

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Acott Ventures
t/a Shadow Room
2131 K Street, NW
Retailer CN - ANC-2A
License No. 75871
Case #14-CC-00189 and
Case #14-251-00258

Show Cause
Hearing
(Status)

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

July 8, 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
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

FERNANDO RIVERO, OAG

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

10:40 a.m.

CHAIRPERSON MILLER: The next case is two cases, Case No. 14-CC-00189 and Case No. 14-251-00258, Shadow Room located at 2131 K Street, N.W.

MR. RIVERO: Good morning. Fernando Rivero for the District of Columbia.

MR. MPRAS: Good morning. Emanuel Mpras representing Shadow Room.

MR. ACOTT: Good morning. Stephen Acott, Shadow Room owner.

CHAIRPERSON MILLER: Okay. Mr. Mpras, did your client receive notice of this hearing?

MR. MPRAS: Yes, my client received the notice. My client read the notice and my client understands the charges in the notice.

CHAIRPERSON MILLER: Okay. So there is no notice issues?

MR. MPRAS: No, ma'am.

CHAIRPERSON MILLER: All right. Are there preliminary matters for this case?

1 MR. RIVERO: Yes. The parties have an
2 Offer in Compromise to present, at this time.
3 The offer is in written form. And I presume that
4 -- I believe copies have been provided to Board
5 Members to make it easier for Board Members to
6 follow along.

7 CHAIRPERSON MILLER: Okay. That's
8 correct. Does everybody have their copy?

9 MEMBER ALBERTI: I do.

10 CHAIRPERSON MILLER: Okay. All right.

11 MR. RIVERO: This is an Offer in
12 Compromise for two cases that are combined.

13 CHAIRPERSON MILLER: Yes.

14 MR. RIVERO: One incident took place
15 on March 9th of last year and the second one on
16 September 28th of last year.

17 The Offer in Compromise concerns the
18 following terms: The licensee agrees to pay a
19 fine of \$8,000. Of that total amount, \$3,000 is
20 for Charge 1. \$3,000 is for Charge 3. And
21 \$2,000 is for Charge 4.

22 The licensee will pay this fine within

1 120 days or the license will be suspended until
2 payment is made.

3 The licensee shall serve a 15 day
4 suspension of the license. Of that total, five
5 days relate to Charges 1, 3 and 4 each. The
6 first 10 days of the suspension shall be served
7 from July 19 to July 28, 2015. And the remaining
8 five days are stayed for one year.

9 All employees responsible for checking
10 IDs will be trained on ID compliance. All
11 training must be completed within 30 days.

12 Charge 2 will be dismissed. So that's
13 the Offer in Compromise.

14 CHAIRPERSON MILLER: Okay. Mr. Mpras,
15 is your client agree able to the Offer in
16 Compromise? I'm not going to repeat it at this
17 time.

18 MR. MPRAS: Yes, ma'am.

19 CHAIRPERSON MILLER: Okay.

20 MR. MPRAS: My client does agree to
21 the Offer in Compromise as presented.

22 CHAIRPERSON MILLER: Okay. And you

1 have a copy of it in writing as well, I assume?

2 MR. MPRAS: We do, ma'am.

3 CHAIRPERSON MILLER: Okay. And your
4 client understands that by entering this Offer in
5 Compromise he waives his right to a hearing and
6 right to appeal?

7 MR. MPRAS: Yes.

8 CHAIRPERSON MILLER: Okay. Are there
9 any questions on this Offer in Compromise? Okay.
10 The Board has a copy of the Offer in Compromise
11 in writing and it had the opportunity to
12 carefully study this Offer in Compromise. So I
13 think it was good that it was presented in
14 writing for us to be able to do so.

15 If there aren't any questions or
16 comments, at this time, I'm going to move that we
17 approve this Offer in Compromise.

18 MEMBER RODRIGUEZ: Second it.

19 CHAIRPERSON MILLER: Mr. Rodriguez has
20 seconded.

21 All those in favor say aye.

22 ALL: Aye.

1 CHAIRPERSON MILLER: All those
2 opposed? All those abstaining? The motion
3 passes 5-0-0.

4 MR. MPRAS: Okay. Thank you.

5 CHAIRPERSON MILLER: Okay. We will be
6 issuing an order on that.

7 MR. ACOTT: Oh.

8 CHAIRPERSON MILLER: Okay.

9 (Whereupon, the Show Cause (Status)
10 Hearing in the above-entitled matter was
11 concluded at 10:45 a.m.)

<p style="text-align: center;">A</p> <p>\$2,000 3:21 \$3,000 3:19,20 \$8,000 3:19 a.m 2:2 6:11 able 4:15 5:14 above-entitled 6:10 abstaining 6:2 Acott 1:6 2:11,12 6:7 Age 1:11 agree 4:15,20 agrees 3:18 ALBERTI 1:18 3:9 Alcoholic 1:2,14,14 amount 3:19 ANC-2A 1:7 appeal 5:6 approve 5:17 Ascertain 1:11 assume 5:1 aye 5:21,22</p> <hr/> <p style="text-align: center;">B</p> <p>believe 3:4 Beverage 1:2,14,14 Board 1:2,14 3:4,5 5:10 Building 1:15</p> <hr/> <p style="text-align: center;">C</p> <p>carefully 5:12 case 1:8,9 2:3,4,4,22 cases 2:4 3:12 Cause 1:6 6:9 Chairperson 1:15,18 2:3,13,18,21 3:7,10 3:13 4:14,19,22 5:3,8 5:19 6:1,5,8 Charge 3:20,20,21 4:12 charges 2:17 4:5 checking 4:9 client 2:14,15,16,17 4:15,20 5:4 CN 1:7 Columbia 1:1 2:8 combined 3:12 comments 5:16 completed 4:11 compliance 4:10 Compromise 3:2,12,17 4:13,16,21 5:5,9,10 5:12,17 concerns 3:17 concluded 6:11 Control 1:2,14,14 copies 3:4 copy 3:8 5:1,10 correct 3:8 counts 1:10,11</p>	<p style="text-align: center;">D</p> <p>D.C 1:15 day 4:3 days 4:1,5,6,8,11 dismissed 4:12 District 1:1 2:8 Drinking 1:11</p> <hr/> <p style="text-align: center;">E</p> <p>easier 3:5 Emanuel 2:9 employees 4:9 entering 5:4 everybody 3:8</p> <hr/> <p style="text-align: center;">F</p> <p>Failed 1:10 favor 5:21 Fernando 1:22 2:7 fine 3:19,22 first 4:6 five 4:4,8 follow 3:6 following 3:18 form 3:3</p> <hr/> <p style="text-align: center;">G</p> <p>going 4:16 5:16 good 2:7,9,11 5:13</p> <hr/> <p style="text-align: center;">H</p> <p>hearing 1:7,14 2:14 5:5 6:10 HECTOR 1:19</p> <hr/> <p style="text-align: center;">I</p> <p>ID 4:10 IDs 4:10 incident 3:14 issues 2:19 issuing 6:6</p> <hr/> <p style="text-align: center;">J</p> <p>JAMES 1:20 July 1:13 4:7,7</p> <hr/> <p style="text-align: center;">K</p> <p>K 1:7 2:5</p> <hr/> <p style="text-align: center;">L</p> <p>Legal 1:11 license 1:8 4:1,4 licensee 3:18,22 4:3 located 2:5</p> <hr/> <p style="text-align: center;">M</p> <p>ma'am 2:20 4:18 5:2</p>	<p>March 3:15 matter 1:5 6:10 matters 2:22 MEETING 1:3 Member 1:18,19,19,20 3:9 5:18 Members 3:5,5 met 1:14 MIKE 1:19 Miller 1:16,18 2:3,13,18 2:21 3:7,10,13 4:14 4:19,22 5:3,8,19 6:1,5 6:8 Minor 1:10 morning 2:7,9,11 motion 6:2 move 5:16 Mpras 2:9,10,13,15,20 4:14,18,20 5:2,7 6:4</p> <hr/> <p style="text-align: center;">N</p> <p>N.W 1:15 2:6 Necessary 1:11 NICK 1:18 notice 2:14,16,16,17,19 NW 1:7</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 1:22 offer 3:2,3,11,17 4:13 4:15,21 5:4,9,10,12 5:17 Oh 6:7 Okay 2:13,18 3:7,10 4:14,19,22 5:3,8,9 6:4 6:5,8 opportunity 5:11 opposed 6:2 order 6:6 owner 2:12</p> <hr/> <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-I-N-G-S 2:1 parties 3:1 passes 6:3 pay 3:18,22 payment 4:2 place 3:14 preliminary 2:22 present 1:17,21 3:2 presented 4:21 5:13 presiding 1:16 presume 3:3 provided 3:4</p> <hr/> <p style="text-align: center;">Q</p> <p>questions 5:9,15</p>	<p style="text-align: center;">R</p> <p>read 2:16 receive 2:14 received 2:15 Reeves 1:15 relate 4:5 remaining 4:7 repeat 4:16 representing 2:10 responsible 4:9 Retailer 1:7 right 2:21 3:10 5:5,6 Rivero 1:22 2:7,8 3:1,11 3:14 Rodriguez 1:19 5:18,19 Room 1:6,15 2:5,10,12 Ruthanne 1:16,18</p> <hr/> <p style="text-align: center;">S</p> <p>Sale 1:10 second 3:15 5:18 seconded 5:20 September 3:16 serve 4:3 served 4:6 Shadow 1:6 2:5,10,12 SHORT 1:20 Show 1:6 6:9 SILVERSTEIN 1:19 Status 1:7 6:9 stayed 4:8 Stephen 2:11 Steps 1:10 Street 1:7,15 2:5 study 5:12 Suite 1:15 suspended 4:1 suspension 4:4,6</p> <hr/> <p style="text-align: center;">T</p> <p>t/a 1:6 Take 1:10 terms 3:18 Thank 6:4 think 5:13 time 3:2 4:17 5:16 total 3:19 4:4 trained 4:10 training 4:11 two 1:10,11 2:4 3:12</p> <hr/> <p style="text-align: center;">U</p> <p>understands 2:17 5:4</p> <hr/> <p style="text-align: center;">V</p> <p>Ventures 1:6 Violation 1:10</p>
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waives 5:5 Washington 1:15 writing 5:1,11,14 written 3:3		
X		
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year 3:15,16 4:8		
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1 3:20 4:5 10 4:6 10:40 2:2 10:45 6:11 120 4:1 14 2:4 14-251-00258 1:9 14-CC-00189 1:8 2:4 14th 1:15 15 4:3 19 4:7		
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4 3:21 4:5 400S 1:15		
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5-0-0 6:3		
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75871 1:8		
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