

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

2 1:57 p.m.

3 CHAIRPERSON ANDERSON: Our next case
4 is a fact-finding hearing, case number
5 18-CMP-00240, Allure Lounge, license
6 number 108303. Will the parties please approach
7 and identify themselves for the record, please.

8 (Off-mic comments.)

9 CHAIRPERSON ANDERSON: No. The table
10 right there, sir. You can take a seat. You can
11 sign in your name and please, again, identify
12 yourself for the record and who are you, sir?
13 You can have a seat, sir.

14 All right. This is a fact-finding
15 hearing because there is some concern that we
16 have. I'm going to have Mr. Puente, who can talk
17 about the report, and then we can have you
18 address some of the concerns that were raised.
19 Okay? Go ahead, Mr. Puente.

20 MR. PUENTE: Yes. So, on Saturday,
21 October 13, 2018 ABRA received a hotline
22 telephone call from MPD about loud noise

1 emanating from 711 H Street, NE.

2 Myself and Supervisory Investigator
3 Jason Peru responded. We contacted the Fire
4 Marshal's office, as well, to respond, as well as
5 DCRA, because the MP officer had concerns about
6 the establishment and the way they've been
7 operating in the weeks prior.

8 We arrived on the establishment, we
9 were met by Mr. Amente and Ms. Goodwin.
10 Ms. Goodwin had a one-day temporary license for
11 that entire weekend. It was coinciding with the
12 H Street Festival that weekend, as well.

13 We walked in, we observed numerous
14 safety issues. Drywall was removed, cut out of
15 multiple locations, utility closets were being
16 used as storage areas, the rear exit door did not
17 have a clear means of egress, trash and debris on
18 the rooftop, running exposed wires into three
19 outlets, improper use of extension cords, no fire
20 extinguisher onsite, no code panel located under
21 stairwell, illegal construction, as well as
22 illegal rooftop deck added for DCRA.

1 DCRA Inspector Manning and Fire
2 Inspector Pennington talked with each other and
3 agreed that they needed to shut down the location
4 for the entire weekend.

5 They couldn't locate no permits,
6 couldn't locate no C of O, BBL, no permits for
7 any of the construction. So, we advised
8 Mr. Amente, Ms. Goodwin, that they needed to get
9 into compliance with DCRA, as well as the Fire
10 Marshal's Office.

11 I returned to ABRA, conducted an ABRA
12 records check and determined that on March 19,
13 2018 a letter was sent to Allure Lounge advising
14 them that they needed to submit a C of O and BBL
15 to ABRA before issue of an ABC license.

16 They were approved by the Board but
17 contingent upon those documents being submitted.
18 On March 31, 2018 we sent another letter advising
19 them that we still needed the C of O.

20 As of today, the report, when it was
21 submitted, ABRA has not received any of those
22 documents. I was advised on Monday, October 15th

1 that DCRA was opening up a legal construction
2 case against the establishment.

3 CHAIRPERSON ANDERSON: All right,
4 Mr. -- I'm sorry, Mr. Amente?

5 MR. AMENTE: Yes.

6 CHAIRPERSON ANDERSON: So, you were
7 provided -- on March 31st you were asked to
8 provide us with a certificate of occupancy so we
9 can issue a license. So, where are we? What's
10 going on here?

11 MR. AMENTE: So, I was working on
12 it -- the C of O -- it's been for a year and
13 seven months. The guy who --

14 MEMBER ALBERTI: Please speak up and
15 into the microphone, sir.

16 MR. AMENTE: Yeah. The person who was
17 doing my paperwork, his name is Russell. And he
18 must not been doing my paperwork.

19 CHAIRPERSON ANDERSON: Any what?

20 MR. AMENTE: He didn't do right away.
21 So, there was some document missing that I didn't
22 know. I used to live in Phoenix, so I gave him

1 all the contracting.

2 He just -- I don't know really all
3 about it. I came back on September and I start
4 over. I do have all the permits -- the building
5 permits and the inspection that I passed. And I
6 just got my C of O on Monday -- this Monday.

7 And the day when they came, they came
8 as Allure was open, but was -- Allure wasn't
9 exist that day. It was one-day event. In the
10 admission about illegal construction, I do have
11 my paperwork. It wasn't illegal construction.

12 There were -- yes, the trash on the
13 roof deck because there was some work in there.
14 And they found some drywall cut out by the
15 kitchen, which was -- I didn't pass inspection in
16 the kitchen.

17 It was conditional certificate from
18 the kitchen to the door. I do have the paperwork
19 for that, too. Yes, there was wiring mistakes
20 that I do believe that is what - I take
21 responsibility for that.

22 CHAIRPERSON ANDERSON: But let me just

1 say this, and just as an FYI. Why your name was
2 mentioned, you were there a one-day license. So,
3 how could the license be issued, or how was the
4 permits -- well, how was your business operating
5 that day and there is no certificate of
6 occupancy?

7 MR. AMENTE: So, I went to DCRA before
8 my -- that was my wife idea. And I went to the
9 DCRA to get a BBL. They're asking me if I'm
10 selling any food. I said, no. They said, you
11 don't need any BBL.

12 I came to ABRA and I applied for one,
13 the permits, and they give it to me.

14 CHAIRPERSON ANDERSON: No, but --

15 MR. AMENTE: The paperwork that I
16 submitted --

17 CHAIRPERSON ANDERSON: But I'm -- I'm
18 sorry. Go ahead, Mr. Puente.

19 MR. PUENTE: When Ms. Goodwin
20 submitted the application for the one-day, she
21 submitted a C of O for the old location that used
22 to be there, which was Liberty Tax Service, which

1 DCRA Fire said was not -- that event being there
2 that night was not allowed to be on that C of O
3 because there was no occupant mode.

4 It was just for the old business from
5 2000 -- early 2000s. So, that was an issue with
6 DCRA that there was no occupant, so no one could
7 really be inside the establishment.

8 CHAIRPERSON ANDERSON: So, you're
9 saying that that was your wife, that wasn't you.
10 You had nothing to do with that.

11 MR. AMENTE: Yes. I gave her
12 permission. Most of the time I live in Phoenix,
13 so I give her permission and, again, we talked to
14 - here. And they're saying that the Board would
15 not have any issue and give it to me.

16 And two weeks before she had even also
17 ABRA and DCRA came -- I forgot their name --
18 everything was fine. And this is the second
19 visit. They were outside almost like 40 minutes.

20 I saw them. They're standing. I
21 thought I'm doing right. If I thought it was
22 wrong, I would do something. But they were

1 outside, all the team. And I -

2 CHAIRPERSON ANDERSON: But they came
3 and they shut down the event. Isn't that
4 correct?

5 MR. AMENTE: Yes.

6 CHAIRPERSON ANDERSON: So, how could
7 you be all right if they shut the event down.

8 MR. AMENTE: I'm sorry?

9 CHAIRPERSON ANDERSON: How could
10 everything be all right if all these folks who
11 were outside came in and shut the event down?

12 MR. AMENTE: DCRA and ABRA came I
13 think two weeks before on September -- I have a
14 visit from ABRA and DCRA. I showed them
15 everything and they say the same way I opened.

16 The only mistake that day, we added a
17 fan and the electrician put a direct socket.

18 CHAIRPERSON ANDERSON: What was the
19 difference between the first time they came and
20 when they came a second time?

21 MR. AMENTE: The difference?

22 CHAIRPERSON ANDERSON: Yeah.

1 MR. AMENTE: I just add a fan. And,
2 yes, that was through the electrician.

3 CHAIRPERSON ANDERSON: So, you're
4 saying that you have a certificate of occupancy?
5 Is that correct?

6 MR. AMENTE: Yeah. I just got it
7 Monday.

8 CHAIRPERSON ANDERSON: And so, have
9 you provided that information to ABRA?

10 MR. AMENTE: Yes.

11 CHAIRPERSON ANDERSON: When did you
12 provide that information to the ABC -- the
13 Agency?

14 MR. AMENTE: I came Tuesday here to
15 pick up the license and they needed clean-hands
16 certificate. So, I went back and I got
17 everything this morning for that.

18 CHAIRPERSON ANDERSON: So, you
19 provided the Agency with a clean-hands
20 certificate and you also provided the Agency with
21 a certificate of occupancy?

22 MR. AMENTE: Yes. I did all the

1 things with DCRA and everything. Yes.

2 CHAIRPERSON ANDERSON: All right, so
3 your approval. So, it's correct, then, that you
4 have provided ABRA with the certificate of
5 occupancy that we've waiting for since March.
6 Correct?

7 MR. AMENTE: Yes. Also, I have all
8 the permits that I missed that day. Yeah, I have
9 it already.

10 CHAIRPERSON ANDERSON: All right, any
11 other -- any questions by any other Board
12 members? Well, I think the major issue, sir, was
13 that the Board came. We had asked you in March
14 to provide a certificate of occupancy, and that
15 was not provided. And it's your representation
16 to the Board that you provided this information
17 to the Agency on December 11th. Correct?

18 MR. AMENTE: Yes. I got the emails,
19 the paperwork that I didn't receive, the guy --
20 my agent --

21 CHAIRPERSON ANDERSON: What is it you
22 didn't receive?

1 MR. AMENTE: The emails.

2 CHAIRPERSON ANDERSON: What email?

3 MR. AMENTE: The - the C of O.

4 CHAIRPERSON ANDERSON: Well, sir, you
5 have been granted a license.

6 MR. AMENTE: Yes.

7 CHAIRPERSON ANDERSON: No, I'm saying,
8 you have been granted a license. And if
9 you're -- when you're granted a license, it's
10 your name on the license and it says that you are
11 responsible.

12 So, you can't come and say that I
13 didn't get the email. You can't come and say
14 that -- and if your wife is not on the license,
15 you can't come and say that -- is your wife on
16 the license?

17 MR. AMENTE: No.

18 CHAIRPERSON ANDERSON: Then, you can't
19 come and say that it was my wife was there that
20 night. Because, as far as ABRA is concerned,
21 it's your name and you are responsible. So, I
22 don't want to hear the argument for -- that I

1 hired this guy and this guy didn't do it.

2 It's you. I don't know who this guy
3 is, and I don't care who this guy is, because we
4 don't know. The only person that we know, it's
5 you, sir.

6 And moving forward, when you have the
7 license, it's -- you are ultimately responsible
8 for whatever happens. I hope that we don't have
9 the pleasure -- when your license is granted out
10 we don't have the pleasure of seeing you again.

11 And when I say that, it's never a good
12 thing when folks usually come here. But if you
13 were to come back, I don't want to hear you say
14 it was that guy, I didn't get the notice, because
15 you need to make sure that ABRA has your
16 information. And so, therefore, we're going to
17 contact you because you are ultimately
18 responsible.

19 The license is in your name, it's in
20 your name alone, and you are ultimately
21 responsible for everything that occurs in your
22 establishment, sir. Okay?

1 MR. AMENTE: I've seen all the emails
2 and everything now and everything's come.

3 CHAIRPERSON ANDERSON: Any other
4 questions that you have, Mr. Puente? Any more
5 comments?

6 MR. PUENTE: Nope.

7 CHAIRPERSON ANDERSON: Any other
8 representations, sir? No? With that said, I
9 make a motion that we take no further action on
10 this matter, since the licensee has represented
11 to the Board that he has provided the Agency with
12 the missing documents on December 11, 2018. Is
13 there a second?

14 MEMBER SILVERSTEIN: Second.

15 CHAIRPERSON ANDERSON: Mr. Silverstein
16 has seconded the motion. All those in favor say
17 aye.

18 (Chorus of aye.)

19 CHAIRPERSON ANDERSON: Those opposed?
20 The matter passes 4-0-0. Thank you very much,
21 sir, for being here today.

22 MR. AMENTE: Thank you.

1 CHAIRPERSON ANDERSON: And you should
2 get your license, I guess, in due course if you
3 haven't received it as yet.

4 MR. AMENTE: I can't -

5 CHAIRPERSON ANDERSON: If you told --
6 all right. I called you in because we never had
7 it.

8 MR. AMENTE: Yeah.

9 CHAIRPERSON ANDERSON: But if you gave
10 it to them, they'll let you know when you can get
11 it.

12 MR. AMENTE: Okay.

13 CHAIRPERSON ANDERSON: That's not up
14 to me. It's up to you and the folks -- so did
15 you -- who did you give the documents to?

16 MR. AMENTE: I cannot pronounce the --

17 CHAIRPERSON ANDERSON: Well, whoever
18 you spoke to --

19 MR. AMENTE: He's there.

20 CHAIRPERSON ANDERSON: Did they tell
21 you when you're going to get your license?

22 MR. AMENTE: She said go to the

1 hearing place.

2 CHAIRPERSON ANDERSON: Go to what?

3 MR. AMENTE: Hearing?

4 CHAIRPERSON ANDERSON: Oh. Well, then

5 I guess if it's going to be hearing, then I guess

6 you can go back to the desk and ask them when

7 you're going to get it, since we're not taking

8 the action. Have a good day, sir.

9 MR. AMENTE: Thank you.

10 CHAIRPERSON ANDERSON: All right.

11 (Whereupon the above-entitled matter

12 went off the record at 2:11 p.m.)

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| | | | |
|---|---|--|--|
| A | Board 1:2,14 4:16 8:14 11:11,13,16 14:11 | 16:8 | FYI 7:1 |
| ABC 4:15 10:12 | BOBBY 1:19 | DC 1:21 | G |
| above-entitled 16:11 | building 1:15 6:4 | DCRA 3:5,22 4:1,9 5:1 7:7,9 8:1,6,17 9:12,14 11:1 | give 7:13 8:13,15 15:15 |
| ABRA 1:21 2:21 4:11 4:11,15,21 7:12 8:17 9:12,14 10:9 11:4 12:20 13:15 | business 1:9 7:4 8:4 | debris 3:17 | Goodwin 3:9,10 4:8 7:19 |
| action 14:9 16:8 | C | December 1:12 11:17 14:12 | granted 12:5,8,9 13:9 |
| add 10:1 | C 4:6,14,19 5:12 6:6 7:21 8:2 12:3 | deck 3:22 6:13 | guess 15:2 16:5,5 |
| added 3:22 9:16 | call 2:22 | desk 16:6 | H |
| address 2:18 | called 15:6 | determined 4:12 | H 1:7 3:1,12 |
| admission 6:10 | care 13:3 | difference 9:19,21 | happens 13:8 |
| advised 4:7,22 | case 1:8 2:3,4 5:2 | direct 9:17 | hear 12:22 13:13 |
| advising 4:13,18 | CATO 1:19 | DISTRICT 1:1 | hearing 1:7,14 2:4,15 16:1,3,5 |
| Agency 10:13,19,20 11:17 14:11 | certificate 1:10 5:8 6:17 7:5 10:4,16,20,21 11:4,14 | document 5:21 | hired 13:1 |
| agent 11:20 | Chairperson 1:15,18 2:3,9 5:3,6,19 6:22 7:14,17 8:8 9:2,6,9,18 9:22 10:3,8,11,18 11:2,10,21 12:2,4,7 12:18 14:3,7,15,19 15:1,5,9,13,17,20 16:2,4,10 | documents 4:17,22 14:12 15:15 | hope 13:8 |
| agreed 4:3 | check 4:12 | doing 5:17,18 8:21 | hotline 2:21 |
| ahead 2:19 7:18 | Chorus 14:18 | Donovan 1:16,18 | I |
| ALBERTI 1:18 5:14 | clean-hands 10:15,19 | door 3:16 6:18 | idea 7:8 |
| Alcoholic 1:2,14,14 | clear 3:17 | drywall 3:14 6:14 | identify 2:7,11 |
| allowed 8:2 | closets 3:15 | due 15:2 | illegal 3:21,22 6:10,11 |
| Allure 1:6,6 2:5 4:13 6:8 6:8 | code 3:20 | E | improper 3:19 |
| Amente 1:22 3:9 4:8 5:4 5:5,11,16,20 7:7,15 8:11 9:5,8,12,21 10:1 10:6,10,14,22 11:7,18 12:1,3,6,17 14:1,22 15:4,8,12,16,19,22 16:3,9 | coinciding 3:11 | early 8:5 | information 10:9,12 11:16 13:16 |
| ANC 1:7 | COLUMBIA 1:1 | egress 3:17 | inside 8:7 |
| Anderson 1:16,18 2:3,9 5:3,6,19 6:22 7:14,17 8:8 9:2,6,9,18,22 10:3 10:8,11,18 11:2,10,21 12:2,4,7,18 14:3,7,15 14:19 15:1,5,9,13,17 15:20 16:2,4,10 | come 12:12,13,15,19 13:12,13 14:2 | electrician 9:17 10:2 | inspection 6:5,15 |
| application 7:20 | comments 2:8 14:5 | email 12:2,13 | Inspector 4:1,2 |
| applied 7:12 | compliance 4:9 | emails 11:18 12:1 14:1 | Investigator 3:2 |
| approach 2:6 | concern 2:15 | emanating 3:1 | issue 4:15 5:9 8:5,15 11:12 |
| approval 11:3 | concerned 12:20 | entire 3:11 4:4 | issued 7:3 |
| approved 4:16 | concerns 2:18 3:5 | establishment 3:6,8 5:2 8:7 13:22 | issues 3:14 |
| areas 3:16 | conditional 6:17 | event 6:9 8:1 9:3,7,11 | J |
| argument 12:22 | conducted 4:11 | everything's 14:2 | Jason 3:3 |
| arrived 3:8 | construction 3:21 4:7 5:1 6:10,11 | exist 6:9 | K |
| asked 5:7 11:13 | contact 13:17 | exit 3:16 | KEVIN 1:21 |
| asking 7:9 | contacted 3:3 | exposed 3:18 | kitchen 6:15,16,18 |
| aye 14:17,18 | contingent 4:17 | extension 3:19 | L |
| B | contracting 6:1 | extinguisher 3:20 | legal 5:1 |
| back 6:3 10:16 13:13 16:6 | Control 1:2,14,14 | F | letter 4:13,18 |
| Basic 1:9 | cords 3:19 | Fact 1:7 | Liberty 7:22 |
| BBL 4:6,14 7:9,11 | correct 9:4 10:5 11:3,6 11:17 | fact-finding 2:4,14 | license 1:8,10 2:5 3:10 4:15 5:9 7:2,3 10:15 12:5,8,9,10,14,16 13:7,9,19 15:2,21 |
| believe 6:20 | course 15:2 | fan 9:17 10:1 | licensee 1:22 14:10 |
| Beverage 1:2,14,14 | cut 3:14 6:14 | far 12:20 | live 5:22 8:12 |
| | D | favor 14:16 | LLC 1:6 |
| | D.C 1:15 | Festival 3:12 | locate 4:5,6 |
| | day 6:7,9 7:5 9:16 11:8 | Finding 1:7 | located 3:20 |
| | | fire 8:18 | location 4:3 7:21 |
| | | fire 3:3,19 4:1,9 8:1 | locations 3:15 |
| | | first 9:19 | loud 2:22 |
| | | folks 9:10 13:12 15:14 | |
| | | food 7:10 | |
| | | forgot 8:17 | |
| | | forward 13:6 | |
| | | found 6:14 | |
| | | further 14:9 | |

Lounge 1:6,6 2:5 4:13

M

major 11:12
Manning 4:1
March 4:12,18 5:7 11:5 11:13
Marshal's 3:4 4:10
matter 1:5 14:10,20 16:11
means 3:17
MEETING 1:3
Member 1:18,19,19 5:14 14:14
members 11:12
mentioned 7:2
met 1:14 3:9
microphone 5:15
MIKE 1:19
minutes 8:19
missed 11:8
missing 5:21 14:12
mistake 9:16
mistakes 6:19
mode 8:3
Monday 4:22 6:6,6 10:7
months 5:13
morning 10:17
motion 14:9,16
moving 13:6
MP 3:5
MPD 2:22
multiple 3:15

N

N.W 1:15
name 2:11 5:17 7:1 8:17 12:10,21 13:19 13:20
NE 1:7 3:1
need 7:11 13:15
needed 4:3,8,14,19 10:15
never 13:11 15:6
NICK 1:18
night 8:2 12:20
noise 2:22
Nope 14:6
notice 13:14
number 2:4,6
numerous 3:13

O

O 4:6,14,19 5:12 6:6 7:21 8:2 12:3
observed 3:13
occupancy 1:10 5:8 7:6 10:4,21 11:5,14

occupant 8:3,6
occurs 13:21
October 2:21 4:22
Off-mic 2:8
office 3:4 4:10
officer 3:5
old 7:21 8:4
one-day 3:10 6:9 7:2,20
onsite 3:20
open 6:8
opened 9:15
opening 5:1
operating 3:7 7:4
opposed 14:19
outlets 3:19
outside 8:19 9:1,11

P

P-R-O-C-E-E-D-I-N-G-S 2:1
p.m 2:2 16:12
panel 3:20
paperwork 5:17,18 6:11 6:18 7:15 11:19
parties 2:6
pass 6:15
passed 6:5
passes 14:20
Pennington 4:2
permission 8:12,13
permits 4:5,6 6:4,5 7:4 7:13 11:8
person 5:16 13:4
Peru 3:3
Phoenix 5:22 8:12
pick 10:15
place 16:1
please 2:6,7,11 5:14
pleasure 13:9,10
PRESENT 1:17,20
presiding 1:16
prior 3:7
pronounce 15:16
provide 5:8 10:12 11:14
provided 5:7 10:9,19,20 11:4,15,16 14:11
Puente 1:21 2:16,19,20 7:18,19 14:4,6
put 9:17

Q

questions 11:11 14:4

R

raised 2:18
rear 3:16
receive 11:19,22
received 2:21 4:21 15:3

record 2:7,12 16:12
records 4:12
Reeves 1:15
removed 3:14
report 2:17 4:20
representation 11:15
representations 14:8
represented 14:10
respond 3:4
responded 3:3
responsibility 6:21
responsible 12:11,21 13:7,18,21
returned 4:11
roof 6:13
rooftop 3:18,22
Room 1:15
running 3:18
Russell 5:17

S

safety 3:14
Saturday 2:20
saw 8:20
saying 8:9,14 10:4 12:7
says 12:10
seat 2:10,13
second 8:18 9:20 14:13 14:14
seconded 14:16
seeing 13:10
seen 14:1
selling 7:10
sent 4:13,18
September 6:3 9:13
Service 7:22
seven 5:13
showed 9:14
shut 4:3 9:3,7,11
sign 2:11
Silverstein 1:19 14:14 14:15
sir 2:10,12,13 5:15 11:12 12:4 13:5,22 14:8,21 16:8
socket 9:17
sorry 5:4 7:18 9:8
speak 5:14
spoke 15:18
stairwell 3:21
standing 8:20
start 6:3
storage 3:16
Street 1:7,15 3:1,12
submit 4:14
submitted 4:17,21 7:16 7:20,21
Suite 1:15

Supervisory 3:2

T

t/a 1:6
table 2:9
talk 2:16
talked 4:2 8:13
Tax 7:22
team 9:1
telephone 2:22
tell 15:20
temporary 3:10
Thank 14:20,22 16:9
things 11:1
thought 8:21,21
three 3:18
Thursday 1:12
today 4:20 14:21
told 15:5
trash 3:17 6:12
Tuesday 10:14
two 8:16 9:13

U

ultimately 13:7,17,20
use 3:19
usually 13:12
utility 3:15

V

visit 8:19 9:14

W

W 1:16,18
waiting 11:5
walked 3:13
Washington 1:15
wasn't 6:8,11 8:9
way 3:6 9:15
weekend 3:11,12 4:4
weeks 3:7 8:16 9:13
went 7:7,8 10:16 16:12
wife 7:8 8:9 12:14,15,19
wires 3:18
wiring 6:19
work 6:13
working 5:11
wrong 8:22

X

Y

year 5:12

Z

ZERIMUH 1:22

0

1

1:57 2:2
108303 1:8 2:6
11 14:12
11th 11:17
13 1:12 2:21
14th 1:15
15th 4:22
18-CMP-00240 1:8 2:5
19 4:12

2

2:11 16:12
2000 1:15 8:5
20009 1:15
2000s 8:5
2018 1:12 2:21 4:13,18
14:12

3

31 4:18
31st 5:7

4

4-0-0 14:20
40 8:19
400S 1:15

5

6

6C 1:7

7

711 1:7 3:1

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Allure Lounge

Before: DCABRA

Date: 12-13-18

Place: Washington, DC

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
true and accurate record of the proceedings.



Court Reporter

NEAL R. GROSS

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