

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Cities, LLC
t/a Cities
919 19th Street, NW
Retailer CR - ANC-2B
License No. 86319
Case #14-CC-00170

Show Cause
Hearing
(Status)

(Sale to Minor Violation,
Failed to Take Steps
Necessary to Ascertain Legal
Drinking Age)

April 22, 2015

The Alcoholic Beverage Control Board
met in the Alcoholic Beverage Control Hearing
Room, Reeves Building, 2000 14th Street, N.W.,
Suite 400S, Washington, D.C. 20009, Chairperson
Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

MAUREEN ZANIEL, OAG

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

2 9:55 a.m.

3 CHAIRPERSON MILLER: The next Show
4 Cause Hearing (Status) case is Case No. 14-CC-
5 00170, Cities located at 919 19th Street, N.W.,
6 License No. 86319, in ANC-2B.

7 Is anybody here for Cities?

8 MR. KLINE: Yes, I'm here.

9 CHAIRPERSON MILLER: Oh, okay.

10 MS. ZANIEL: Good morning, Maureen
11 Zaniel on behalf of the District of Columbia.

12 MR. KLINE: Good morning, Andrew Kline
13 on behalf of the licensee.

14 Madam Chair, I would request that you
15 pass this briefly. We have an OIC to present to
16 the Board, but the licensee texted and indicated
17 that he is stuck in traffic. He should be here
18 momentarily.

19 CHAIRPERSON MILLER: Okay.

20 MR. KLINE: Okay?

21 CHAIRPERSON MILLER: No problem.

22 MR. KLINE: Thank you.

1 CHAIRPERSON MILLER: Okay. Yes.

2 (Whereupon, the above-entitled matter
3 went off the record at 9:56 a.m. and resumed at
4 9:59 a.m.)

5 CHAIRPERSON MILLER: Okay. I think
6 that concludes our status cases. Oh, no, are you
7 ready?

8 MR. KLINE: We're ready.

9 MS. ZANIEL: Good morning, again. Has
10 it been called? I'm sorry.

11 CHAIRPERSON MILLER: No. This is the
12 Cities case. Is that correct?

13 MR. KLINE: Yes, it is.

14 CHAIRPERSON MILLER: Okay. I believe
15 we called it, but I'll call it again. Case 14-
16 CC-00170, Cities, yes.

17 MS. ZANIEL: Maureen Zaniel on behalf
18 of the District of Columbia.

19 CHAIRPERSON MILLER: Okay.

20 MR. KLINE: Andrew Kline on behalf of
21 the licensee, Michael Kosmides, for Cities.

22 CHAIRPERSON MILLER: I'm sorry, could

1 you say your name again?

2 MR. KOSMIDES: Michael Kosmides from
3 Cities.

4 CHAIRPERSON MILLER: Kosmides, okay.

5 MR. KLINE: K-O-S-M-I-D-E-S.

6 MR. KOSMIDES: D-E-S.

7 CHAIRPERSON MILLER: Thank you. Mr.
8 Kline, did your client receive notice?

9 MR. KLINE: Yes. We received notice,
10 read it, understood it and waive any required
11 formal reading.

12 CHAIRPERSON MILLER: Okay. And are
13 there any preliminary matters?

14 MS. ZANIEL: Yes. There is an Offer
15 in Compromise recommended to the Board. And the
16 OIC would consist of a \$5,000 fine, a 10 day
17 suspension with all of the days stayed pending no
18 further violations for one year and that there be
19 alcohol awareness training for all servers within
20 three months.

21 CHAIRPERSON MILLER: Yes, go ahead?

22 MS. ZANIEL: You want it broken down

1 as to charges?

2 CHAIRPERSON MILLER: Yes.

3 MS. ZANIEL: A \$3,000 fine and five
4 days stayed for one year for Charge 1.

5 A \$2,000 fine and five days stayed and
6 the alcohol awareness training within three
7 months for Charge 14.

8 And all other charges would be
9 dropped.

10 CHAIRPERSON MILLER: Alcohol awareness
11 training for whom?

12 MS. ZANIEL: All servers.

13 CHAIRPERSON MILLER: All servers.

14 MS. ZANIEL: Within three months.

15 CHAIRPERSON MILLER: Okay. Okay. Mr.
16 Kline, is your client agreeable to the Offer in
17 Compromise as I understood it to be a \$5,000
18 fine, 10 days license suspended, but all days
19 stayed pending no further violations within a
20 year and alcohol awareness training within three
21 months for all servers?

22 MR. KLINE: Yes. We understand that

1 and also understand that if the fine is not paid
2 within 30 days, then the license would be
3 suspended.

4 CHAIRPERSON MILLER: Right. Thank
5 you. Okay. Any questions?

6 MR. KLINE: And, Madam Chair, I would
7 add that in addition to the alcohol awareness
8 training, the applicant has started making use of
9 a scanner. There are a lot of instances here of
10 questionable IDs and let's hope that the scanner
11 will help them do a better job of making sure
12 that the IDs that they are given are actual/real
13 identification cards.

14 CHAIRPERSON MILLER: Okay. Are there
15 other questions? Are there questions? All
16 right. And does your client know that he waives
17 his right to a hearing and to appealing the
18 penalty?

19 MR. KLINE: Yes, we understand if the
20 Board accepts, that we waive our right to a
21 hearing and to an appeal.

22 CHAIRPERSON MILLER: Okay. Okay.

1 Then I'm going to move that we approve this Offer
2 in Compromise of a \$5,000 fine to be paid within
3 30 days. If not paid within 30 days, the license
4 will be suspended until paid. And that the
5 license is subject to a 10 day suspension, but
6 that's stayed pending no further violation within
7 a year. Alcohol awareness training for all
8 servers within three months. I think that covers
9 it.

10 It breaks down Charge 1 is \$3,000 with
11 five days stayed and Charge 2 is \$2,000, five
12 days stayed. Do I have a second?

13 MEMBER SHORT: Second.

14 CHAIRPERSON MILLER: Mr. Short has
15 seconded the motion.

16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON MILLER: All those
19 opposed? All those abstaining? The motion
20 passes then 5-0-0.

21 MR. KLINE: Thank you.

22 CHAIRPERSON MILLER: Okay. All right.

1 I think that's the end of our status cases.

2 (Whereupon, the Show Cause (Status)

3 Hearing in the above-entitled matter was

4 concluded at 10:04 a.m.)

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<p style="text-align: center;">A</p> <p>\$2,000 5:5 7:11 \$3,000 5:3 7:10 \$5,000 4:16 5:17 7:2 a.m 2:2 3:3,4 8:4 above-entitled 3:2 8:3 abstaining 7:19 accepts 6:20 actual/real 6:12 add 6:7 addition 6:7 Age 1:11 agreeable 5:16 ahead 4:21 ALBERTI 1:18 alcohol 4:19 5:6,10,20 6:7 7:7 Alcoholic 1:2,13,14 ANC-2B 1:7 2:6 Andrew 2:12 3:20 anybody 2:7 appeal 6:21 appealing 6:17 applicant 6:8 approve 7:1 April 1:12 Ascertain 1:10 awareness 4:19 5:6,10 5:20 6:7 7:7 aye 7:16,17</p>	<p>Charge 5:4,7 7:10,11 charges 5:1,8 Cities 1:6,6 2:5,7 3:12 3:16,21 4:3 client 4:8 5:16 6:16 Columbia 1:1 2:11 3:18 Compromise 4:15 5:17 7:2 concluded 8:4 concludes 3:6 consist 4:16 Control 1:2,13,14 correct 3:12 covers 7:8 CR 1:7</p>	<p>JAMES 1:19 job 6:11</p>	<p>OIC 2:15 4:16 okay 2:9,19,20 3:1,5,14 3:19 4:4,12 5:15,15 6:5,14,22,22 7:22 opposed 7:19</p>
<p style="text-align: center;">B</p> <p>behalf 2:11,13 3:17,20 believe 3:14 better 6:11 Beverage 1:2,13,14 Board 1:2,13 2:16 4:15 6:20 breaks 7:10 briefly 2:15 broken 4:22 BROOKS 1:18 Building 1:14</p>	<p style="text-align: center;">D</p> <p>D-E-S 4:6 D.C 1:15 day 4:16 7:5 days 4:17 5:4,5,18,18 6:2 7:3,3,11,12 District 1:1 2:11 3:18 DONALD 1:18 Drinking 1:11 dropped 5:9</p>	<p style="text-align: center;">K</p> <p>K-O-S-M-I-D-E-S 4:5 Kline 2:8,12,12,20,22 3:8,13,20,20 4:5,8,9 5:16,22 6:6,19 7:21 know 6:16 Kosmides 3:21 4:2,2,4 4:6</p>	<p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-I-N-G-S 2:1 paid 6:1 7:2,3,4 pass 2:15 passes 7:20 penalty 6:18 pending 4:17 5:19 7:6 preliminary 4:13 present 1:16,20 2:15 presiding 1:15 problem 2:21</p>
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