

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

2 10:06 a.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case is Case Number 18-CC-00082, Desperados
5 Pizza, License Number 84731. Would the parties
6 please approach and identify themselves for the
7 record, please?

8 MR. ORTIZ: Stephen Ortiz on behalf of
9 the District of Columbia.

10 CHAIRPERSON ANDERSON: Mr. Ortiz.

11 MR. BOZKURT: Koray Bozkurt, owner of
12 Desperados.

13 CHAIRPERSON ANDERSON: The last name,
14 sir?

15 MR. BOZKURT: Bozkurt, B-O-Z-K-U-R-T.

16 CHAIRPERSON ANDERSON: Bozkurt, good
17 morning, sir. Make sure that you sign on the
18 sign in sheet, please.

19 Mr. Ortiz, are there any preliminary
20 matters in this case?

21 MR. ORTIZ: Yes. The establishment,
22 well the parties have entered into an offer in
23 compromise at this time.

24 CHAIRPERSON ANDERSON: And what is
25 that, sir?

1 MR. ORTIZ: As to Charge 1 the
2 establishment shall pay \$3,000 within 60 days or
3 his license shall be suspended indefinitely until
4 this fine is paid. And the license shall
5 suspend, shall be suspended for five days with
6 all five days stayed for one year.

7 As to Charge 2, the establishment
8 shall pay \$1,100 within 60 days or its license
9 shall be suspended indefinitely until this fine
10 is paid.

11 CHAIRPERSON ANDERSON: Thank you. Are
12 there any provisions regarding training, sir, or
13 that's not part of it? I'm just asking or that's
14 not part of the OIC?

15 MR. ORTIZ: You're asking me?

16 CHAIRPERSON ANDERSON: Yes.

17 MR. ORTIZ: At this, no, not that I'm
18 aware of.

19 CHAIRPERSON ANDERSON: Normally, I'm
20 asking but if that's not part, all right. All
21 right. Mr. Bozkurt, it's my understanding that
22 there's an offer in compromise.

23 And the offer in compromise is that,
24 hold on a minute. Mr. Ortiz, maybe you need to
25 discuss this with your client, with the licensee.

1 Pursuant to 2578-1 for such a
2 violation the statute is clear that there shall
3 be a five day suspension that may be stayed by
4 the Board for one year if all employees who serve
5 alcoholic beverages in the licensed establishment
6 complete an alcohol training program within three
7 months.

8 Maybe you could discuss this with the
9 client because that's what the statute says, sir.

10 MR. ORTIZ: Understood.

11 CHAIRPERSON ANDERSON: Not with the
12 client, with the licensee you need to make some
13 amendments to the OIC and to comply with the
14 statute. If you want to take a moment, please.

15 MR. ORTIZ: Okay.

16 CHAIRPERSON ANDERSON: Bless you.
17 We're off the record.

18 (Whereupon, the above-entitled matter
19 went off the record at 10:10 a.m. and resumed at
20 10:11 a.m.)

21 CHAIRPERSON ANDERSON: We're back on
22 the record, Mr. Ortiz.

23 MR. ORTIZ: Yes. So, we do have an
24 offer in compromise as to Charge 1. The
25 establishment shall pay \$3,000 within 60 days or

1 his license shall be suspended indefinitely until
2 this fine is paid.

3 And the license shall be suspended for
4 five days with all five days stayed for one year.
5 Also, there will be a training to all employees
6 who serve alcohol that will be done within 90
7 days.

8 As to Charge 2, the establishment
9 shall pay \$1,100 within 60 days or his license
10 shall be suspended indefinitely until this fine
11 is paid.

12 CHAIRPERSON ANDERSON: All right,
13 thank you. Mr. Bozkurt, it's my understanding
14 that there is an offer in compromise.

15 And the offer in compromise is that
16 for Charge 1 there is a fine of \$3,000 payable
17 within 60 days. If the fine is not paid within
18 60 days the license will be suspended.

19 Also, as part of Charge 1 there is a
20 five day suspension and all five days will be
21 stayed for one year. The licensee, also as a
22 part of that Charge 1 all employees who sell or
23 serve alcohol will undergo mandatory training
24 within 90 days.

25 For Charge 2, there is a fine of

1 \$1,100 also payable within 60 days. If the fine
2 is not paid within 60 days the license will be
3 suspended until the fine has been paid.

4 Is this your understanding, sir, of
5 the offer in compromise?

6 MR. BOZKURT: Yes, sir.

7 CHAIRPERSON ANDERSON: Are you aware
8 that by accepting the offer in compromise that
9 you're giving up your right to a hearing?

10 MR. BOZKURT: Yes, I am.

11 CHAIRPERSON ANDERSON: Are you also
12 aware that by accepting an offer in compromise
13 that you're giving up your right to appeal this
14 matter?

15 MR. BOZKURT: Yes, I am.

16 CHAIRPERSON ANDERSON: With that said,
17 I make a motion that the offer in compromise of a
18 fine of \$3,000 payable in 60 days be accepted.
19 If the fine is not paid within 60 days the
20 license will be suspended until the fine has been
21 paid.

22 Also, part of Charge 1 there is also
23 a five day suspension. All five days will be
24 stayed for one year provided that there are no
25 further infractions within the year and that all

1 the employees who sell or serve alcohol will
2 undergo mandatory training within the next 90
3 days.

4 For Charge 2, there is a fine of
5 \$1,100 also payable within 60 days. Again, if
6 the fine is not paid within the 60 days the
7 license will be suspended. Is there a second?

8 MEMBER SHORT: Second.

9 CHAIRPERSON ANDERSON: Mr. Short has
10 seconded the motion. All those in favor say aye.

11 (Chorus of aye)

12 Those opposed. The matter passed 5-0-
13 0. The Board issue a Board order in this matter.
14 Thank you very much.

15 MR. BOZKURT: Thank you.

16 (Whereupon, the above-entitled matter
17 went off the record at 10:14 a.m.)
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|---|---|--|--|--|
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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Desperados Pizza

Before: DCABRA

Date: 01-29-20

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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