

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

---

In the Matter of:	)	
	)	
Georgetown Suites, LLC/Wabbit, LLC	)	Case No.: 21-CMP-00045
t/a Georgetown Inn West End/Casta's Rum	)	License No.: ABRA-109462
Bar	)	Order No.: 2022-200
	)	
Holder of a	)	
Retailer's Class CR License	)	
	)	
at premises	)	
1121 New Hampshire Avenue, N.W.	)	
Washington, D.C. 20037	)	

---

**BEFORE:** Donovan Anderson, Chairperson  
James Short, Member  
Bobby Cato, Member  
Rafi Aliya Crockett, Member  
Edward S. Grandis, Member

**ALSO PRESENT:** Georgetown Suites, LLC/Wabbit, LLC, t/a Georgetown Inn West End/Casta's Rum , Respondent

Sidon Yohannes, Counsel, on behalf of the Respondent

Andrew Schulwolf, Counsel, on behalf of the Respondent

Anthony Celo, Assistant Attorney General  
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel  
Alcoholic Beverage Regulation Administration

---

**FINDINGS OF FACT, CONCLUSIONS OF LAW,  
AND ORDER**

---

**INTRODUCTION**

The Alcoholic Beverage Control Board (Board) finds that Georgetown Suites, LLC/Wabbit, LLC, t/a Georgetown Inn West End/Casta's Rum , (hereinafter "Respondent" or

“CRB”) violated D.C. Official Code §§ 25-113a(b)(1) and 25-823(a)(7) by operating a dance floor without an appropriate endorsement and increasing capacity without the required approval. CRB shall pay a fine of \$3,250. The Board further advises the Respondent that this forum is not appropriate place to resolve internal ownership issues facing the license holder. The Board strongly urges the owners of CRB to seek mediation, arbitration, or another appropriate forum, such as the courts, to resolve any ongoing issues related to the management of the business.<sup>1</sup> The Board further encourages all persons with complaints against CRB for failing to operate in accordance with the District’s alcohol laws to submit those complaints to ABRA’s Enforcement Division for review.

### ***Procedural Background***

This case arises from the Notice of Status Hearing and Show Cause Hearing (Notice), which the Board executed on November 13, 2021. *ABRA Show Cause File No. 21-CMP-00045*, Notice of Status Hearing and Show Cause Hearing, 2 (Nov. 13, 2021). The Notice charges the Respondent with multiple 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:** [On September 11, 2021,] [y]ou allowed dancing to occur at the establishment without a dancing endorsement, in violation of D.C. Code § 25-113(a)(b)(1) and 23 DCMR § 1000 . . . .

**Charge II:** [On September 11, 2021,] [y]ou failed to follow the terms of your Board-approved license by increasing the occupancy of the establishment, in violation of D.C. Code § 25-823(a)(7).

*Notice of Status Hearing and Show Cause Hearing*, at 2-3.

Both the Government and Respondent appeared at the Show Cause Status Hearing on January 26, 2022. The parties proceeded to a Show Cause Hearing and argued their respective cases on March 23, 2022. The Board notes that the Respondent consists of two entities with equal authority to represent the business. During the hearing, one entity requested a fine and the other entity requested revocation.

### **FINDINGS OF FACT**

The Board, having considered the evidence, the testimony of the witnesses, the arguments of the parties, and all documents comprising the Board’s official file, makes the following findings:

---

<sup>1</sup> During the hearing, one of the co-licensees suggested revoking the license. The Board reminds CRB that one of the consequences of revocation is that *all owners* will be barred from holding a license for five years and risk being deemed unfit for licensure in the future. D.C. Code §§ 25-301; 25-821.

## I. Background

1. CRB holds a Retailer's Class CR License at 1121 New Hampshire Avenue, N.W., Washington, D.C. *ABRA License No. 21-CMP-00045*. The parties stipulated to the facts contained in Case Report No. 21-CMP-00045 and the fact that the establishment exceeded its occupancy on the date in question, but they did not stipulate to a specific number of people. *Transcript (Tr.)*, March 23, 2022 at 5-6.

2. On September 11, 2021, ABRA Investigator Pleitez conducted a regulatory inspection at CRB. *Case Report No. 21-CMP-00045*, at 1. CRB's liquor license indicates that it has a capacity for 75 people and has no dancing related endorsement as part of its entertainment endorsement. *Id.* at Exhibit Nos. 2, 14. Pictures taken by the investigator further show the operation of a dance floor. *Id.* Exhibit Nos. 5, 7.

## CONCLUSIONS OF LAW

3. The Board has the authority to fine, suspend, or revoke the license of a licensee who violates any provision of Title 25 of the District of Columbia (D.C.) Official Code pursuant to D.C. Code § 25-823(a)(1). In this matter, the Board shall only base its decision on the "substantial evidence" contained in the record. 23 DCMR § 1718.3 (West Supp. 2022). The substantial evidence standard requires the Board to rely on "such relevant evidence as a reasonable mind might accept as adequate to support a conclusion." *Clark v. D.C. Dep't of Employment Servs.*, 772 A.2d 198, 201 (D.C. 2001) citing *Children's Defense Fund v. District of Columbia Dep't of Employment Servs.*, 726 A.2d 1242, 1247 (D.C.1999).

## I. Violations

4. Regarding Charge I, the entertainment endorsement requires the following:

(b)(1) The licensee under a manufacturer's license class A, B, or C, holding an on-site sales and consumption permit or a retailer's license, class C/R, D/R, C/H, D/H, C/T, D/T, C/B, and D/B shall obtain an entertainment endorsement from the Board to be eligible to have entertainment, a cover charge, or offer facilities for dancing.

1000.1 No licensee under a license, class C/R, D/R, C/H, or D/H, may have entertainment, dancing, or charge a cover charge without obtaining an entertainment endorsement.

1000.2 No licensee under a license, class C/T or D/T, may have entertainment, a dance floor or dance area larger than 140 square feet, or charge a cover without an entertainment endorsement. A tavern may have a dance floor or dance area up to 140 square feet without an entertainment endorsement.

D.C. Code § 25-113a(b)(1); 23 DCMR § 1000.1-1000.2 (West. Supp. 2022). In this case, the Board sustains Charge I, because the investigator observed the operation of a dance floor on September 11, 2021.

5. Regarding Charge II, the Respondent is required by § 25-823(a)(7) “to follow the terms of its license approved by the Board.” D.C. Code § 25-823(a)(7). In this case, the Board sustains Charge II because it is uncontested that the establishment was overcrowded on the date of the incident.

## **II. Penalty**

6. In this case, the Respondent’s investigative history shows one prior primary tier violation. *Case Report No. 21-CMP-00045*, 4 (#6). The remaining charges resulted in a warning or were violations of a Mayoral emergency order related to the coronavirus 2019 pandemic, which are not considered when graduating penalties. D.C. Code § 25-830(f); 23 DCMR § 808.17 (saying warnings are not counted). Furthermore, nothing in the establishment’s investigative history is so severe to merit revocation or the severe consequences of revocation. D.C. Code §§ 25-301; 25-821. Consequently, based on CRB’s investigative record, the Board finds revocation to be an inappropriate remedy and finds the imposition of fines to be an appropriate penalty.

## **ORDER**

Therefore, the Board, on this 4th day of May 2022, finds CRB guilty of the violations described by Charge I and II. The Board imposes the following penalty:

- (1) For the violation described in Charge I, CRB shall pay a fine of \$250.
- (2) For the violation described in Charge II, CRB shall pay a fine of \$3,000.

**IT IS FURTHER ORDERED** that the Respondent must pay all fines imposed by the Board within one hundred and twenty (120) days from the date of this Order, or its license shall be immediately suspended until all amounts owed are paid.

**IT IS FURTHER ORDERED**, in accordance with 23 DCMR § 800 (West Supp. 2022), the violations found by the Board in this Order shall be deemed one secondary tier violation and one primary tier violation.

**IT IS FURTHER ORDERED** that the Board’s findings of fact and conclusions of law contained in this Order shall be deemed severable. If any part of this determination is deemed invalid, the Board intends that its ruling remain in effect so long as sufficient facts and authority support the decision.

The ABRA shall deliver copies of this Order to the Government and the Respondent.

District of Columbia  
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com  
*Donovan Anderson*  
Key: ac430b06b9d5f00e4c730003d1dccc8

---

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com  
*James Short*  
Key: 547ae373f820de6ac81b332d42948e

---

James Short, Member

eSigned via SeamlessDocs.com  
*Bobby Cato*  
Key: 286d3ca1f8e148d74b75bd7917d20d

---

Bobby Cato, Member

eSigned via SeamlessDocs.com  
*Rafi Aliya Crockett, Member*  
Key: b560e91845e1f8e4016155e5c12f81cc

---

Rafi Crockett, Member

eSigned via SeamlessDocs.com  
*Edward Grandis, Member*  
Key: 5027bda7f9f0040ec14adeb52541ce5

---

Edward S. Grandis, Member

Board Member Hansen recused herself from the proceeding and did not participate in this matter

---

Jeni Hansen, 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, Reeves Center, 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 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).