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GOVERNMENT OF THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

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IN THE MATTER OF: :  
Yonas, Inc. t/a :  
Corner Market :  
1447 Howard Road, SE : Case #15-CMP-00056  
License #86200 : Hearing  
Retailer A : (Status)  
ANC 8A :  
Failed to take necessary :  
steps to ensure property is :  
free of litter :

- - - - - X

Wednesday, October 28, 2015

Whereupon, the above-referenced matter  
came on for hearing at the Alcoholic Beverage  
Control Board, Reeves Center, 2000 14th Street,  
N.W., Suite 400S, Washington, D.C. 20009.

1 CHAIRPERSON:

2 RUTHANNE MILLER, Presiding

3

4 BOARD MEMBERS:

5 MICHAEL SILVERSTEIN

6 JAMES SHORT

7 HECTOR RODRIGUEZ

8 NICK ALBERTI

9

10 ALSO PRESENT:

11 MAUREEN ZANIEL, ESQ.

12 PEGAH EFTEKHARI

13 on behalf of District of Columbia

14 REZENE HAILE

15 YONAS HAILE

16 on behalf of the Licensee

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

2 CHAIRPERSON MILLER: Okay. I'm going to  
3 start with calling the case, and hopefully the  
4 others will be here momentarily. Case Number 15-  
5 CMP-00056, Corner Market, located at 1447 Howard  
6 Road, Southeast, License Number 86200, in ANC 8A.

7 This piece of paper on the table is for  
8 you to sign in so we get the correct spelling of  
9 your name in the transcript. And then, I would  
10 like you all to introduce yourselves for the  
11 record. We can start on the right over here.

12 MR. HAILE: Rezene Haile, R-e-z-e-n-e,  
13 last name H-a-i-l-e. I am the owner of Corner  
14 Market.

15 CHAIRPERSON MILLER: You're the owner of  
16 Corner Market?

17 MR. HAILE: Yes.

18 CHAIRPERSON MILLER: Okay. And with you  
19 is?

20 MR. YONAS HAILE: Okay. Yonas Haile, Y-  
21 o-n-a-s, first name. Last name Haile, H-a-i-l-e.  
22 I'm the manager.

1 CHAIRPERSON MILLER: And you're what?

2 MR. YONAS HAILE: The manager.

3 CHAIRPERSON MILLER: The manager. Okay.  
4 Great. And over here?

5 MS. EFTEKHARI: Good morning, board  
6 members. Pegah Eftekhari for Office of the  
7 Attorney General.

8 CHAIRPERSON MILLER: I'm sorry. I missed  
9 your name because of the --

10 MS. EFTEKHARI: Sure. Pegah Eftekhari,  
11 for Office of the Attorney General.

12 CHAIRPERSON MILLER: Okay.

13 MS. EFTEKHARI: And I'm practicing before  
14 you pursuant to D.C. Court of Appeals Rule 49C4.  
15 I'm on the board in State of Maryland under  
16 direct supervision of Maureen Zaniel.

17 CHAIRPERSON MILLER: Great.

18 MS. ZANIEL: Good morning.

19 [Chorus of "Good morning."]

20 MS. ZANIEL: Maureen Zaniel, with the  
21 Attorney General as well.

22 CHAIRPERSON MILLER: Okay. Do we have

1 any preliminary issues in this case?

2 MS. ZANIEL: We do.

3 CHAIRPERSON MILLER: Okay. Who would  
4 like to present that?

5 MS. EFTEKHARI: I will, if that's okay.

6 CHAIRPERSON MILLER: All right.

7 MS. EFTEKHARI: We are here for the  
8 evidentiary hearing in this matter.

9 MR. SILVERSTEIN: Could you talk a little  
10 bit louder, please?

11 MS. EFTEKHARI: Sure.

12 MR. SILVERSTEIN: Thank you.

13 MS. EFTEKHARI: We are here for the  
14 evidentiary hearing for, Corner Market was  
15 charged with violating Title 25, Chapter 7,  
16 Section 26 of D.C. Code, on December 16th, for  
17 their failure to take reasonable measures to  
18 ensure that the premises and the immediate  
19 environs of their establishment was free of  
20 litter.

21 However, today we've come across  
22 additional evidence and factual circumstances

1 provided by them that the District is willing to  
2 request the board to impose a written warning on  
3 this case. And I can recount what those factual  
4 circumstances are.

5 CHAIRPERSON MILLER: I'm sorry. I  
6 couldn't hear the last thing you said.

7 MS. EFTEKHARI: I could go through the  
8 factual circumstances that we've discussed today  
9 with the owners and the manager of Corner Market.

10 CHAIRPERSON MILLER: Okay. I don't think  
11 we needed too much detail. If you just want to  
12 highlight the reason we're recommending a  
13 warning.

14 MS. EFTEKHARI: Yeah. Yeah, sure. Well,  
15 basically, they have taken continued measures to  
16 ensure that they have a person on the premises  
17 that cleans up the parking lot and the immediate  
18 areas around the establishment.

19 On the day of the violation, they had  
20 sent an email earlier to the trash-picking-up  
21 company because they had broken down and they  
22 weren't able to pick up the trash.

1           And upon testimony -- conversations with  
2 Investigator Jones, we found out that his  
3 subsequent visits to the property, the property  
4 was in good shape and the litter and trash was  
5 under control.

6           CHAIRPERSON MILLER: Okay. Thank you.  
7 So, in essence, I'm putting forth an offer in  
8 compromise of a written warning, correct?

9           [No audible response.]

10          CHAIRPERSON MILLER: And, okay. So let  
11 me turn to the owner and ask you if you are in  
12 agreement of that offer in compromise to resolve  
13 the case, which would be a written warning?

14          MR. REZENE HAILE: Yes.

15          CHAIRPERSON MILLER: Okay. And do you  
16 understand that by accepting that warning in an  
17 offer in compromise that you waive your right to  
18 a hearing and you waive your right to an appeal?

19          MR. REZENE HAILE: Yes.

20          CHAIRPERSON MILLER: Okay. Any questions  
21 by board members?

22          [No audible response.]

1 CHAIRPERSON MILLER: Then, at this point,  
2 I would move that we approve the offer in  
3 compromise of a written warning. Do I have a  
4 second?

5 MR. SHORT: Second.

6 CHAIRPERSON MILLER: Mr. Short has  
7 seconded the motion.

8 MR. SHORT: Can I also just make a  
9 comment?

10 CHAIRPERSON MILLER: Okay. Um-hm.

11 MR. SHORT: I'd really like for the  
12 owners to know that the trash is really a problem  
13 in the City all over, just not in your area. And  
14 that the health of our community sometimes rides  
15 on that. So it's a very serious matter. We'd  
16 like not to see you here again without reason.

17 And just do the best you can to help us  
18 with trash so we can help you maintain your life.

19 Thank you, Madam Chair.

20 CHAIRPERSON MILLER: Can I just say that  
21 I think that it would be appropriate to vote on  
22 the motion unless there's a comment based really

1 towards the board members deciding how to vote.  
2 And then afterwards, we can make comments to the  
3 parties. How's that?

4 MR. SHORT: Fine.

5 CHAIRPERSON MILLER: Okay. So, there's a  
6 motion that's been seconded. All those in favor,  
7 say Aye.

8 [Chorus of Ayes.]

9 CHAIRPERSON MILLER: All those opposed?

10 [No audible response.]

11 CHAIRPERSON MILLER: All those  
12 abstaining?

13 [No audible response.]

14 CHAIRPERSON MILLER: Motion passes 5-0-0.  
15 Mr. Silverstein.

16 MR. SILVERSTEIN: Yeah. I'd like to say  
17 to the licensees that there is an enormous amount  
18 of construction going on in the City, that  
19 they're building additions and things of this  
20 sort. And rats have become a terrible problem.

21 And we're not picking on you. We've had  
22 many cases like this. And it is because, as my

1 colleague, Mr. Short, has said, all of us are  
2 affected by rats and the health issues. And we  
3 all have to work together. And I thank you all  
4 for working to make this better.

5 MR. REZENE HAILE: All right. Thank  
6 you.

7 CHAIRPERSON MILLER: Mr. Alberti, did you  
8 want to say something?

9 MR. ALBERTI: No.

10 CHAIRPERSON MILLER: Oh, I'm sorry.

11 MR. ALBERTI: I think it's all been said.

12 [Laughter.]

13 CHAIRPERSON MILLER: Okay. Anybody else?

14 [No audible response.]

15 CHAIRPERSON MILLER: Okay.

16 MR. ALBERTI: Well said.

17 CHAIRPERSON MILLER: All right. Then  
18 that concludes this case. Thank you very much.

19 [Chorus of "Thank you."]

20 [Whereupon, the above-entitled matter  
21 concluded.]

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