

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

| | | |
|--------------------------------------|---|--------------------|
| <hr/> |) | |
| In the Matter of: |) | |
| |) | |
| Simply Home, LLC |) | |
| t/a Simply Home Cuisine |) | |
| |) | |
| Application for a Substantial Change |) | License No. 73188 |
| To its Retailer's Class CR License |) | Order No. 2009-046 |
| at premises |) | |
| |) | |
| 1410-1412 U N.W. |) | |
| Washington, D.C. 20001 |) | |
| <hr/> |) | |

Simply Home, Inc. t/a Simply Home Cuisine, Applicant

Mike Silverstein, Chair, Advisory Neighborhood Commission 2B

BEFORE: Peter B. Feather, Chairperson
Mital M. Gandhi, Member
Nick Alberti, Member
Charles Brodsky, Member
Donald Brooks, Member
Herman Jones, Member

ORDER ON VOLUNTARY AGREEMENT

The official records of the Alcoholic Control Board (Board) reflect that Simply Home, LLC, t/a Simply Home Cuisine, Applicant, for a Substantial Change to its Retailer's Class CR license located at 1410-1412 U Street, N.W., Washington D.C., and Ramon Estrada, Commissioner, on behalf of Advisory Neighborhood Commission (ANC) 2B, (collectively, the Parties) have entered into a Voluntary Agreement (Agreement) dated January 6, 2009 setting forth the terms and conditions that govern the operation of the Applicant's establishment.

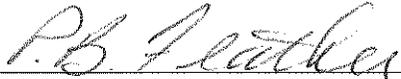
The Agreement restricts the hours of operation from 11:00 a.m. to 1:00 a.m. on Sunday through Thursday and from 11:00 a.m. to 2:00 a.m. on Friday and Saturday. The Agreement has been reduced to writing and has been properly executed and filed with the Board. Both the Applicant and Commissioner Estrada are signatories to the Agreement.

Simply Home, LLC
t/a Simply Home Cuisine
License No. 73188
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Accordingly, it is this 25th day of February 2009, **ORDERED** that:

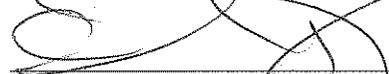
1. The Application filed by Simply Home, LLC, t/a Simply Home Cuisine for a Substantial Change to its Retailer's Class CR license located at 1410-1412 U Street, N.W., Washington, D.C., is **GRANTED**
2. This above-referenced Voluntary Agreement submitted by the Parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order; and
3. Copies of this Order shall be sent to the Applicant and to ANC 2B.

District of Columbia
Alcoholic Beverage Control Board


Peter B. Feather, Chairperson


Mital M. Gandhi, Member


Nick Alberti, Member


Charles Brodsky, Member


Donald Brooks, Member


Herman Jones, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), 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, 941 North Capitol Street, N.E., Suite 7200, Washington, D.C. 20002.

ABAA
7/3/09

VOLUNTARY AGREEMENT

This Agreement, made and entered into this 6th day of January 2009, by and between Simply Home LLC, T/A Simply Home Cuisine, 1410-1412 U Street, N.W., Washington, D.C. (hereinafter the "Applicant") and Advisory Neighborhood Commission 2B (hereinafter "ANC 2B").

RECITALS

WHEREAS, the Applicant has filed for a substantial change to its CR license #73188 issued by the Alcoholic Beverage Control Board of the District of Columbia for premises known as 1410-1412 U Street, N.W.; and

WHEREAS, ANC 2B desires to withdraw its protest of the Substantial Change Application; and

WHEREAS, the parties desire to enter into this Voluntary Agreement in lieu of ANC 2B's protest of the Substantial Change Application; and

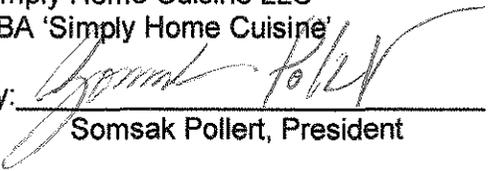
NOW, therefore, in consideration of the Recitals set forth above, and the mutual covenants and agreements hereinafter set forth, the parties agree as follows:

- 1. Hours of Operation. The hours of operation of the Applicant shall be 11a.m. to 1 a.m. Sunday through Thursday, and 11 a.m. to 2 a.m. on Friday and Saturday.
- 2. Music. Applicant shall provide background music only. Applicant shall not provide live music. Applicant may have a disc jockey during private parties, but no celebrity disc jockey. Applicant may not advertise disc jockeys. There will be no dancing and no cover charge.
- 3. Trash Pick-up, Extermination, and Debris Clean Up. For trash and recycling collection, Applicant shall employ a licensed company(ies) that shall agree, in writing, that collection shall not occur before 7:00 a.m. on weekdays, before 10:00 a.m. on weekends, or after 5:00 p.m. on any day. Applicant agrees to regularly schedule exterminator service for its premises.
- 4. License Approval. ANC 2B hereby joins in with the Applicant in requesting the Alcoholic Beverage Control Board of the District of Columbia approve the Substantial Change Application submitted by Applicant conditioned upon Applicant's compliance with the terms of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Voluntary Agreement as of the day and year first above written.

APPLICANT:

Simply Home Cuisine LLC
DBA 'Simply Home Cuisine'

By: 
Somsak Pollert, President

**ADVISORY NEIGHBORHOOD
COMMISSION 2B**

By: 
Ramon Estrada, Chairperson