

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

In the Matter of:)	
)	
Lace Hospitality, LLC)	
t/a Lace)	
)	Case No. 12-251-00064
Holder of a Retailer's)	License No. ABRA-076369
Class CT License)	Order No. 2013-059
)	
at premises)	
2214 Rhode Island Avenue, N.E.)	
Washington, D.C. 20018)	

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

ALSO PRESENT: Lace Hospitality, LLC, t/a Lace, Respondent

Maureen Zaniel, Senior Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER DENYING THE RESPONDENT'S MOTION FOR RECONSIDERATION

On January 9, 2013, the Alcoholic Beverage Control Board (Board) found that Lace Hospitality, LLC, t/a Lace, (Respondent) operated past its Board approved hours. In re Lace Hospitality, t/a Lace, Case No. 12-251-00064, Board Order No. 2013-001 (D.C.A.B.C.B. Jan. 9, 2013). The Respondent submitted a Motion for Reconsideration (Motion) on January 29, 2013, which was opposed by the Government, because the Motion was not filed in a timely manner. *Resp. Mot. for Recon.*, 1; *Opp. to Mot. for Recon.*, 1-2. We agree with the Government that the Motion is untimely, because the Respondent should have been submitted it by January 23, 2013. 23 DCMR § 1702.1 (West Supp. 2013); *Opp. to Mot. for Recon.*, 1-2. We also deny the Motion, because we disagree that our decision was “overreach,” and we are not persuaded to reduce the penalty imposed based on the Respondent’s economic situation. We have previously stated that

The hours of operation for on-premise retail establishments ensure peace, order, and quiet, because such hours allow the Metropolitan Police Department, [the Alcoholic Beverage Regulation Administration], and other agencies, to anticipate

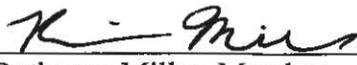
the service needs of various portions of the city and assure nearby residents that nightlife activity will end by a certain time.

In re Asefu Alemayehu, t/a Yegna, Case No. 11-CMP-00321, Board Order No. 2013-49, 4 (D.C.A.B.C.B. Feb. 27, 2013). As such, the Respondent's violation of its hours of operation is a serious offense that we cannot excuse or overlook.

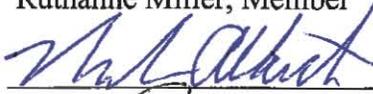
ORDER

Therefore, the Board, on this 13th day of March 2013, hereby **DENIES** the Motion for Reconsideration filed by Lace Hospitality, LLC, t/a Lace. Copies of this Order shall be sent to the Respondent and the Government.

District of Columbia
Alcoholic Beverage Control Board



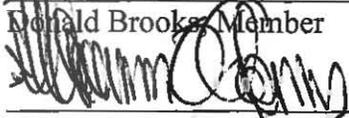
Ruthanne Miller, Member



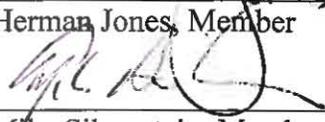
Nick Alberti, Member



Donald Brooks, Member



Herman Jones, Member



Mike Silverstein, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 (April 2004) 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).