DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

IN THE MATTER OF:

Starlight, Inc.,
t/a Kogod Liquors
441 New Jersey Avenue NW
Retailer A - ANC 6C
License No. 24868
Case #19-CC-00011

(Sale to Minor Violation,
Failed to Take Steps
Necessary to Ascertain
Legal Drinking Age)

Wednesday
June, 26, 2018


PRESENT:

DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
MIKE SILVERSTEIN, Member

JAMES SHORT, Member

REMA WAHABZADA, Member
ALSO PRESENT:

JAE KIM, APPLICANT

FERNANDO RIVERO, DC OAG
Chairperson Anderson: All right. The next case on our calendar is Case Number 19-CC-00011, Kogod Liquors, License Number 24868.

Would the parties please approach and identify themselves for the record, please.

Mr. Rivero: Good morning, Board Members. Fernando Rivero for the District of Columbia.

Chairperson Anderson: Good morning, Mr. Rivero, again.

Ms. Kim: Good morning, I'm Jae Kim. I'm appearing on behalf of Kogod Liquors.

Chairperson Anderson: Okay, you're who again?

Ms. Kim: Jae Kim.

Chairperson Anderson: Are you an attorney? What's your relationship with them?

Ms. Kim: I am a family member of the owner.

Chairperson Anderson: Do you have a
letter of representation saying that you're
authorized to represent the agent, the
establishment, at this case this morning, ma'am?
Have you ever provided us with such, any
authorization letter?

MS. KIM: I'm sorry, but I wasn't
aware.

CHAIRPERSON ANDERSON: Is there an OIC
in this case?

MR. RIVERO: There is.
The Board's indulgence.

CHAIRPERSON ANDERSON: Sure. All
right.

(Pause.)

MR. RIVERO: I understand that the
licensee submitted a letter of authorization this
morning. If that's the case, I don't have a
problem proceeding, conditioned on the receipt of
that letter.

CHAIRPERSON ANDERSON: Sure.

MR. RIVERO: Otherwise we will just be
back to the same posture again.
CHAIRPERSON ANDERSON: Are you able, ma'am, are you able to provide this agency with a letter by close of business today authorizing you to represent the agency establishment today in this proceeding?

MS. KIM: Absolutely.

CHAIRPERSON ANDERSON: All right. Can you send that information to the office to Ms. April Randall. She'll give you her card. And by close of business today you need to provide a letter on letterhead from the ownership stating that you are authorized to represent them in this matter today.

MS. KIM: Okay.

CHAIRPERSON ANDERSON: All right. So, Mr. Rivero, what is the offer in compromise that's on the table?

MR. RIVERO: For Charge 1, the offer in compromise is a payment of a $3,000 fine within 30 days. If the payment is not received the offer -- the license will be suspended until payment is received.
And also there is a 5-day suspension attached to Charge 1 that is stayed for one year.

For Charge 2, the payment of a $1,500 fine within 30 days. And if the payment is not made the license will be suspended until payment is received.

A total fine of $4,500 within 30 days.

CHAIRPERSON ANDERSON: All right. Ms. Kim, there is a, it's my understanding there is an offer in compromise. And the offer in compromise is that for Charge 1 there is a fine of $3,000 payable in 30 days.

Attached to the -- attached to Charge 1 there is a 5-day suspension. And all 5 days will be stayed for one year, meaning that if the establishment goes one year without having another sale to minor, those days will disappear. If not, those days will kick in.

For Charge 2 there is a fine of $1,500. And again, the fine will be payable within 30 days.

If the fines are not paid within 30 days, the license will be suspended until the fine has been
Is this your understanding of the offer in compromise?

MS. KIM: I understand.

CHAIRPERSON ANDERSON: Is the ownership of the establishment aware that by accepting an offer in compromise that they give up their right to a hearing?

MS. KIM: Yes, they do.

CHAIRPERSON ANDERSON: Are they also aware that by accepting an offer in compromise that they give up their right to appeal this matter?

MS. KIM: Yes.

CHAIRPERSON ANDERSON: With this said, I then make a motion that the offer in compromise of a fine of $3,000 payable in 30 days for Charge 1, with a 5-day suspension all stayed for one year be accepted; for Charge 2 is a fine of $1,500 payable in 30 days. And if the fine is not paid in 30 days the license will be suspended.
Is there a second?

MEMBER SHORT: Second.

CHAIRPERSON ANDERSON: Mr. Short has seconded the motion.

All those in favor, say aye.

(Chorus of ayes.)

CHAIRPERSON ANDERSON: Those opposed?

(No response.)

CHAIRPERSON ANDERSON: The matter is passed 5-0-0.

The Board will issue a Board Order.

However, this OIC will only be effective if you provide us the written authorization today. If not, this matter will revert to a show cause hearing for another date to be decided.

And Ms. Randall will provide you her card for you to provide that information. Okay?

MS. KIM: Yes. Thank you.

CHAIRPERSON ANDERSON: All right.

Thank you very much.

(Whereupon, at 10:04 a.m., the above-entitled matter was concluded.)
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CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: Kogod Liquors

Before: DCABRA

Date: 06-26-19

Place: Washington, DC

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

[Signature]
Court Reporter