

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

**In the Matter of:**

1606 K, LLC  
t/a Fuel Pizza & Wings

Holder of a  
Retailer's Class CR License

at premises  
1606 K Street, N.W.  
Washington, D.C. 20002  
and  
600 F Street, N.W.  
Washington, D.C. 20004

Case Nos.: 15-CMP-00058  
15-CMP-00359  
15-CMP-00341  
15-CC-00089  
15-AUD-00054  
15-CMP-00766  
15-CMP-00765  
License Nos.: ABRA-088452  
ABRA-088727  
Order No.: 2016-087

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

**ALSO PRESENT:** 1606 K, LLC, t/a Fuel Pizza & Wings

Walter Adams II, Assistant Attorney General, on behalf of the  
District of Columbia

Rema Wahabzadah, on behalf of the Respondent

Martha Jenkins, General Counsel  
Alcoholic Beverage Regulation Administration

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**ORDER APPROVING THE OFFER-IN-COMPROMISE**

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ABRA Case No. 15-CMP-00058 arises from the Notice of Status and Show Cause Hearing (Notice) issued by the Alcoholic Beverage Control Board (Board) in the matter of 1606 K, LLC, t/a Fuel Pizza & Wings (Respondent) located at 1606 K, Street, N.W., Washington, D.C. 20002.

The Alcoholic Beverage Regulation Administration (ABRA) issued the Notice stemming from violations observed by an ABRA Investigator on December 18, 2015, and December 19, 2015. On December 18, 2015, while conducting routine monitoring of the area in which the Respondent's establishment is located, an ABRA Investigator observed that the open grease container contained remnants of cooked food, old grease, and garbage which spilled onto the ground in violation of D.C. Official Code § 25-726. *ABRA Show Cause File No. 15-CMP-00058*. On December 19, 2015, the ABRA Investigator returned to the establishment to advise the management of the violation he observed the day before. *Id.* The Investigator was told, however, that neither the owner nor an ABC Manager was available, violating D.C. Official Code §701. *Id.* During his visit, the ABRA Investigator observed patrons being served and consuming alcoholic beverages. *Id.*

ABRA also served the Notices in Case Nos. 15-CMP-00359, 15-AUD-00054, 15-CMP-341, and 15-CC-00089. *Show Cause File Nos. 15-CMP-00359, 15-AUD-00054, 15-CMP-00341, and 15-CC-00089.*<sup>1</sup> In addition to these four cases, the Office of the Attorney General for the District of Columbia (OAG) intends to bring prosecution for two additional violations against the Respondent in Case Nos. 15-CMP-00766 and Case Nos. 15-CMP-00765. *Show Cause File Nos. 15-CMP-00766 and 15-CMP-00765.*

The Notices charge the Respondent with a total of 10 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 in Case No. 15-CMP-00359, charged the Respondent with the following violation:

Charge I: [On Saturday, April 25, 2015] you failed to have an owner or Board-approved manager on site during the sale, service or consumption of an alcoholic beverages, in violation of D.C. Official Code § 22-701...

*ABRA Show Cause File No. 15-CMP-00359, Notice of Status Hearing and Show Cause Hearing, 2 (October 21, 2015).*

In Case No. 15-AUD-00054, the Notice charged the Respondent with the following violation:

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<sup>1</sup> Case Nos. 15-CMP-00341, 15-CC-00089, 15-AUD-00054, 15-CMP-00766, and 15-CMP-00765 involve 600 F D.C., LLC, t/a Fuel Pizza & Wings located at 600 F Street, N.W., Washington, D.C. 20004.

Charge I: You failed to file the required Quarterly Statements with the Board by February 1, 2015, for the period of October 1, 2014, through December 31, 2014, in violation of D.C. Official Code § 25-113(b)(2)(A).

*ABRA Show Cause File No. 15-AUD-00054*, Notice of Status Hearing and Show Cause Hearing, 2 (December 9, 2015).

In Case No. 15-CMP-00341, the Notice charged the Respondent with the following violation:

Charge I: [On Thursday, May 14, 2015], you failed to have an owner or Board-approved manager on site during the sale, service, or consumption of alcoholic beverages, in violation of D.C. Official Code § 22-701 . . .

*ABRA Show Cause File No. 15-CMP-00341*, Notice of Status Hearing and Show Cause Hearing, 2 (October 21, 2015).

In addition, the Notice in Case No. 15-CC-00089, charged the Respondent with the following violations:

Charge I: [On Saturday, August 8, 2015], [y]ou or some other person at the licensed establishment gave, served, delivered, or in any other manner dispensed alcoholic beverages to persons under 21 years of age, in violation of D.C. Official Code § 25-781(c) . . .

Charge II: [On Saturday, August 8, 2015], you failed to have an owner or Board-approved manager on site during the sale, service, or consumption of alcoholic beverages, in violation of D.C. Official Code § 22-701 . . .

*ABRA Show Cause File No. 15-CC-00089*, Notice of Status Hearing and Show Cause Hearing, 2 (October 21, 2015).

Finally, the Respondent waived service of Notice in Case Nos. 15-CMP-00766 and 15-CMP-00765. In both cases, the Respondent is charged with failing to have an owner or Board-approved manager on site during the sale, service, or consumption of alcoholic beverages, in violation of D.C. Official Code §§ 22-701, on Monday, October 26, 2015, and Tuesday, October 27, 2015, respectively. *ABRA Show Cause File Nos. 15-CMP-00766 and 15-CMP-00765*.

At the Show Cause Status Hearing held on February 24, 2016, the Respondent and the Government entered into an Offer-in-Compromise (OIC), which resolved the charges set forth above.

The terms of the OIC are as follows:

(1) In Case No. 15-CMP-00058:

- a. For Charge I – A written warning shall be issued to the Respondent.
- b. For Charge II – The Respondent shall pay a \$2,000 fine for the violation alleged in Charge II.

(2) In Case No. 15-CMP-00359:

- a. For Charge I – The Respondent shall pay a \$2,000 fine for the violation alleged in Charge I.

(3) In Case No. 15-AUD-00054:

- a. For Charge I - The Respondent shall pay a \$2,000 fine for the violation alleged in Charge I.

(4) In Case No. 15-CMP-00341:

- a. For Charge I - The Respondent shall pay a \$2,000 fine for the violation alleged in Charge I.

(5) In Case No. 15-CC-00089:

- a. For Charge I – The Respondent shall pay a \$3,000 fine and serve a five day suspension; all days stayed for one year on the condition that all employees who serve alcoholic beverages complete Training and Intervention Procedures for Servers (“TIPS Training”) for the D.C. Official Code § 25-781 violation.
- b. For Charge II – The Respondent shall pay a \$2,000 fine for the violation alleged in Charge II.

(6) In Case No. 15-CMP-00766:

- a. The Respondent shall pay a \$2,000 fine for not having an owner or Board-approved Manager on duty.

(7) In Case No. 15-CMP-00765: Dismissed.

By agreeing to the terms of the OIC, the Respondent hereby waives its right to a Show Cause Hearing and appeal. The OIC has been reduced to writing and is formally approved through this Order.

**ORDER**

Therefore, the Board, on this 24th day of February, 2016, hereby **APPROVES** the OIC proffered by the Government and the Respondent on February 24, 2016, and **ORDERS** 1606 K, LLC, t/a Fuel Pizza & Wings, to comply with the terms of the OIC.

**IT IS FURTHER ORDERED** that the Respondent will remit the fine:

- (1) In the total of \$4,000 in Case Nos. 15-CMP-00058 and 15-CMP-00359, payable on or before April 9, 2016, if the fine is not paid by April 9, 2016, the license will be suspended until the fine is paid ; and
- (2) In the total of \$11,000 in Case Nos. 15-AUD-00054, 15-CMP-00341, 15-CC-00089, 15-CMP-00766, and 15-CMP-00765, payable on or before May 24, 2016; five day suspension all days stayed pending completion of TIPS Training for all employees who service alcoholic beverages. If the fine is not paid by May 24, 2016, the license will be suspended until the fine is paid.

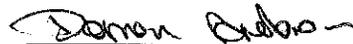
Failure to remit the amount in full within the time specified will result in the suspension of the license until the amount is paid.

**IT IS FURTHER ORDERED** that the Respondent's Investigative History will reflect the adjudication of ten secondary tier violations for this matter.

**IT IS FURTHER ORDERED** that the hearings scheduled in Case No. 15-CC-00089 are cancelled.

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

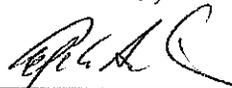
District of Columbia  
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson

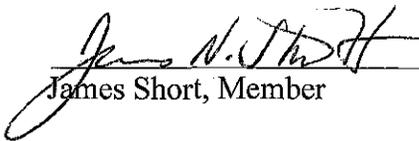


Nick Alberti, Member



Mike Silverstein, Member

  
Ruthanne Miller, Member

  
James Short, 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 14<sup>th</sup> 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).