

I. Case Number 12-CC-00101

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case Number 12-CC-00101 on the Respondent on October 16, 2014. The Notice charges the Respondent with four violations, which if proven true, would justify the imposition of a fine, as well as the suspension or revocation of the Respondent's license.

Charge I: [On June 28, 2012,] [y]ou failed to have an owner or licensed ABC manager on duty while alcoholic beverages were sold or served in violation of D.C. Official Code § 25-701 . . .

Charge II: [On June 28, 2012,] [y]ou failed to have ABC approved window lettering on an exterior window or the front door in violation of D.C. Official Code § 25-711(b) . . .

Charge III: [On June 28, 2012,] [y]ou violated your Settlement Agreement approved by the Board by selling cigarette rolling papers in violation of D.C. Official Code § 25-446 . . .

Charge IV: [On June 28, 2012,] [y]ou knowingly permitted the sale of drug paraphernalia in violation of D.C. Official Code § 25-822(b) . . .

ABRA Show Cause File No., 12-CC-00101, Notice of Status Hearing and Show Cause Hearing, 2 (October 3, 2014).

II. Case Number 14-CC-00049

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case Number 14-CC-00049 on the Respondent on September 18, 2014. The Notice charges the Respondent with four 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 April 14, 2014,] [y]ou failed to have an owner or licensed ABC manager on duty while alcoholic beverages were sold in violation of D.C. Official Code § 25-701 . . .

Charge II: [On April 14, 2014,] [y]ou violated your Settlement Agreement approved by the Board by selling alcoholic beverages to persons under the age of 21 years in violation of D.C. Official Code § 25-823(6)...

Charge III: [On April 14, 2014,] [y]ou sold alcoholic beverages to a person under the age of 21 years in violation of D.C. Official Code § 25-781(a)...

Charge IV: [On April 14, 2014,] [y]ou failed to take reasonable steps to ascertain whether a person to whom you sold alcoholic beverages was of legal drinking age in violation of D.C. Official Code § 25-783(b)...

ABRA Show Cause File No., 14-CC-00049, Notice of Status Hearing and Show Cause Hearing, 2-3 (September 10, 2014).

At the Show Cause Hearing held on November 19, 2014, 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 \$4,650 by no later than ninety (90) days of this Order. Additionally, the Respondent shall have its license suspended for five days (5) days. The suspension will be stayed for a period of one year unless the Board finds that the Respondent committed a violation with one (1) year from the date of this Order.

The specific fines and suspension days for each case are as follows:

A. In Case No. 12-CC-00101:

- a. The Respondent shall pay a \$650 fine for the violation alleged in Charge I.
- b. The Respondent shall pay a \$500 fine for the violation alleged in Charge II.
- c. The Respondent shall pay a \$650 fine for the violation alleged in Charge III.
- d. Charge IV is dismissed.

B. In Case No. 14-CC-00049:

- a. The Respondent shall pay a \$350 fine for the violation alleged in Charge I.
- b. The Respondent shall pay a \$500 fine for the violation alleged in Charge II.

- c. The Respondent shall pay a \$2000 fine and its license should be suspended for five (5) days to be stayed for up to one year for the violation alleged in Charge III.
- d. Charge IV is dismissed.

ORDER

Therefore, the Board, on this 19th day of November, 2014, hereby **APPROVES** the OIC between the Government and the Respondent, ZG Market, Inc., t/a Jubilee Market located at 2316 4th Street, N.E., Washington, D.C.

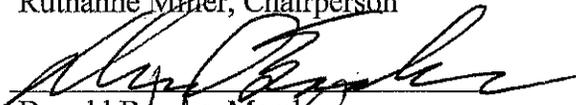
It is further **ORDERED** that the Respondent shall operate in accordance with the terms of the OIC.

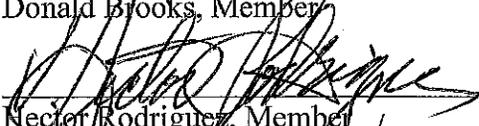
It is further **ORDERED** that the Respondent shall abide by all laws and regulations of the District of Columbia, shall operate its establishment in a safe and competent manner, and shall refrain from engaging in the type of activity that led to this disciplinary action.

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

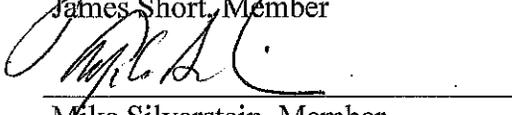
District of Columbia
Alcoholic Beverage Control Board


Ruthanne Miller, Chairperson

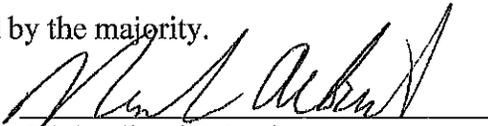

Donald Brooks, Member


Hector Rodriguez, Member


James Short, Member


Mike Silverstein, Member

I dissent as to the terms of this OIC approved by the majority.


Nick Alberti, 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).