPD time.

7 MR. SILVERSTEIN: Did they tell you that  
8 there was a safety issue or danger?

9 MS. RIVERS: Absolutely.

10 MR. SILVERSTEIN: What did they say?

11 MS. RIVERS: They said it was a safety issue,  
12 there was a lot of -- there were things in terms  
13 of size, wiring inside the building that was  
14 loose wires and cables all over the place that  
15 should have been tightened up -- what else? I  
16 can't remember.

17 MR. SILVERSTEIN: Anything about the size of  
18 the crowd or the exits or anything involving that  
19 type of stuff.

1 MS. RIVERS: Absolutely he said the size of  
2 the crowd was -- the building it was too many  
3 people to occupy that space inside the building,  
4 and then the fact that more continuously people  
5 kept coming and tried to come in. It wasn't --  
6 it wasn't -- it wasn't the right size for the  
7 crowd that they were trying for.

8 MR. SILVERSTEIN: And they closed it because  
9 it was an imminent danger to the safety of the  
10 people inside?

11 MS. RIVERS: Absolutely. Yes.

12 MR. SILVERSTEIN: That's all I want, thank  
13 you.

14 CHAIRPERSON ANDERSON: All right. Thank you.  
15 Any final words that any party want to make  
16 before we move on? Yes, sir.

17 MR. RAZJOOYAN: Just to clarify, as long as  
18 we're not -- the tenant is not a violation of  
19 selling or serving or distributing alcohol on the  
20 premises for any tenant, the building has no

1 problems with ABRA. Anything else is DCRA  
2 license regulated. If they want to expand their  
3 business, whatever business is it is or C of O.

4 CHAIRPERSON ANDERSON: The Cease and Desist -  
5 - I'll say it one more time, the order that was -  
6 - the order that was issued it says that  
7 'therefore, the Board on the 6th day of April  
8 2016, hereby order Hourli Razjooyan and Grace  
9 Period to Cease and Desist selling, serving or  
10 permitting the consumption of alcohol at 2417 to  
11 2419 Evarts Street Northeast, pursuant to Section  
12 25-829 and 23 DCMR Section 2009. That's what the  
13 order says, the Cease and Desist order that  
14 you're asking us to lift. All right, so, but the  
15 Board will make a decision what we're going to  
16 do, whether or not we will -- we'll discuss it  
17 and make a decision and will inform you what the  
18 decision is before close of -- I'm just going to  
19 see if anyone else has anything they need to say.  
20 All right, as the Chairperson of the Alcoholic

1 Beverage Control Board for the District of  
2 Columbia in accordance with D.C. Official Code  
3 Section 2574B of the Open Meetings Act, I move  
4 that ABC Board hold a closed meeting for the  
5 purpose of seeking advice from our counsel on the  
6 Fact Finding for Houri Razjooyan, and there's no  
7 case number, but pursuant to D.C. Official Code  
8 Section 2574 B4 of the Open Meetings Act and  
9 deliberating upon the Fact Finding Case for Houri  
10 Razjooyan, and I apologize for the pronunciation  
11 of your name sir, for the reasons cited in the  
12 D.C. Official Code Section 2574 B-13 of the Open  
13 Meetings Act. Is there a second?

14 MR. SHORT: Second.

15 CHAIRPERSON ANDERSON: Mr. Short has seconded  
16 the motion. I'll now take a roll call vote on  
17 the motion before us now that it has been  
18 seconded. Mr. Silverstein?

19 MR. SILVERSTEIN: I agree.

20 CHAIRPERSON ANDERSON: Mr. Short?

1 MR. SHORT: I agree.

2 CHAIRPERSON ANDERSON: Mr. Alberti?

3 MR. ALBERTI: I agree.

4 CHAIRPERSON ANDERSON: Ms. Miller?

5 MS. MILLER: I agree.

6 CHAIRPERSON ANDERSON: Mr. Anderson? I  
7 agree. As it appears that the motion has passed  
8 I hereby give notice that the ABC Board will  
9 recess these proceedings to hold a closed meeting  
10 in the ABC Board Conference Room pursuant to  
11 Section 2574B of the Open Meetings Act. The  
12 Board will deliberate and we'll issue a decision  
13 whether or not we'll lift the order pursuant  
14 here.

15 MR. RAZJOOYAN: Thank you.

16 CHAIRPERSON ANDERSON: Okay. Thank you very  
17 much.

18 (Whereupon, the above-entitled matter was  
19 concluded.)

20