

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

In the Matter of:

Applicant
APQ Carroll Square DC, LLC
t/a Le Pain Quotidien

Transferor
PQ Carroll Square, Inc.
t/a Le Pain Quotidien

Temporary Operator's Retail Permit of a
Retailer's Class DR License

at premises
975 F Street, NW
Washington, D.C. 20004

Applicant's License No.: ABRA-117740
Transferor's License No.: ABRA-088176
Order No.: 2021-125

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member
Rafi Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

**ORDER APPROVING REQUEST FOR A
TEMPORARY OPERATOR'S RETAIL PERMIT**

On February 23, 2021, the Alcoholic Beverage Regulation Administration (ABRA) received an Application for a Transfer of Ownership of the Retailer's Class DR License ABRA-088176 from PQ Carroll Square, Inc., t/a Le Pain Quotidien (Transferor), to APQ Carroll Square DC, LLC, t/a Le Pain Quotidien (Applicant).

The Applicant now comes before the Alcoholic Beverage Control Board (Board) for a Temporary Operator's Retail Permit (TORP) in accordance with 23 D.C. Municipal Regulations (DCMR) § 703.

Under 23 DCMR § 703, the purchaser of an ABC licensed establishment awaiting Board approval on a transfer of ownership application where no substantial change will occur may apply to the Board for a permit to temporarily operate under the license pursuant to the following conditions:

- (a) the transfer application must be filed with or before the application for temporary authority;
- (b) the subject premises must not have been closed nor the sale or service of alcoholic beverages discontinued during the thirty (30) days immediately prior to the filing of the permit application; and
- (c) that no substantial changes to the licensed premises will occur.

On February 23, 2021, the Applicant filed its Transfer Application, along with a No Substantial Change affidavit indicating that there will be no change in the nature of the licensed premises. Additionally, by separate letter, the Transferor filed its consent to the issuance of the TORP.

Thus, the Board, in its discretion, finds that the Applicant has met the requirements and does approve the request for a TORP. The TORP is valid until the transfer application is either granted or denied by the Board or until the TORP is cancelled or suspended by the Board pursuant to 23 DCMR § 703.5.

ORDER

The Board does hereby, this 10th day of March 2021, **APPROVES** the Applicant's request for a Temporary Operator's Retail Permit.

It is understood that until the Transfer Application is approved and the new license is issued by the Board, the Applicant will be operating under the Transferor's Retailer's Class DR License No. ABRA-088176.

Copies of this Order shall be sent to the Applicant.

District of Columbia
Alcoholic Beverage Control Board

Donovan Anderson

Key: 5473e2732920e6e9c13325d2349e2

Donovan Anderson, Chairperson

James Short

Key: 5473e2732920e6e9c13325d2349e2

James Short, Member

Bobby Cato

Key: 258d3fca1fba14b14b174b75b37817d208

Bobby Cato, Member

Rafi Crockett

Key: b0f0c611843e13b4b16330e6c12f810c

Rafi Crockett, Member

Jeni Hansen

Key: 729315629447493b50f0c2e41810

Jeni Hansen, Member

Edward S. Grandis

Key: 5027bda78f0f0040ec14a9b52541ce5

Edward S. Grandis, Member

Pursuant to 23 DCMR § 1719.1, 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, N.W., 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, District of Columbia 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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. 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).

Finally, in the case of a summary suspension, "A person aggrieved by a final summary action may file an appeal in accordance with the procedures set forth in subchapter I of Chapter 5 of Title 2." D.C. Code § 25-826(d).