

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

In the Matter of	)	
	)	
The Brookland Café, LLC	)	License No: 0083131
t/a Brookland Café	)	Case No.: 09-081P
	)	Order No: 2011-446
Application for a New	)	
Retailer's Class CR License	)	
	)	
at premises	)	
1400 Irving Street, N.W.	)	
Washington, D.C. 20010	)	

**BEFORE:** Nick Alberti, Interim Chairperson  
Donald Brooks, Member  
Herman Jones, Member  
Calvin Nophlin, Member  
Mike Silverstein, Member

**ORDER TO CEASE AND DESIST**

On September 23, 2011, the Alcoholic Beverage Regulation Administration (ABRA) received notice that the District of Columbia Court of Appeals has reversed and remanded the Alcoholic Beverage Control Board's (Board) decision to grant a Retailer's Class CR License to The Brookland Café, LLC, t/a Brookland Café (Applicant). See Padou v. District of Columbia Alcoholic Beverage Control Bd., No. 10-AA-793 (D.C. 2011).

The Court of Appeals found that the Board, in its Order, failed to find that the Applicant "is of good character and generally fit for the responsibilities of licensure" under D.C. Official Code § 25-301(a); that the Applicant fulfilled the clean hands requirement under D.C. Official Code § 25-301(b); that the Application did not violate the successive application limitation under D.C. Official Code § 25-338; and that the establishment's door, which connects the Brookland Inn to the Brookland Café, is effectively closed under D.C. Official Code § 25-761. Id. at 3-4, 6.

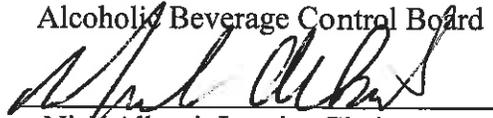
Based on these outstanding issues, the Court of Appeals reversed the Board's decision to grant the Application in Board Order No. 2010-370 and ordered the Board to hold a remand hearing "so that the Board may make the required findings and conclusions." Id. at 6; The Brookland Café, LLC, t/a Brookland Café, Board Order No. 2010-370 (D.C.A.B.C.B. Jun. 23, 2010).

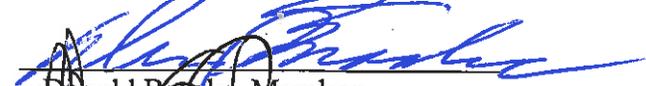
Therefore, in accordance with D.C. Official Code § 25-829, you are **ORDERED** by the Board on this 5th day of October 2010, to **STOP selling, serving, or permitting the consumption of alcoholic beverages at your establishment** until the Board resolves the issues outlined by the District of Columbia Court of Appeals in its Order.

In order to expedite this matter, the remand hearing has been scheduled for October 12, 2011, at 11:00 a.m., and will take place in the Board's Hearing Room, which is located at Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 20009.

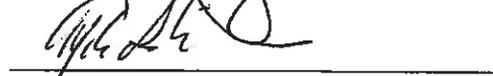
Please be advised that a copy of this Order is being forwarded to the Metropolitan Police Department to ensure compliance. If it is found that you are continuing to sell, serve, or permit the consumption of alcoholic beverages at the establishment without approval from the Board, you may be subject to the maximum civil and criminal penalties provided by the law.

District of Columbia  
Alcoholic Beverage Control Board

  
\_\_\_\_\_  
Nick Alberti, Interim Chairperson

  
\_\_\_\_\_  
Donald Brooks, Member

  
\_\_\_\_\_  
Herman Jones, Member

  
\_\_\_\_\_  
Mike Silverstein, Member

Pursuant to D.C. Official Code § 25-829(b)(1), you may submit a written request to the Board for a hearing within fifteen (15) days of service of this Order. Additionally, you may submit a written request to the Board for an expedited hearing pursuant to D.C. Official Code § 25-829(c)(1) within ten (10) days of service of this Order. A written request for a hearing should be addressed to the Board and sent to the Alcoholic Beverage Regulation Administration, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 20009. Questions regarding this Order should be directed to Martha Jenkins, General Counsel, ABRA, at (202) 442-4456.