DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

IN THE MATTER OF:

JH & YJ, Inc,
t/a Fairfax Liquor
3851 Pennsylvania Ave., S.E.
Retailer A - ANC 7B
License No. 78013
Case #21-PRO-00082

(Application for a License Renewal)

Wednesday
January 12, 2022

The Alcoholic Beverage Control Board met via Videoconference, Chairperson Donovan W. Anderson presiding.

PRESENT:
DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
RAFI ALIYA CROCKETT, Member
EDWARD S. GRANDIS, Member
JENI HANSEN, Member
JAMES SHORT, JR., Member

ALSO PRESENT:
SARAH FASHBAUGH, DC ABRA Staff
TIFFANY BROWN
KYUNGHwan LEE, Licensee
P-R-O-C-E-E-D-I-N-G-S

CHAIRPERSON ANDERSON: The next case on our calendar is Case Number 21-PRO-00082, Fairfax Liquor, License Number 78013.

Now, Ms. Fashbaugh, could you please elevate the rights of the parties in this case, please.

MS. FASHBAUGH: One moment. Kyunghwan Lee, your rights have been elevated. And Tiffany Brown, I'm unable to elevate you, but I'm unmuting you.

MS. BROWN: Okay.

MS. FASHBAUGH: That is all, Mr. Chair.

CHAIRPERSON ANDERSON: Thank you. All right. I just -- I just wanted to -- is Ms. Brown -- Ms. Brown, are you -- could the parties please identify themselves on the record. Let's start with the licensee.

Mr. Lee, you're on mute. I cannot hear you, sir.

(Pause.)

CHAIRPERSON ANDERSON: I still cannot hear you. Mr. -- no, I cannot hear you, Mr. Lee. Say something, Mr. Lee.
(Pause.)

CHAIRPERSON ANDERSON: I still cannot hear you.

Ms. Fashbaugh, did you unmute him, or is it that he's having technical issues?

MS. FASHBAUGH: He's unmuted.

CHAIRPERSON ANDERSON: Okay. No, Mr. Lee. Why don't you sign off, Mr. Lee, and come back on, please.

Ms. Brown, I believe you can -- can you put your microphone on mute, please.

(Pause.)

MS. FASHBAUGH: Kyunghwan Lee, I elevated your rights, and Tiffany Brown, I'm unmuting you.

MR. LEE: Hello?

CHAIRPERSON ANDERSON: Yes, Mr. Lee?

MR. LEE: You can hear me now?

CHAIRPERSON ANDERSON: Yes, sir.

MR. LEE: Awesome.

CHAIRPERSON ANDERSON: I can hear you. Can you please spell and state your name for the record, please.

MR. LEE: Yes. My name is Kyunghwan

      CHAIRPERSON ANDERSON: Good morning, Mr. Lee. Is your client going to be online today?

      MR. LEE: No, he's not here. He had a surgery. Yeah.

      CHAIRPERSON ANDERSON: All right. Thank you.

      Ms. Brown, can you please spell and state your name for the record, please.


      CHAIRPERSON ANDERSON: Thank you, Ms. Brown. I -- all right. I just want to state for the record that this is -- this matter has been protested by ANC7B.

      Prior to joining the Board, or soon after the joining the Board, I was an ANC representative, and I actually represented ANC7B06, where Fairfax Liquor is a licensed establishment in the ANC that I represented.

      But however -- and I -- Ms. Brown is the chair of the ANC, and I know Ms. Brown.
However, although this establishment was in the single-member district that I represented and that over four years ago, I do not believe I did not have -- as the ANC representative, I did not file a protest.

And four years later, I do not believe that because this establishment was in the ANC that I represented -- the single-member district that I represent, that this will in any way influence my decision.

I believe that I'm able to make a decision without any bias and being impartial to the parties. I just want to place that on the record. Thank you. I appreciate it.

MEMBER SHORT: Mr. Chair?

CHAIRPERSON ANDERSON: Yes, Mr. Short?

MEMBER SHORT: I'd also like to acknowledge that I live in that ANC District 7B and that it will have no bearing on my decision-making involved in this case.

CHAIRPERSON ANDERSON: All right. Thank you, Mr. Short, for that representation.

All right. Are there any preliminary matters in this case?

MR. LEE: Yeah, I believe that we
almost are finalizing the -- finalized the status of settlement agreement. So that's what I believe, and we just talked yesterday, and I'll just wait for finalize -- the settlement to be signed.

CHAIRPERSON ANDERSON: Thank you.

MS. BROWN: Sir, that is correct.

That's correct.

CHAIRPERSON ANDERSON: All right.

Thank you, Ms. Brown. I don't -- based on the -- based on what I'm hearing from the parties, it's not apparent that we're going to have the hearing.

However, as I stated before with this matter, if we go to a hearing, we'll have a hearing on February 16, 2022. If either party have any questions, please feel free to reach out to Ms. Imani Moreland. Her phone number is 202-442-6942.

And as I have stated previously, the Board supports settlement agreement if the parties are able to agree to a settlement agreement because this is their -- this is the neighborhood that the Applicant and the ANC resides in. And so we would support that.
So if there are no other issues, I look forward to seeing the settlement agreement that the Board would review for consideration, and good luck in your continued communication. Any comments before I bring this to closure?

MR. LEE: We don't have any.

MS. BROWN: None.

CHAIRPERSON ANDERSON: All right. All right. Thank you, Mr. Lee, and thank you, Ms. Brown. Have a great day.

MS. BROWN: Thank you.

CHAIRPERSON ANDERSON: Thank you.

MR. LEE: Thank you very much. Bye.

(Whereupon, the above-entitled matter went off the record.)
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This is to certify that the foregoing transcript

In the matter of: Fairfax Liquor

Before: DCABRA

Date: 01-12-22

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

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Court Reporter

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