

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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PUBLIC MEETING

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IN THE MATTER OF: :

WEN DE ZHANG & YANG YOU FENG :
T/A CHINA HOUSE :

1601 Benning Road, NE :Show Cause
License No. 25169, Ret. B :Hearing
ANC 6A, Viol of VA, Sold :(Status)
Go-Cups :

Case No. 12-CMP-00474 :

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December 5, 2012

The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Washington, D.C., Chair Miller, presiding.

PRESENT

RUTHANNE MILLER, CHAIRPERSON

NICK ALBERTI, Member

DONALD BROOKS, Member

ALSO PRESENT

Fernando Rivera, OAG

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

10:05 a.m.

CHAIRPERSON MILLER: The next one is 12-CMP-000474, China House located at 1601 Benning Road, NE. License No. 25169 in ANC 6A.

MR. RIVERA: Good morning, Board Members. Fernando Rivera for the District of Columbia, standing in for Mr. Stern.

CHAIRPERSON MILLER: Good morning. When you're ready after you've signed in could you --

MS. YANG: Sign in You Feng Yang.

CHAIRPERSON MILLER: Okay. And you are?

MS. YANG: Owner.

CHAIRPERSON MILLER: You're an owner?

MS. YANG: Yes.

CHAIRPERSON MILLER: And you, sir?

MR. INTERPRETER: I just come for --

1 CHAIRPERSON MILLER: You're just
2 accompanying her?

3 MR. INTERPRETER: No, no, no.
4 Translation.

5 CHAIRPERSON MILLER: You're the
6 translator?

7 MR. INTERPRETER: Yes.

8 CHAIRPERSON MILLER: Okay. What
9 language? Korean?

10 MR. INTERPRETER: Chinese.

11 CHAIRPERSON MILLER: Chinese,
12 sorry. I'm just going to swear you in,
13 Interpreter. Could you raise your right hand,
14 sir.

15 Do you solemnly affirm that you
16 will faithfully and accurately interpret the
17 proceedings in this matter from Chinese into
18 English and from English into Chinese to the
19 best of your ability?

20 MR. INTERPRETER: Yes.

21 CHAIRPERSON MILLER: Okay. Thank
22 you.

1 As this is a Show Cause Status
2 Hearing I proceed to ask the same questions
3 I've asked others in this case.

4 Did Ms. Yang receive notice of
5 this hearing?

6 MR. INTERPRETER: Yes.

7 CHAIRPERSON MILLER: Did she read
8 it?

9 MR. INTERPRETER: Yes. I explain
10 to her, yes.

11 CHAIRPERSON MILLER: Did she
12 understand it?

13 MR. INTERPRETER: Yes.

14 CHAIRPERSON MILLER: Okay. And
15 does she waive the Board's reading of the
16 notice into the record?

17 MR. INTERPRETER: Yes.

18 CHAIRPERSON MILLER: Okay.

19 Mr. Rivera, do we have any
20 preliminary matters?

21 MR. RIVERA: We do. The parties
22 have agreed to an offer in compromise which

1 consists of a \$500 fine payable in two weeks
2 or 14 days.

3 CHAIRPERSON MILLER: Okay. Ms.
4 Yang, do you agree to their offer in
5 compromise of a \$500 fine payable in two
6 weeks?

7 MR. INTERPRETER: Yes.

8 CHAIRPERSON MILLER: Okay. And,
9 Mr. Rivera, can you just say, does this break
10 down between the two charges?

11 MR. RIVERA: Actually, there is
12 one more detail that I should have said.

13 The fine is for charge 1. We are
14 dismissing charge 2. It is essentially the
15 same violation.

16 CHAIRPERSON MILLER: Okay.

17 MR. RIVERA: It is the same
18 instance charged in two different provisions.
19 There's no need for that. The licensee will
20 be paying the \$500 fine for the first charge.
21 The second charge will be dismissed.

22 CHAIRPERSON MILLER: Okay.

1 MR. RIVERA: Dropped.

2 CHAIRPERSON MILLER: Okay. I want
3 to make sure that Ms. Yang agrees to that.

4 MR. INTERPRETER: Yes.

5 CHAIRPERSON MILLER: Understands
6 that, okay. All right.

7 At this time, I would move that we
8 -- are there any questions?

9 MEMBER ALBERTI: No.

10 CHAIRPERSON MILLER: Okay. I
11 would move that we accept this offer in
12 compromise with a \$500 fine to be paid within
13 14 days for charge 1 and charge 2 is
14 dismissed.

15 Do I have a second?

16 MEMBER BROOKS: Second.

17 CHAIRPERSON MILLER: Mr. Brooks
18 has seconded the motion. Any comments?

19 All those in favor of the motion
20 say aye.

21 (AYES)

22 CHAIRPERSON MILLER: All those

1 opposed? All those abstaining? Then th
2 emotion passes by a vote of three, zero, zero
3 to accept the offer in compromise.

4 Thank you.

5 (Whereupon, the above matter was
6 concluded at 10:09.)

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<p style="text-align: center;">A</p> <p>ability 3:19 abstaining 7:1 accept 6:11 7:3 accompanying 3:2 accurately 3:16 affirm 3:15 agree 5:4 agreed 4:22 agrees 6:3 ALBERTI 1:17 6:9 Alcoholic 1:2,12,13 ANC 1:8 2:5 asked 4:3 aye 6:20 AYES 6:21 a.m 2:2</p>	<p>Columbia 1:1 2:9 come 2:21 comments 6:18 compromise 4:22 5:5 6:12 7:3 concluded 7:6 consists 5:1 Control 1:2,12,13</p>	<p style="text-align: center;">I</p> <p>instance 5:18 interpret 3:16 Interpreter 2:21 3:3,7,10,13,20 4:6 4:9,13,17 5:7 6:4</p>	<p>opposed 7:1 owner 2:16,18</p>	<p>solemnly 3:15 sorry 3:12 standing 2:9 Status 1:8 4:1 Stern 2:9 Street 1:14 sure 6:3 swear 3:12</p>
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