

I. Case Number 14-AUD-00040

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case Number 14-AUD-00040 on the Respondent on September 16, 2014. The Notice charges the Respondent with one violation, which if proven true, would justify the imposition of a fine, as well as the suspension or revocation of the Respondent's license.

Specifically, the Notice charges the Respondent with the following violation:

Charge I: You failed to file a quarterly report for the fourth quarter of 2013, the period of April 1, 2013 through June 30, 2013, in violation of D.C. Official Code § 25-113 (b) (2) (A) and 23 DCMR § 1207.1 . .

ABRA Show Cause File No., 14-AUD-00040, Notice of Status Hearing and Show Cause Hearing, 2 (September 10, 2014).

II. Case Number 14-AUD-00062

ABRA served the Notice in this matter on the Respondent on October 4, 2014. The Notice charges the Respondent with two violations, which if proven true, would justify the imposition of a fine, as well as the suspension or revocation of the Respondent's license.

Specifically, the Notice charges the Respondent with the following violations:

Charge I: You failed to timely file with the Board the required quarterly statement report for the January – March 2014 quarter, with gross receipts for the establishment, gross receipts for sales of alcoholic beverages, gross receipts for food sales, total expenses for the purchase of food and alcoholic beverages and the expenses for purchases of food and alcoholic beverages separately, in violation of D.C. Official Code § 25-113 (b) (2) (A) . .

Charge II: You failed to timely file with the Board the required quarterly statement report for the October – December 2013 quarter, with gross receipts for the establishment, gross receipts for sales of alcoholic beverages, gross receipts for food sales, total expenses for the purchase of food and alcoholic beverages and the expenses for purchases of food and alcoholic beverages separately, in violation of D.C. Official Code § 25-113 (b) (2) (A) . .

ABRA Show Cause File No., 14-AUD-00062, Notice of Status Hearing and Show Cause Hearing, 2 (November 7, 2014).

III. Case Number 14-AUD-00100

ABRA served the Investigative Report in Case Number 14-AUD-00100 on the Respondent on November 7, 2014. ABRA served the Notice in this matter on the Respondent on November 24, 2014. The Notice charges the Respondent with one violation, which if proven true, would justify the imposition of a fine, as well as the suspension or revocation of the Respondent's license.

Specifically, the Notice charges the Respondent with the following violation:

Charge I: You failed to timely file with the Board the required quarterly statement report for the April – June 2014 quarter, with gross receipts for the establishment, gross receipts for sales of alcoholic beverages, gross receipts for food sales, total expenses for the purchase of food and alcoholic beverages and the expenses for purchases of food and alcoholic beverages separately, in violation of D.C. Official Code § 25-113 (b) (2) (A) . . .

ABRA Show Cause File No., 14-AUD-00100, Notice of Status Hearing and Show Cause Hearing, 2 (November 19, 2014).

At the Show Cause Hearing held on January 7, 2015, the Respondent and the Government entered into an Offer in Compromise (OIC), which resolved the allegations set forth in the above enumerated Notices.

By agreeing to the terms of the OIC, the Respondent hereby waives its right to a Show Cause Hearing and appeal. The Board formally approves the OIC through this Order.

The terms of the OIC are as follows:

- I. The Respondent will remit a fine in the total amount of \$3,500 by no later than ninety (90) days of this Order.

The specific fines for each case are as follows:

A. In Case No. 14-AUD-00040:

- a. The Respondent shall pay a \$500 fine for the violation alleged in Charge I. This is the Respondent's second secondary tier violation.

B. In Case No. 14-AUD-00062:

- a. The Respondent shall pay a \$1,000 fine for the violation alleged in Charge I. This is the Respondent's fifth secondary tier violation. Charge II is hereby dismissed. The Respondent also must file the outstanding quarterly statement no later than 14 days from the date of this Order.

C. In Case No. 14-AUD-00100:

- a. The Respondent shall pay a \$2,000 fine for the violation alleged in Charge I. This is the Respondent's fifth secondary tier violation.

ORDER

Therefore, the Board, on this 7th day of January, 2015, hereby **APPROVES** the OIC between the Government and the Respondent, 1606 K, LLC t/a Fuel Pizza & Wings located at 1606 K Street, N.W. Washington D.C.

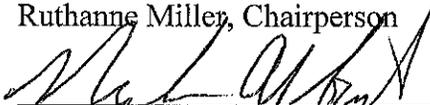
It is further **ORDERED** that the Respondent shall abide by all laws and regulations of the District of Columbia and shall operate in accordance with the terms of the OIC.

It is further **ORDERED** that the Respondent must file its outstanding quarterly statement for the January- March 2014 quarter no later than fourteen (14) days from the date of this Order and pay the fines imposed by the Board within ninety (90) days from the date of this Order. If either condition is not met, the Respondent's license shall be immediately suspended.

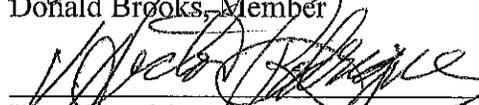
A copy of this Order shall be sent to the Respondent and to the Government.

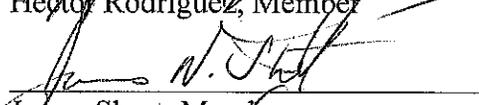
District of Columbia
Alcoholic Beverage Control Board

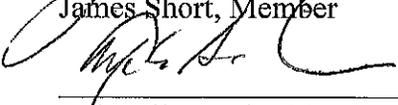

Ruthanne Miller, Chairperson


Nick Alberti, Member


Donald Brooks, Member


Hector Rodriguez, Member


James Short, Member


Mike Silverstein, 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, 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).