

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

**In the Matter of:** )  
)  
American Arab Communication & Translation Center, LLC) )  
t/a Zenobia Lounge )  
)  
Holder of a Retailer's )  
Class CR License ) License No: ABRA-085003  
) Order No: 2014-320  
at premises )  
1025 31<sup>st</sup> Street, N.W. )  
Washington, D.C. 20007 )  
)  
Mailing Address )  
2111 Arrowleaf Drive )  
Vienna, VA 22182 )  
\_\_\_\_\_)

**BEFORE:** Ruthanne Miller, Chairperson  
Nick Alberti, Member  
Donald Brooks, Member  
Herman Jones, Member  
Mike Silverstein, Member  
Hector Rodriguez, Member  
James Short, Member

**ORDER CANCELLING LICENSE NUMBER ABRA-085003**

On November 10, 2010, the Alcoholic Beverage Control Board (Board) approved the Application filed by American Arab Communication & Translation Center, LLC's, t/a Zenobia Lounge, (Licensee), for a new Retailer's Class CR License, located at 1025 31<sup>st</sup> Street, N.W., Washington, D.C. On November 16, 2010, the Alcoholic Beverage Regulation Administration (ABRA) issued the license.

On May 17, 2011, the Licensee requested that its license be placed in Safekeeping because the establishment was not ready to operate its bar area. On June 21, 2011, the Board granted the Licensee's request to maintain the license in Safekeeping through March 31, 2013.

On May 29, 2013, the Board held a Fact Finding Hearing to review the Licensee's request to keep its license in Safekeeping for an additional six months beyond March 31, 2013.

The Board approved the Licensee's request for an extension of Safekeeping. Although the Safekeeping period expired, the Licensee maintained its license by keeping its fees current.

On February 24, 2014, the Licensee requested to remove its license from Safekeeping. The Board approved the Licensee's request on February 26, 2014, and the license was removed from Safekeeping.

On May 19, 2014, the Licensee again requested that its license be placed in Safekeeping due to renovations taking place within the establishment. On May 28, 2014, the Board requested a Fact Finding Hearing.

The Board set the Fact Finding Hearing for July 16, 2014. At the hearing, the Board requested that the Licensee produce the following supporting documentation at the second Fact Finding Hearing:

1. Board of Zoning Adjustment's (BZA) Application or Order;
2. Historic Preservation Review Board's (HPRB) Application or Order;
3. Department of Consumer and Regulatory Affairs' (DCRA) Construction Application and the Permit Application Number;
4. Architectural Drawings; and
5. Fire Report from June 17, 2014<sup>1</sup>.

On August 13, 2014, the Board held a second Fact Finding Hearing and the Licensee failed to appear. ABRA records shows that ABRA staff properly notified the Licensee of the Fact Finding Hearing.

Under District of Columbia Official Code § 25-791(a), discontinued licenses must be surrendered to the Board for Safekeeping. D.C. Code § 25-791 (a) (West Supp. 20 13). Under the law, "if the licensee has not initiated proceedings to resume operations or transfer the license within 60 days after suspension, the Board may deem the license abandoned after giving notice to the licensee." *Id.* Furthermore, "[t]he Board may extend the period of Safekeeping beyond 60 days for reasonable cause, such as fire, flood, other natural disaster; rebuilding or reconstruction; or to complete the sale of the establishment. § 25-791(b). In addition, the Board is charged with reviewing the request "every 6 months to ensure that the licensee is making reasonable progress on returning to operation." § 25-791(c).

The Board requested that the Licensee produce supporting documentation to demonstrate that the establishment is under renovations and that it is making reasonable progress on returning the business to operation. The Board notes that the Licensee has been keeping its license in Safekeeping since it was approved on November 10, 2010.

The Board also notes that it has given the Licensee the opportunity to appear and to submit documentation showing that its establishment is under renovation and to demonstrate its

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<sup>1</sup> See Transcript, 7/16/14 at 33-48.

efforts to start operating the business. Nevertheless, the Licensee failed to appear at the second Fact Finding Hearing, and failed to present any tangible evidence that the establishment is under renovation.

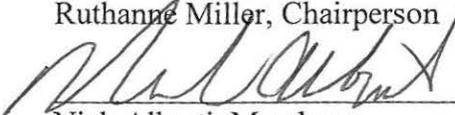
Accordingly, the Board finds it unreasonable for the Licensee to place its license in continued Safekeeping without demonstrating any evidence to support its request.

### **ORDER**

Therefore, on this 13th day of August, 2014, the Board hereby finds that the License No. ABRA-085003, held by American Arab Communication & Translation Center, LLC, t/a Zenobia Lounge, is **CANCELLED**. A copy of this Order shall be delivered to the Licensee.

District of Columbia  
Alcoholic Beverage Control Board

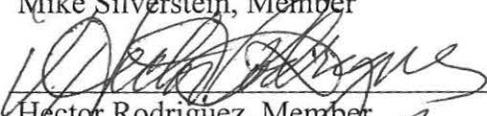
  
Ruthanne Miller, Chairperson

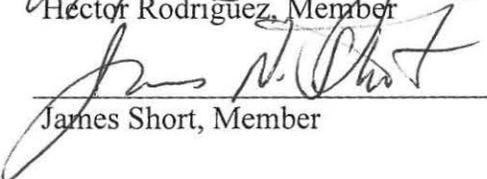
  
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James Short, Member

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, 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. 1. 90-614, 82 Stat. 1209, D. C. Official Code § 2-510 (2001), and *Rule IS* 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, SOO Indiana Avenue, N.W., Washington, D.C. 20001. However, the *timely* filing of a Motion for Reconsideration pursuant to 23 DCMR § 171 9.1 (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 *IS(b)* (2004).