

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

In the Matter of:	)	
	)	
1720 I, LLC	)	
t/a Café Asia	)	
Holder of a	)	Case No. 14-251-00217
Retailer's Class CN License	)	License No. ABRA-086035
	)	Order No. 2014-322
at premises	)	
1720 I Street, N.W.	)	
Washington, D.C. 20006	)	

**BEFORE:** Ruthanne Miller, Chairperson  
Nick Alberti, Member  
Mike Silverstein, Member  
Hector Rodriguez, Member  
James Short, Member

**ALSO PRESENT:** 1720 I, LLC, t/a Café Asia, Respondent

Andrew Kline, Counsel for the Respondent

Christine Gephardt, Assistant Attorneys General, on behalf of the  
District of Columbia

Martha Jenkins, General Counsel  
Alcoholic Beverage Regulation Administration

**ORDER APPROVING THE OFFER-IN-COMPROMISE**

The Board has the authority to “summarily revoke, suspend, fine, or restrict” a license to sell alcoholic beverages in the District of Columbia if the Board determines after an investigation that the operations of the licensee present “an imminent danger to the health and safety of the public.” D.C. Official Code § 25-826(a). If properly requested by the licensee, “[t]he Board shall hold a hearing within 48 hours of receipt of a timely request and shall issue a decision within 72 hours after the hearing.” § 25-826(c).

On August 4, 2014, the Chief of Police for the Metropolitan Police Department for the District of Columbia issued a written order summarily suspending the liquor license held by 1720 I, LLC, t/a Café Asia (hereinafter "Respondent" or "Café Asia") in accordance with D.C. Official Code § 25-827. *Notice of Summary Suspension*, 1-4 (August 8, 2014).

After receiving a request for a hearing from Café Asia, the Board conducted a Summary Suspension Hearing on August 15, 2014. The parties presented an Offer-in-Compromise (OIC), which resolved the allegations raised in the summary suspension notice filed by the Office of the Attorney General.

The terms of the OIC are appended to this Order. The Board formally accepts this OIC through this Order.

Therefore, the Board lifted the summary suspension imposed on Café Asia on August 15, 2014, and permitted the Respondent to resume operations in accordance with the OIC.

### **ORDER**

Therefore, the Board, on this 15th day of August, 2014, hereby **APPROVES** the Offer-in-Compromise submitted on August 15, 2014, and **ORDERS** 1720 I, LLC, t/a Café Asia to operate in accordance with the terms of the OIC.

It is further **ORDERED** that the Board will impose the conditions set forth above which are binding on the Respondent.

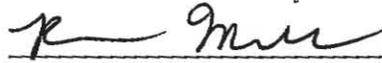
It is further **ORDERED** that the Respondent shall return to the Board for a Summary Suspension Status Hearing on September 17, 2014 at 9:30 a.m., to determine compliance with the terms of this Order.

It is further **ORDERED** that the Respondent shall abide by all laws and regulations of the District of Columbia, shall operate its establishment in a safe and competent manner, and shall refrain from engaging in the type of activity that led to this disciplinary action.

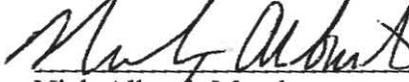
It is further **ORDERED** that this matter shall be referred to the Office of the Attorney General to determine whether a show cause action is appropriate.

A copy of this Order and the OIC shall be sent to the Respondent and to the Government.

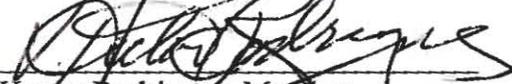
District of Columbia  
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson



Nick Alberti, Member



Hector Rodriguez, Member

We dissent from the Board's decision.



Mike Silverstein, Member



James Short, Member

Pursuant to 23 DCMR § 1719.1 (2008), 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, NW, 400S, Washington, D.C. 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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. 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).

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Office of the Attorney General



Public Interest Division  
Civil Enforcement Section



OFFER IN COMPROMISE<sup>1</sup>

In the Matter of: 1720 I, LLC t/a Café Asia

Officer/owner: Charles Zhou, Member

Case number: 14-251-00217. Summary Suspension Hearing Date: August 15, 2014.

Incidents occurring on: August 3, 2014.

For the Charge of: Licensee's continued operation presents an imminent danger to the health and safety of the public.

Statutory Authority: D.C. Official Code §25-826 (2001).

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This offer in compromise will be presented to the Alcoholic Beverage Control Board by the Assistant Attorney General at the summary suspension proceeding. Please be advised that this is a proposed compromise. Accordingly, it is the discretion of the Board to accept or reject this offer.

The offer in compromise consists of the Licensee agreeing to all the following terms:

- (1) Submission of a revised Security Plan which is in full compliance with all applicable laws including all requirements for a security plan under Title 25 of the D.C. Official Code, and which incorporates all of the below matters. See, revised plan attached hereto as Exhibit 1.
- (2) Confirmation that all cameras in the establishment, including a new camera on the exterior front of the premises, and all digital video recorders attached to such cameras, are in proper working condition, and reveal no substantial blind spots. Also, confirmation that any camera that was not night-vision enabled will be updated to include this feature. ABRA investigator Abyie Ghenene will provide confirmation prior to the suspension hearing.
- (3) Execution of a continuing service contract with Prism Security Group to perform regular and repeated service and maintenance on all cameras on the premises, to ensure that such

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<sup>1</sup> Authorized under 23 DCMR 1604.5 (2011).

cameras will remain proper working order beyond the date of the hearing. See attached contract attached hereto as Exhibit 2.

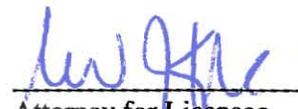
- (4) Confirmation that all future video recordings shall be available for review immediately upon the request by MPD or ABRA investigators and copies will be given to ABRA investigators or MPD within forty-eight (48) hours of a request. All such videos shall be maintained for at least thirty (30) days.
- (5) Submission of a full diagram of the premises including the location of all existing and newly installed cameras and viewing angles of vision for all such cameras. See Diagram attached hereto as Exhibit 3.
- (6) Completion of a further training session within thirty (30) days. This course shall include a training of all security for the establishment. This is in addition to the security training session that all security staff has already undergone with Tindley Protective Services.
- (7) Submission of a full list of all employees who witnessed any incidents on the date at issue, including the name of the employee, the role of the employee and the events witnessed. See document attached hereto as Exhibit 5. Such document shall be provided upon request of the ABRA investigator in any future incident being investigated by ABRA investigators or MPD.
- (8) Agreement to provide a minimum of four reimbursable detail officers from 12:00 a.m. to sixty (60) minutes after closing during any and all dates in which any live music is offered at the establishment. The Security Plan shall be amended to include this revision.
- (9) Agreement to stop admitting patrons at least thirty (30) minutes prior to the end of the permitted hours of service of alcoholic beverages on any night of operation.
- (10) Submission of a list of all security personnel employed by the establishment which will be kept on premises with the job title or role of each employee listed. Such list shall be updated upon the hiring or termination of each security employee, and shall be available at the establishment upon request by MPD or ABRA.
- (11) Provide training to all employees within 30 days regarding the establishment's procedures for preserving a crime scene.
- (12) The matter should be referred to the Office of the Attorney General for a show cause hearing.
- (13) The Security Plan shall be amended to state: "A proper search shall include a pat-down search and wand of every patron, when live entertainment is provided, as well as a search of all purses, backpacks, or other bags"
- (14) The section of the Security Plan on cameras shall be amended to state "All cameras will be checked by management or security staff at least once per week, and a checklist will

be created to indicate all camera numbers and whether such cameras are operating properly or not. Any camera found to be not operating properly, shall be replaced within 48 hours of such discovery.

- (15) The training detailed in number (11) will emphasize procedures for handoff to MPD and the security plan will be modified to read: "When an injury or violent incident occurs, security shall notify MPD. In addition, when patrons are escorted from the premises, every effort shall be made to have them escorted to MPD."
- (16) The Etiquette section of the Security Plan was edited to include restrictions on Hosts' possession of weapons.

Licensee hereby agrees to the foregoing conditions in resolution of the summary suspension in this matter.

  
8/15/14  
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Licensee

  
8/15/14  
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Attorney for Licensee