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GOVERNMENT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

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IN THE MATTER OF: :
Lin's Enterprises, LLC, :
t/a Columbia Wine & Liquors :
1151 Bladensburg Road Northeast:
License #60113 :
Retailer A :
ANC 5D :
Wednesday, January 6, 2016 :

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Wednesday, January 6, 2016

Whereupon, the above referenced matter
came on for hearing at the Alcoholic Beverage
Control Board, Reeves Center, 2000 14th Street,
N.W., Suite 400S, Washington, D.C. 20009.

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CHAIRPERSON: DONOVAN ANDERSON

APPLICANT

PETER LIN

OTHER PERSONS PRESENT

NICK ALBERTI, BOARD MEMBER

RUTHANNE MILLER, BOARD MEMBER

JAMES SHORT, BOARD MEMBER

MIKE SILVERSTEIN, BOARD MEMBER

MARTHA JENKINS, GENERAL COUNSEL

DANETTE WALKER, LEGAL SPECIALIST

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

2 CHAIRPERSON ANDERSON: Our next case on the
3 agenda is a fact finding hearing for Lin's
4 Enterprises, trading as Columbia Wine and
5 Liquors, license #60113. Will the parties
6 appear, state your name for the record and also
7 sign in this sheet in front of you, please?

8 MR. LIN: My name is Peter Lin representing
9 my mom, Yu Yun Chen, the owner of Lin's
10 Enterprise. We are here because our license was
11 basically not renewed and I had to pay a fine for
12 it and we wanted to request a reinstatement for
13 the license.

14 CHAIRPERSON ANDERSON: I was not a part of
15 this so maybe someone can -- go ahead.

16 MR. ALBERTI: Mr. Lin before we start, so
17 you're not an owner, your mother is the owner?

18 MR. LIN: She is the owner.

19 MR. ALBERTI: Okay. So it's fine. Just for
20 the record, are you able to translate for her?

1 MR. LIN: Yes, I'll be able to translate for
2 her and she kind of -- her knack of English is
3 not that good yet.

4 MR. ALBERTI: Right, right, I kind of
5 surmised that from your representation. So, I
6 just wanted to make sure that we're -- your
7 mother is comfortable with you interpreting.
8 Would you ask her if she's --

9 MR. LIN: [Speaks in Mandarin to Yu Yun
10 Chen.]

11 CHAIRPERSON ANDERSON: You know what I'm
12 going to do. Let me -- I'm gonna swear you in,
13 okay since you're interpreting for her. Okay?

14 MR. LIN: Right okay.

15 CHAIRPERSON ANDERSON: So, why don't you
16 raise your right hand please? And do you
17 solemnly affirm that you will faithfully and
18 accurately interpret the proceedings in this
19 matter? From what language -- what language does
20 your mom speak?

1 MR. LIN: She speaks Mandarin.

2 CHAIRPERSON ANDERSON: So, from Mandarin into
3 English and from English to Mandarin, to the best
4 of your ability?

5 MR. LIN: Yes.

6 CHAIRPERSON ANDERSON: Okay. You can go
7 ahead.

8 MR. ALBERTI: So, Mr. Lin what are your plans
9 for this place? I know you recently shuttered
10 and put the license in safekeeping.

11 MR. LIN: Around November, I think November
12 2014, we had to shut down our property because of
13 the landlord. My old landlord had sold the
14 property to basically a new interested party from
15 California.

16 MR. ALBERTI: There's a lot of development
17 going on in that block.

18 MR. LIN: So, we -- we were supposed to have
19 nine more years with the lease with them but they
20 decided to say, "Oh, no, we're only going to give

1 you two more years, and we're going to shut down,
2 we don't want no liquor store in here, down in
3 the store from the place. So, we had no choice.
4 Basically, out of nowhere one day he just said
5 "oh, you have to leave." So, we went to court,
6 all this other stuff, you know. Long story short
7 eventually we would say "you know what, let's
8 just shut this place down and then move to a
9 different location."

10 And you know the situation with D.C. right
11 now location is hard to find. So, you know, we
12 can't really -- that's why we put it around
13 January, somewhere around January walk in here
14 put it in safekeeping for the license. So, all
15 this safekeeping with the license kind of messed
16 up. I even gave them the new address that we
17 need to forward any mail that's to be sent. So,
18 around the middle of the year, never received
19 anything from ABC, and everything, it's a home
20 address I give them, in Upper Marlboro. So, I

1 got curious, came back in and asked, "Oh, I never
2 received anything from ABC, what's going on?"
3 And they said, "Oh, your license got expired" so
4 we stored everything away so we basically just
5 start over there and work on something else, try
6 to keep our business up with other locations and
7 totally and then I decided to go in and check for
8 it and it was the license expired and the guy
9 told me, "hey, this is what you need to do in
10 order to bring the license back."

11 So, my future, basically the future for the
12 license, what we want to do is that we'll try and
13 find a location and open it and start doing new
14 business somewhere else in D.C.

15 MR. ALBERTI: Okay. First of all, I want to
16 commend you for following up. You did the right
17 thing. A lot of owners just don't, so I'm
18 impressed that you actually followed up and that
19 was a good thing. So, what have you done to find
20 a new location? How are you searching for it?

1 MR. LIN: I have a couple of family members
2 that's actually the property owner of -- in D.C.
3 My uncles mostly, we tried to look for property
4 like somewhere around northwest, we definitely
5 wanted to go back to northeast again, but pricing
6 wise we've been doing - been giving out like a
7 bunch of different types of places and tried to
8 see if it is okay to have a liquor store in that
9 location and stuff like that and southeast is one
10 place that we're looking at right now.

11 MR. ALBERTI: Okay.

12 MR. LIN: And it's kind of -- kind of hard
13 because -- you know-- certain, liquor stores are
14 basically everywhere.

15 MR. ALBERTI: Right.

16 MR. LIN: And if we do want to -- my decision
17 is -- if we do want to do a liquor store up here
18 around the northwest and southwest area, maybe we
19 can change the license to wine only. You know,
20 totally -- basically totally change the business.

1 MR. ALBERTI: A different model.

2 MR. LIN: Yeah, a different model and
3 everything.

4 MR. ALBERTI: So, how long are you giving
5 yourself? I mean this -- I know it's tough. We
6 hear this from a lot of people that it's very
7 tough to find a new location, so what's sort of
8 your goal in terms of finding a location?

9 MR. LIN: Yeah, it's just that, you know,
10 rent wise basically most D.C. rents are higher.
11 Of course, everything is basically to renew
12 everything, you know all of these condos going
13 up, it's hard to find a cheaper place and
14 operate. And money wise is one of the big
15 issues. We lost the business of [inaudible
16 25:00] basically we got rid of all of the product
17 we could. You know, try to sell them out,
18 anything. Most of them are still in storage. I
19 can't even do anything with it.

20 MR. ALBERTI: Okay.

1 MR. LIN: You see? So it's almost been a
2 year now and we tried to see where some of the --
3 we can't do anything -- we can't even sell.
4 Basically, it's just staying there. You know,
5 you have to have a liquor store to sell the
6 product.

7 MR. ALBERTI: Right.

8 MR. LIN: So, we can't do anything with that.
9 And I just recently built a business for my
10 house, it's a laundromat in Marlboro so we try
11 and use that as one of the sources of money,
12 trying to build, you know, get income.

13 MR. ALBERTI: Right, right. MR. LIN: Build
14 a new liquor store.

15 MR. ALBERTI: Okay.

16 MR. LIN: You see, that's the only thing
17 right there.

18 MR. ALBERTI: Okay. I thank you for that
19 information. I just will leave you with this,
20 that --

1 MR. LIN: Yes--

2 MR. ALBERTI: It's I, it my opinion that we
3 shouldn't let these linger indefinitely, so I
4 encourage you to continue looking.

5 MR. LIN: Yes, I'm --

6 MR. ALBERTI: -- and trying very hard to find
7 a location. You know, we've given people two or
8 three -- you know, a couple of years to do it but
9 beyond that I am, I myself as one board member
10 kind of don't want these things to linger too
11 long. So, I encourage you to continue your
12 efforts --

13 MR. LIN: Yes --

14 MR. ALBERTI: -- to find a location.

15 MR. LIN: Yes, I'm giving myself another,
16 probably another year or two to try to keep on
17 looking and we've been working with a bunch of
18 real estaters, trying to find a different
19 location. The best is to buy a place.

20 MR. ALBERTI: Mm hmm, yeah.

1 MR. LIN: That's the best thing. That's what
2 I'm thinking. I'm thinking about if I buy a
3 shopping center or anything smaller than that
4 with one little building, I could just open a new
5 business and don't worry about landlords. That's
6 all I need to do.

7 MR. ALBERTI: I wish you the best of luck in
8 that.

9 MR. LIN: Thank you.

10 MR. ALBERTI: Thank you.

11 CHAIRPERSON ANDERSON: Any other questions?

12 MS. MILLER: I have a question.

13 CHAIRPERSON ANDERSON: Yes?

14 MS. MILLER: Good morning. I just -- I
15 understand that you're here before us to let us
16 know what's happening with your license and I
17 just want to make sure that you, you're not
18 seeking any specific relief from us at this
19 point?

20 MR. LIN: Can you repeat?

1 MS. MILLER: Are you seeking anything from
2 us? Do you need anything from us? Are you --

3 MR. LIN: The only thing is that, I'm not
4 sure -- is the license back on file now?

5 MS. MILLER: You want to make sure that --
6 where your license stands?

7 MR. LIN: Yeah, because they told me I need
8 to get a board meeting right now and we don't --
9 basically I paid the fine and everything for it.

10 MS. MILLER: You paid the fine?

11 MR. LIN: Yeah, it was on September 15th that
12 they came in and it was \$5200, so I paid the fine
13 for that and they told I need to set up a board
14 meeting to see that can I, is the license
15 reinstated or not?

16 MS. MILLER: Okay.

17 MR. LIN: So, I'm not sure what is the issue
18 with the license right now?

19 MS. MILLER: Right.

1 MR. LIN: Because I have an actual, I don't
2 know if I -- because the next due date will be in
3 March at some point, I have to pay that --

4 MS. MILLER: Safekeeping?

5 MR. LIN: I have a safekeeping open. But
6 they, I thought it was shut down too. After
7 there is no license in safekeeping but they
8 actually sent me a letter today -- not too long
9 ago -- saying that I had to pay \$720 to keep the
10 safekeeping, so I -- is the license in
11 safekeeping right now? All that information I
12 don't know right now.

13 MS. MILLER: Okay, that's what I thought.
14 So, you need some clarification on where you
15 stand with your license?

16 MR. LIN: Yes.

17 MS. MILLER: Okay. And it does sound -- it
18 sounds like you definitely -- you paid your
19 renewal fee.

20 MR. LIN: Yes.

1 MS. MILLER: Correct? Do you know whether
2 you paid any safekeeping fees yet?

3 MR. LIN: I haven't because the information I
4 had got that day it was saying that we are told
5 the safekeeping was basically closed, all that
6 happened when we lost the license.

7 MS. MILLER: Okay. Okay. So, alright, so
8 we'll just look into that issue for you, you
9 know, and you'll hear from the board, you know
10 with respect to -- it sounds like your license
11 has been reinstated. You're not -- but we can
12 get you clarification on that as well which will
13 be on the 24th.

14 MR. LIN: Okay, yeah, if they could tell me
15 exactly I will want to pay the \$200, or say the
16 \$120 for the safekeeping, that way I will put it
17 right back, because someone told me that I had to
18 refill up every form again for safekeeping again.

19 MS. MILLER: Okay.

1 MR. LIN: So, it was kind of confusement
2 around there.

3 MS. MILLER: Okay, okay. So you need
4 clarification on where you stand with it.

5 MR. LIN: Yeah, saying that do I have the
6 license back already basically.

7 MS. MILLER: Okay, but you want to keep it in
8 safekeeping until you --

9 MR. LIN: I still want to keep it in
10 safekeeping, I still want all the address, it
11 seemed like the address is fixed already, so I've
12 been receiving the board letter and everything.

13 MS. MILLER: Okay.

14 MR. LIN: So that seems fine to me right now.

15 MS. MILLER: Okay.

16 MR. LIN: All that information, renewal,
17 everything I see it right there so I try to keep
18 up with it and make sure it's [inaudible 30:08].

19 MS. MILLER: Okay, sounds good, yeah.

20 Alright. Thank you, Mr. Chairman.

1 CHAIRPERSON ANDERSON: Alright. I make a
2 motion that we approve to place this license in
3 safekeeping until July 6, 2016.

4 MR. ALBERTI: 2016?

5 CHAIRPERSON ANDERSON: Right, until July. It
6 would be a six month process. Normally what we
7 do is that we keep him on a schedule, so to give
8 you another six months to keep it in safekeeping
9 and so, therefore, you would have to contract
10 that -- so is there a second to this motion?

11 MR. ALBERTI: I'll second it.

12 CHAIRPERSON ANDERSON: Mr. Alberti seconds
13 the motion. Those in favor say aye. Alright so
14 the matter passes 5-0-0. It's my understanding
15 you need to contact the licensing division to
16 make sure that all of the -- that you're doing
17 what you're supposed to do.

18 MR. LIN: Okay.

19 CHAIRPERSON ANDERSON: However, you are --
20 once you have contacted Mr. Hagger, whose number

1 you have, you are in place for the next six
2 months.

3 MR. LIN: The next six months.

4 CHAIRPERSON ANDERSON: Until June -- July
5 2016, so if there are fees that you have to pay,
6 then you have to pay that.

7 MR. LIN: Okay.

8 CHAIRPERSON ANDERSON: And if you want the
9 license to be extended prior -- past July -- if
10 you've been unable to find a placement prior to
11 July 6, 2016, you have to come back to us again.

12 MR. LIN: Okay, come back.

13 CHAIRPERSON ANDERSON: And ask for us to
14 extend the safekeeping for another period of
15 time.

16 MR. LIN: Okay.

17 CHAIRPERSON ANDERSON: The next layer.

18 MR. LIN: Okay, I understand.

19 CHAIRPERSON ANDERSON: Alright, okay.

20 MR. LIN: Thank you.

1 CHAIRPERSON ANDERSON: Alright, thank you.
2 There is nothing further on the morning agenda,
3 so we are in recess.