

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

In the Matter of:)	
)	
Acott Ventures)	
t/a Shadow Room)	
)	Case Nos.: 14-CC-00189
)	14-251-00258
Holder of a)	License No.: 075871
Retailer's Class CR License)	Order No.: 2015-336
)	
at premises)	
2131 K Street, N.W.)	
Washington, D.C. 20037)	

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Mike Silverstein, Member
Hector Rodriguez, Member
James Short, Member

ALSO PRESENT: Steven Acott, President, on behalf of Acott Ventures t/a Shadow Room

Emanuel Mpras, Esq., on behalf of Acott Ventures

Fernando Rivero, Assistant Attorney General, on behalf of the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING THE OFFER-IN-COMPROMISE

This case arises from an Investigative Case Report (Case Report) issued by the Alcoholic Beverage Control Board (Board) in the matter of Acott Ventures t/a Shadow Room (Respondent) located at 2131 K Street, N.W., Washington, D.C. The Alcoholic

Beverage Regulation Administration (ABRA) served the Investigative Report in Case No. 14-251-00258 on December 5, 2014. *ABRA Show Cause File No. 14-251-00258*. ABRA served the Notice in Case Numbers 14-251-00258 and 14-CC-00189 on the Respondent on February 13, 2015. *ABRA Show Cause File No. 14-CC-00189*. The Notice charges the Respondent with four violations, which if proven true, would justify the imposition of a fine, as well as the suspension or revocation of the Respondent's license.

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

- Charge I: [On March 9, 2014] [y]ou permitted the sale of an alcoholic beverage to a person under the age of twenty-one (21) years, in violation of D.C. Official Code § 22-781(a)...
- Charge II: [On March 9, 2014] [y]ou failed to take steps reasonably necessary to ascertain whether any person to whom you sell, deliver, or serve an alcoholic beverage is of legal drinking age, in violation of D.C. Official Code § 25-783 (b)...
- Charge III: [On September 28, 2014] [y]ou permitted the sale of an alcoholic beverage to a person under the age of twenty-one (21) years, in violation of D.C. Official Code § 22-781(a)...
- Charge IV: [On September 28, 2014] [y]ou failed to take steps reasonably necessary to ascertain whether any person to whom you sell, deliver, or serve an alcoholic beverage is of legal drinking age, in violation of D.C. Official Code § 25-783 (b)...

ABRA Show Cause File No., 14-251-00258 and 14-CC-00189, Notice of Status Hearing and Show Cause Hearing, 2-3 (Feb. 11, 2015).

At the Show Cause Status Hearing held on July 8, 2015, the Respondent and the Government entered into an Offer in Compromise (OIC), which resolved the charges set forth above.

By agreeing to the terms of the OIC, the Respondent hereby waives its right to a Show Cause Hearing and appeal. The OIC has been reduced to writing and has been properly executed and filed with the Board. The Respondent is a signatory to the OIC. The Board formally approves the OIC which is appended to this Order.

ORDER

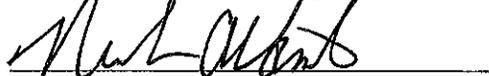
Therefore, the Board, on this 8th day of July, 2015, hereby **APPROVES** the OIC submitted on July 8, 2015, and **ORDERS** Acott Ventures t/a Shadow Room to comply with the terms of the OIC.

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

District of Columbia
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson



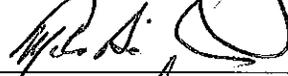
Nick Alberti, Member



Donald Brooks, Member



Herman Jones, Member



Mike Silverstein, Member



Hector Rodriguez, Member



James Short, Member

Pursuant to 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, 2000 14th Street, NW, 400S, Washington, D.C. 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 (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).

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General



Public Interest Division
Civil Enforcement Section

OFFER IN COMPROMISE¹

In the Matter of: Acott Ventures t/a Shadow Room

Officer/owner: Steven Acott, President

Case number: 14-CC-00189; 14-251-00258. Hearing Date: July 8, 2015

Incidents occurring on: March 9, 2014; September 28, 2014.

For the Charge of: Sale to persons under age 21; failure to take reasonable steps to determine that persons to whom alcoholic beverages are sold are under age 21.

Statutory Authority: D.C. Official Code §§25-781, 25-783 (2012 Repl.).

This offer in compromise will be presented to the Alcoholic Beverage Control Board (“Board”) by the Assistant Attorney General at the summary suspension proceeding. Please be advised that this is a proposed compromise. Accordingly, it is the discretion of the Board to accept or reject this offer.

The offer in compromise consists of the following terms:

- (1) Acott Ventures t/a Shadow Room (“Licensee”) agrees to pay a fine of \$8,000. Of the total amount, \$3,000 is for Charge I; \$3,000 is for Charge III and \$2,000 is for Charge IV.
- (2) Licensee shall pay the \$8,000 fine within 120 days or license will be suspended until payment is made.
- (3) Licensee shall serve a 15-day suspension of the license. Of the total days, 5 days each are for Charges I, III, and IV. The first 10 days of the suspension shall be served from July 19, 2015 to July 28, 2015. The remaining 5 days are to be stayed for one year.
- (4) All employees responsible for checking IDs will be trained on ID compliance.
- (5) All training must be completed within 30 days.
- (6) Charge II is dismissed.

¹ Authorized under 23 DCMR 1604.5 (2008).

