

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

In the Matter of:)	
)	
)	
)	Case No.: 16-PRO-00091
Decades, LLC, t/a)	License No.: ABRA-103505
Decades)	Order No.: 2016-542
)	
Application for a New Retailer's)	
CN License)	
)	
at premises)	
1219 Connecticut Ave., N.W.)	
Washington, D.C. 20036)	
)	

Decades, LLC, t/a Decades

Nicole Mann, Chair, Advisory Neighborhood Commission (ANC) 2B

Carl W. Nelson, Designated Representative, Group of Five or More

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

**ORDER DENYING THE APPLICANT'S REQUEST FOR REINSTATEMENT OF
THE APPLICATION**

The Application for a new Retailer's CN License filed by Decades, LLC, t/a Decades (Applicant), having been protested came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on September 19, 2016. July 18, 2016, in accordance with D.C. Official Code § 25-601 (2001).

At the Roll Call Hearing, the Board dismissed the Applicant's application because the Applicant, personally or by a representative, failed to appear at the hearing. *See In the Matter of Decades, LLC, t/a Decades*, Case No. 16-PRO-00091, Board Order No. 2016-534 (D.C.A.B.C.B. September 28, 2016). On September 26, 2016, the Applicant filed a

Request for Reinstatement of the License Application because it did not receive notice of the Roll Call Hearing. *See ABRA Protest File, Case No. 16-PRO-00091*. A review of ABRA's records suggest otherwise.

ABRA sent the Applicant the Roll Call Notice (Notice) of September 9, 2016, by first-class U.S. Postal Mail. *Id.* The Notice was addressed to Decades at the Applicant's business address on file with the agency – 1219 Connecticut Ave., N.W., Washington, D.C. 20036. *Id.* The Notice was not returned to ABRA as “undeliverable;” thereby, suggesting the Applicant did receive the Notice.

For these reasons, the Board denies the Applicant's Request for Reinstatement of the License Application.

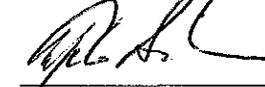
ORDER

Therefore, the Board, on this 28th day of September 2016, **DENIES** the Request for Reinstatement of the License Application. Copies of this Order shall be sent to the Applicant, ANC 2B, and Carl W. Nelson on behalf of the Group of Five or More.

District of Columbia
Alcoholic Beverage Control Board



Nick Alberti, Member

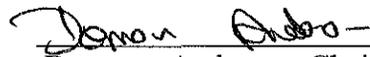


Mike Silverstein, Member



James Short, Member

I dissent with the Board's decision to deny the Applicant's Request for Reinstatement of the New License Application.



Donovan Anderson, Chairperson



Ruthanne Miller, 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).