

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

In the Matter of:)	
)	
A & A Restaurant Group, Inc.)	
t/a Russia House)	
)	
Application for Renewal of a)	Case No.: 16-PRO-00039
Retailer's Class CR License)	License No.: ABRA-080952
)	Order No.: 2016-536
at premises)	
1800 Connecticut Avenue, N.W.)	
Washington, D.C. 20009)	

A & A Restaurant Group, Inc., t/a Russia House (Applicant)

Joumana Asso, on behalf of A Group of Five or More Individuals

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
Ruthanne Miller, Member
James Short, Member

**ORDER ON SETTLEMENT AGREEMENT AND
WITHDRAWAL OF A GROUP OF FIVE OR MORE INDIVIDUALS' PROTEST**

The Application filed by A & A Restaurant Group, Inc., t/a Russia House, for renewal of its Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on June 6, 2016, in accordance with D.C. Official Code § 25-601 (2001).

The official records of the Board reflect that the Applicant and the Group of Five or More Individuals entered into a Settlement Agreement (Agreement), dated September 9, 2016, that governs the operation of the Applicant's establishment.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Joumana Asso, on behalf of the Group of Five or More Individuals, are signatories to the Agreement.

This Agreement constitutes a withdrawal of the Protest filed by the Group of Five or More Individuals of this Application.

Accordingly, it is this 28th day of September, 2016, **ORDERED** that:

1. The Application filed by A & A Restaurant Group, Inc., t/a Russia House, for renewal of its Retailer's Class CR License, located at 1800 Connecticut Avenue, N.W., Washington, D.C., is **GRANTED**;
2. The Protest of the Group of Five or More Individuals in this matter is hereby **WITHDRAWN**;
3. The above-referenced Settlement Agreement submitted by the parties to govern the operations of the Applicant's establishment is **APPROVED** and **INCORPORATED** as part of this Order, except for the following modifications:

First Whereas paragraph – This paragraph shall be modified to read as follows: “Whereas, Applicant, Russia House has filed an application for renewal of its Restaurant alcoholic Beverage Control license at 1800 Connecticut Avenue, N.W., Washington, D.C., 20009.”

Fourth Whereas paragraph – The language “Supplemental Settlement Agreement” shall be replaced with the language “Settlement Agreement.”

Section 2(a) (Pest control action) – The following language shall be removed: “mutually agreed upon.”

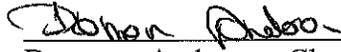
Section 2(a) – The language “a copy of said report should be sent to Joumana Asso/email: asso.joumana@gmail.com, and John Dillon/email: johndillon78@yahoo.com” shall be replaced with the language “a copy of said report should be sent to the ABC Board upon request.”

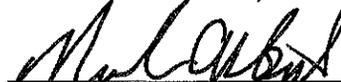
Section 2(b) – The language “A copy of the evaluation should be sent to Joumana Asso and John Dillon” shall be replaced with the language “A copy of the evaluation should be sent to the ABC Board upon request.”

The parties have agreed to these modifications.

4. This Settlement Agreement replaces and supersedes previous Settlement Agreements between the parties; and
5. Copies of this Order shall be sent to the Applicant and Joumana Asso, on behalf of the Group of Five or More Individuals.

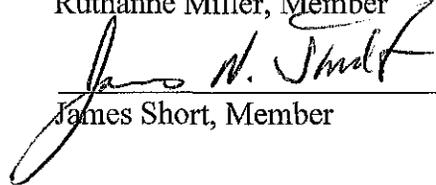
District of Columbia
Alcoholic Beverage Control Board


Donovan Anderson, Chairperson


Nick Alberti, Member


Mike Silverstein, Member


Ruthanne Miller, Member


James Short, Member

Pursuant to D.C. Official Code § 25-433(d)(1), 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, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code §2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).

ACTION PLAN SETTLEMENT AGREEMENT

Made this 9 Day of September, 2016, by and between Aaron McGovern, at The Russia House and the Bancroft PL NW, Phelps PL NW, and the S ST NW Petitioners (hereafter "Petitioners") signatories of the protest.

WITNESSETH

WHEREAS, Applicant, Russia House has filed an application for renewal of its Restaurant Alcoholic Beverage Control license at: 2000 14th St NW, S400, Washington, DC 20009, and,

WHEREAS, the Petitioners have protested the said renewal application on trash - garbage secure rat proof containment and,

WHEREAS, the parties and others are signatories to certain Voluntary Agreement by Order dated 9th Day of September, 2016; and,

WHEREAS, the parties desire to enter into this Supplemental Settlement Agreement, whereby certain additional commitments on the part of the Applicant are memorialized in an accepted "Action Plan", dated August 18, 2016 (*See Annex A to this document*) and the renewal protests may be withdrawn;

NOW, THEREFORE, in consideration of the premises above recited and the covenants and conditions set forth in the agreed to, and accepted, Action Plan, the parties agree as follows: an alleged breach of this Action Plan must be confirmed by any two of the petitioners, and or, a governing body of the District of Columbia government, such as an ABRA investigator, or DOH Rodent Control or Office of Rat Abatement, or an officer of the Metropolitan Police Department.

The owner(s) / Manager of the establishment may be contacted regarding a breach of this Agreement at any time at:

Aaron McGovern, owner
Mobile: 703.589.6544/email: aaroncmcgovern@yahoo.com

Arturas Vorobjovas, owner

JMA

A.M

Mobile: 703.971.9024/email: Arturas@russiahouselounge.com

Alex Zilcovs, General Manager
Mobile: 609.287.4644

Russia House Phone: 202.234.9433

This Action Plan (effective August 18, 2016) is intended to be in Annex A, and not to supersede, any existing Voluntary Agreement.

ANNEX A

JMA

A.M

²

List of actions required from the Russia House (RH)

1. Maintain a clean facility in the back of the RH building including the alley and dumpster area

Specific actions include:

- a) Ensure adequate dumpster is in place,
- b) Replace / modify the existing dumpster that there are ZERO access portals, albeit 'holes and SINGLE lid to negate any possible separation between (2) lids with lock(s)
- c) Waste Management Company to collect garbage every day; 5 days per week
- d) Clean the RH facility's backyard on weekly basis
- e) Fill the holes where the rats' nests exist, and any other nests in the building. The 'said' repairs will be incorporated into the "agreed to schedule" affirming that monitoring those repairs will be conducted as (part and parcel) of the agreed to maintenance schedule.

2. Pest control action

Specific actions include:

- a) Engage the services from a mutually agreed upon Pest Control company to propose a full and accurate/professional understanding and report of what the source of the problem is and how they will manage the issue; a "copy of the said report" should be sent to Joumana Asso/email: asso.joumana@gmail.com, and John Dillon/ email: johndillon78@yahoo.com;
- b) Have the selected pest control company treat the back of the RH building on regular basis. The frequency of evaluation by the pest control company will determine a "fail safe" schedule. A copy of the evaluation

JMA

A.M

should be sent to Joumana Asso and John Dillon

3. Train the RH staff to handle food waste and trash properly

Specific actions include:

- a) Tie all the trash bags to be tied properly before disposal.
- b) Clean the trash bin area on weekly basis.
- c) Close the cover of the dumpster firmly and affix LOCK(s), to avoid dumping of garbage by other commercial establishment, including the McClellan Retreat and the Moldovan Embassy, in the Russia House dumpster.

5. The Petitioners are relying on the foregoing commitments by the Applicant in determining to withdraw his pending protests of the Applicant's license renewal application.

The parties will submit the Agreement to the District of Columbia Alcoholic Beverage Control Board with their joint request that the terms of the Action Plan, here of be incorporated in the Board's order approving the renewal application.

Upon such approval, this instrument shall be deemed to constitute the withdrawal of the protests of the Petitioners' and are relying on the foregoing commitments by the Russia House in restating the pending renewal application.

IN WITNESS WHEREOF, the parties have affixed hereunto their Signature(s) and on the date listed above.

Aaron McGovern



Date:

For: The Russia House

JMA A.M.⁴

Humana Assn

[Handwritten signature]

Date

For: The Petitioners - Bancroft PL NW, Phelps PL NW, S St NW

[Handwritten initials]

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

_____)	
In the Matter of:)	
)	
A & A Restaurant Group, Inc.)	
t/a Russia House)	
)	
Applicant for Renewal of a)	
Retailer's Class CR License)	License No. 80952
)	Order No. 2010-431
at premises)	Case No. 10-PRO-00071
1800 Connecticut Avenue, N.W.)	
Washington, D.C. 20009)	
_____)	

A & A Restaurant Group, Inc., t/a Russia House, Applicant

Ruth Horn, on behalf of a Group of Five or More Individuals

BEFORE: Charles Brodsky, Chairperson
Mital M. Gandhi, Member
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Calvin Nophlin, Member
Mike Silverstein, Member

ORDER ON VOLUNTARY AGREEMENT AND WITHDRAWAL OF PROTEST

The official records of the Alcoholic Control Board (Board) reflect that A & A Restaurant Group, Inc., t/a Russia House (Applicant), filed an Application for Renewal of its Retailer's Class CR License located at 1800 Connecticut Avenue, N.W., Washington, D.C. The Applicant and a Group of Five or More Individuals, represented by Ruth Horn, have entered into a Voluntary Agreement (Agreement) dated July 20, 2010, setting forth the terms and conditions that govern the operation of the Applicant's establishment. This Agreement also constitutes a withdrawal of the Protest filed by the Group of Five or More Individuals.

The Agreement has been reduced to writing and has been properly executed and filed with the Board. The Applicant and Ruth Horn, on behalf of the Group of Five, are signatories to the Agreement.

A & A Restaurant Group, Inc.
t/a Russia House
License No: 80952
Case No. 10-PRO-00071
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Accordingly, it is this 18th day of August 2010, **ORDERED** that:

1. The Application filed by A & A Restaurant Group, Inc., t/a Russia House, for Renewal of its Retailer's Class CR License located at 1800 Connecticut Avenue, N.W., Washington, D.C., is **GRANTED**;
2. The Protest in this matter is hereby **WITHDRAWN**;
3. The 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, except that Section 4 shall read as follows:

“Licensee agrees to meet with the parties to discuss any concerns due to patrons loitering or ambient noise in violation of DC Code. Parties shall contact the owner of the Russia House to request such a meeting. Any such meeting shall be held within a reasonable period of time upon receipt of request.”

The Parties have agreed to this modification.

4. Copies of this Order shall be sent to the Applicant and Ruth Horn, on behalf of the Group of Five or More Individuals.

A & A Restaurant Group, Inc.
t/a Russia House
License No: 80952
Case No. 10-PRO-00071
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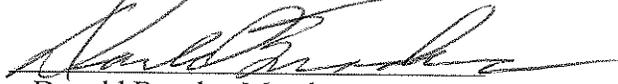
District of Columbia
Alcoholic Beverage Control Board

Charles Brodsky, Chairperson

Mital M. Gandhi, Member



Nick Alberti, Member



Donald Brooks, Member

Herman Jones, Member



Calvin Nophlin, Member

Mike Silverstein, 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, 1250 U Street, N.W., Third Floor, Washington, DC 20009.

VOLUNTARY AGREEMENT

THIS VOLUNTARY AGREEMENT ("Agreement") is made this ____ day of July, 2010, by and between A & A Restaurant Group, Inc., t/a Russia House ("licensee") and Ruth Horn, Brigitte Pichot, David Hattis, Rita Hattis, Lawrence Jordan, and Carolyne Lamar Jordan, collectively, "the Parties".

WITNESSETH

WHEREAS, LICENSEE timely filed its renewal license application which was protested by the above PARTIES, and

WHEREAS, LICENSEE AND PARTIES have met to discuss the concerns set forth in said protest letter, and

WHEREAS, LICENSEE AND PARTIES mutually desire to resolve the issues set forth in said protest letter, and

WHEREAS, LICENSEE AND PARTIES are desirous of entering into a Voluntary Agreement pursuant to D.C. Code section 25-446 (2001 Edition, as amended) for the operation of the establishment in such a manner as to promote the peace, order and quiet of the neighborhood. LICENSEE AND PARTIES recognize the importance of safe and pedestrian friendly business neighborhoods.

NOW THEREFORE, LICENSEE AND PARTIES agree to the following:

- 1. Recitals Incorporated. The recitals set forth above are incorporated herein by reference.
- 2. (A) Noise. The LICENSEE agrees to the fullest extent possibly allowed by DC Code and regulation to discourage loitering in the front of its establishment. This will include providing an appropriate number of door men, at times when the establishment is open to the public, properly trained who shall be responsible for ensuring that ambient noise is kept to a minimum. Those loitering will include patron smokers, other patrons and individuals standing in front of the establishment including the entrance stairs. LICENSEE will implement legal procedures that will discourage patrons and others who loiter.
- 3. (A) Signage. LICENSEE will enhance signage in the lobby visible to patrons reminding them they are exiting into a quiet neighborhood abutting residents. LICENSEE will add a similar statement to patron's receipts. LICENSEE will add a similar statement about the neighborhood in its menus. LICENSEE will place a sign in the lobby explaining that due to the fire code patrons must comply with restrictions on standing on the stairway in front of the premises.

* Licensee agrees to maintain a 24" wide path on the stairs for patrons to come/go into/out of the building.

[Handwritten signature]
Andrew McConner

- 4. Meetings: LICENSEE agrees to meet with the PARTIES to discuss any concerns due to patrons loitering or ambient noise in violation of DC Code. PARTIES shall contact the Russia House to request such a meeting. Any such meeting shall be held within 72 hours upon receipt of request (excepting weekends and legal holidays).

Enforcement of this Voluntary Agreement shall be consistent with the criteria set forth in DC Code section 25-446 (2001 Edition, as amended). If one or more of the PARTIES move away or are no longer domiciled in Washington, DC this agreement shall only be enforceable by the remaining signatories.

IN WITNESS THEREOF, the LICENSEE AND PARTIES have agreed to abide by the terms set forth above and have affixed hereunto their signatures.

LICENSEE:

A & A Restaurant Group, Inc.
 ABRA License
 1800 Connecticut Avenue, NW
 Washington, DC 20009
 Attention: Aaron McGovern, President


 President

7/20/10
 Date

PARTIES:

Ruth Horn



7/20/10

Amendment (2B)

Staff (doorman) training to include a three strike policy
 1st polite warning addressing our noise concern.

2nd A stern warning with the implication of being asked to leave the premises

3rd NO Adm. force back into the restaurant except to close out an existing check. We will train the door-staff to tell patrons to keep noise down as the hours get later.

*7/20/10
 RH*