

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
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MEETING

IN THE MATTER OF:

Queen of the Moon, Inc.	
1815 Columbia Road, NW	Fact-
Retailer A - ANC-1C	Finding
License No. 83118	Hearing

(License in Extended  
Safekeeping)

May 1, 2014

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
MIKE SILVERSTEIN, Member  
HECTOR RODRIGUEZ, Member

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P-R-O-C-E-E-D-I-N-G-S

(2:43 p.m.)

CHAIRPERSON MILLER: So the rest of our afternoon is going to be devoted to safekeeping hearings. We are going to be dealing with a number of licenses that have been placed in safekeeping for an extended period of time. And we are going to address some of those licenses in the Adams Morgan neighborhood this afternoon.

D.C. Official Code Section 25-791 deals with the temporary suspension of license into safekeeping and it requires licensees to surrender their license to the Board for safekeeping whenever a license is discontinued.

Many of the licenses before us, probably all of them, have been in safekeeping for an extended period of time with little or no activity with regard to actual operations.

So we want to hear from license holders regarding the status of the license.

1 How long the license has been in safekeeping,  
2 whether you have complied with the  
3 requirements of safekeeping by keeping your  
4 renewal fees current.

5 And most importantly, the Board  
6 wants to hear specific plans with regard to  
7 returning to operations or alternatively  
8 selling or transferring the license to a new  
9 owner.

10 And if you have any exhibits or  
11 anything that you will be wishing the Board to  
12 consider, Ms. Walker over here will get them  
13 from you.

14 And we will decide by the end of  
15 the day, if not in this hearing, any type of  
16 requirements that we might impose on your or  
17 submissions that we might require and the date  
18 that we would be requiring them for.

19 So what I just said, basically,  
20 will apply to all licensees that are appearing  
21 before us today, but we will start with is it  
22 Queen of the Moon, Inc.?

1 MS. ZHANG: Yes.

2 CHAIRPERSON MILLER: Okay. Good.

3 And you have an interpreter?

4 MS. ZHANG: Yes.

5 CHAIRPERSON MILLER: Okay. So

6 could you identify, you know, give us both

7 your names?

8 INTERPRETER TANG: My name is

9 Janet Tang.

10 CHAIRPERSON MILLER: Okay.

11 INTERPRETER TANG: My name is

12 Zhang Wen Wen.

13 CHAIRPERSON MILLER: What is her

14 name?

15 INTERPRETER TANG: Zhang Wen Wen.

16 Last name Z-H-A-N-G.

17 CHAIRPERSON MILLER: Okay. Good.

18 Okay. So we have in our records that your

19 license has been in safekeeping since December

20 13, 2010. Oh, no, no, no, sorry, hold it.

21 Wrong one.

22 MEMBER ALBERTI: Should we swear

1 in the Interpreter?

2 CHAIRPERSON MILLER: What?

3 MEMBER ALBERTI: Should we swear--

4 CHAIRPERSON MILLER: Well, she is  
5 not under oath.

6 MEMBER ALBERTI: The other person  
7 isn't, but I don't know whether we should just  
8 take precautions for --

9 CHAIRPERSON MILLER: You would  
10 feel more comfortable?

11 MEMBER ALBERTI: I would feel more  
12 comfortable.

13 CHAIRPERSON MILLER: Okay.

14 MEMBER ALBERTI: Are you an  
15 appointed --

16 INTERPRETER TANG: Yes.

17 MEMBER ALBERTI: -- interpreter?

18 INTERPRETER TANG: I'm appointed.

19 MEMBER ALBERTI: Okay. Good.

20 That's fine. That's what I needed to know.

21 I would feel more comfortable if we swore in  
22 the Interpreter.

1 CHAIRPERSON MILLER: Okay. We  
2 always swear in Interpreters when we have  
3 hearings. People are under oath.

4 INTERPRETER TANG: Oh, sure.

5 CHAIRPERSON MILLER: Okay. She is  
6 not going to be under oath, but --

7 INTERPRETER TANG: Yes.

8 CHAIRPERSON MILLER: Okay. Just  
9 to be safe. What is the language?

10 INTERPRETER TANG: Chinese.

11 CHAIRPERSON MILLER: Okay.

12 INTERPRETER TANG: Mandarin.

13 CHAIRPERSON MILLER: Okay.

14 Do you solemnly affirm that you  
15 will faithfully and accurately interpret the  
16 proceedings in this matter from Mandarin  
17 Chinese into English and English into Mandarin  
18 Chinese to the best of your ability?

19 INTERPRETER TANG: I do.

20 CHAIRPERSON MILLER: Okay. All  
21 right. So your license, according to our  
22 records, has been in safekeeping since

1 November 3, 2010.

2 MS. ZHANG: I'm not sure about the  
3 status, because every time when I was request  
4 to pay the fee, I just pay the fee.

5 CHAIRPERSON MILLER: Right. So  
6 you have been paying your fees. Okay. That's  
7 another issue, but that's what we have. So  
8 you don't owe any money, but that's not the  
9 issue.

10 MS. ZHANG: Every year I pay  
11 \$2,600 management fee, that's important.

12 CHAIRPERSON MILLER: It is. And  
13 you have paid and that's good. Okay. So  
14 there is no problem with that.

15 The problem is --

16 MEMBER RODRIGUEZ: This license is  
17 not for rent.

18 CHAIRPERSON MILLER: You can't  
19 keep a license in safekeeping, you know,  
20 forever, for years, whatever.

21 MS. ZHANG: Can I explain?

22 CHAIRPERSON MILLER: Yes, that's

1 why you are here.

2 MS. ZHANG: I bought the license  
3 at year 2009. At that time, I wasn't sure --  
4 I did not understand the process, so I only  
5 bought the license, but I did not find a  
6 proper store. But ever since I have been  
7 looking, actively looking for a store.

8 And ever since I also express my  
9 wishes to the people who manage this license  
10 and I asked them to help me to look for a  
11 place.

12 Recently, I have hire two agents  
13 to find proper place for me. And one of the  
14 place we search was at 3277 M Street, N.W.,  
15 and I have submit a request to ADS to see  
16 whether I should -- you know, that place is  
17 allowed to operate a liquor store.

18 Because I was told every time I  
19 find a proper place, I should send in inquiry  
20 by email and get the proper like permit, like  
21 a consensus from the Bureau. But this time,  
22 I did not -- after I send the email, I did not

1 get any response.

2 For this location on M Street, I  
3 sent an email on April 10th.

4 I'm also negotiating with another  
5 store owner at the location of 1216 H Street,  
6 N.E., D.C. and the owner's name is Lili Chung.  
7 And the premises is under renovation and they  
8 estimate it will be finished in about six  
9 months.

10 I have not stop looking. I have  
11 been actively looking for a proper place.  
12 It's not that easy to find a proper place to  
13 operate a liquor store. Actually, I'm paying  
14 the fees and also I have to make a living, so  
15 I wanted to open the liquor store as soon as  
16 I can.

17 And if this is what I'm working  
18 with the agents and the owners, if you want  
19 the agent and owners, the store owners' name,  
20 I can provide it. And if I cannot find a  
21 proper place to open the liquor store in this  
22 2014, I would be seeking another person to

1 sell the license.

2 You have any questions?

3 CHAIRPERSON MILLER: Yes, we will  
4 have some questions. So you intend to open  
5 the liquor store and run it yourself?

6 MS. ZHANG: Yes, because I bought  
7 a liquor store in 2003 and I run the store for  
8 about a year and then I sold it.

9 CHAIRPERSON MILLER: Okay. So  
10 three years is a long time. Is there  
11 something different now than at the beginning?  
12 I mean, why is it taking three years?

13 MEMBER ALBERTI: Five years.

14 CHAIRPERSON MILLER: Five years?

15 MEMBER ALBERTI: 2009.

16 CHAIRPERSON MILLER: I have 2010.  
17 What? For four years.

18 MEMBER ALBERTI: Four and a half.

19 INTERPRETER TANG: Okay. Okay.

20 MS. ZHANG: Ever since I bought  
21 the license about four years ago, I have been  
22 searching, but there are several issues that

1 make me unable to find a proper place.

2 The first one is I was not very  
3 familiar with the city, the geographic  
4 surroundings, so I have to ask friends and  
5 people to recommend places for me.

6 And secondly, I have language  
7 issues, so I always have to ask people. Like  
8 I trust friends to help me to look for a  
9 place.

10 And third was every time I find a  
11 place and people recommend a place to me, and  
12 then there was issue about we have to get the  
13 neighborhood's consensus and we have to put  
14 down the deposit right away, but in between to  
15 get all the consensus and approval and the  
16 cost of waiting, it seems like very long.

17 So those issues prevented me to  
18 make a quick decision in the past.

19 CHAIRPERSON MILLER: All right.  
20 I'm going to let other Board Members.

21 MS. ZHANG: But I still looking.  
22 I'm still looking.

1 CHAIRPERSON MILLER: Okay.

2 Others?

3 MEMBER ALBERTI: I just have one  
4 question. Early in your statements you said  
5 that you spoke about someone who manages the  
6 license. What did you mean by that and who is  
7 that?

8 MS. ZHANG: Can I check the name?

9 MEMBER ALBERTI: Sure, please. My  
10 next question will be what, you know, does  
11 that person do --

12 MS. ZHANG: Harper.

13 MEMBER ALBERTI: -- for you?

14 MS. ZHANG: Joe Harper. Joe  
15 Harper. You have?

16 MEMBER ALBERTI: Okay. What does  
17 that person do for you?

18 INTERPRETER TANG: Okay. Okay.  
19 Okay. I need to translate it first.

20 MS. ZHANG: Joe Harper was the  
21 person and because he handled the transaction,  
22 so I asked his suggestions. At that time, I

1 was a single mom and I had a son went to --  
2 attending college and I told him I have  
3 difficulties.

4 And so he said you should go to  
5 look for the location, the store you are going  
6 to operate first. And then we -- come back to  
7 us to see whether this is the place to operate  
8 a liquor store.

9 MEMBER ALBERTI: Okay. What is  
10 Mr. Harper's business? I mean, what --

11 MS. ZHANG: He works here in this  
12 building as a manager.

13 MEMBER ALBERTI: Okay. All right.  
14 Thank you.

15 MS. ZHANG: So when they --

16 MEMBER ALBERTI: Wait, just one  
17 moment, please.

18 CHAIRPERSON MILLER: Okay.

19 MS. ZHANG: The name is Ms. Joey  
20 Harper. It's a woman.

21 MEMBER ALBERTI: Oh, okay.

22 CHAIRPERSON MILLER: Okay.

1 MEMBER ALBERTI: Okay. Thank you.

2 CHAIRPERSON MILLER: Okay.

3 MEMBER ALBERTI: Now, I understand  
4 that statement. Thank you very much.

5 CHAIRPERSON MILLER: All right.  
6 So we have heard what you have had to say and  
7 I think, basically, it was suggested before  
8 that if you didn't open by the end of the  
9 year, you were going to sell. And --

10 MS. ZHANG: Yes, it's a plan.

11 CHAIRPERSON MILLER: Right. Okay.  
12 So our statute reads in terms of six months.  
13 And your license has been in safekeeping a  
14 very long time.

15 So I think that what the Board is  
16 prepared to do is say we will have another  
17 status in six months. And at that time, you  
18 should -- or before that even, you know,  
19 before the hearing say 10 days before, submit  
20 to us in writing proof that you have plans to  
21 open a liquor store.

22 It doesn't mean that it has to be

1 open then, but you have to have real plans.  
2 You know, a lease with someone or an  
3 agreement, so we know you have that or  
4 alternatively, plans to sell.

5 And if you neither open a liquor  
6 store or sell the license within a year, six  
7 months after that, then the Board will cancel  
8 your license.

9 INTERPRETER TANG: Okay.

10 MS. ZHANG: I understand the time  
11 line.

12 CHAIRPERSON MILLER: Okay.

13 MS. ZHANG: My question is if  
14 after a year, like toward the end of the  
15 period I put the license on the -- at to sell  
16 if I cannot find a buyer in three months or  
17 six months, would that be a problem? Like how  
18 we going to consider those?

19 MEMBER ALBERTI: She needs to put  
20 it up for sale before then.

21 CHAIRPERSON MILLER: Okay. So  
22 what we are saying is in the next six months,

1 either find a place to open or start looking  
2 for a seller, maybe at the same time. And  
3 then we will have a status in six months. And  
4 we want to see that you are actively doing one  
5 or both those things.

6 INTERPRETER TANG: Okay.

7 MS. ZHANG: Understand.

8 CHAIRPERSON MILLER: Okay. And  
9 so, you know, we will see you in six months  
10 and you can ask --

11 MS. ZHANG: Thank you very much.

12 MEMBER RODRIGUEZ: Okay.

13 CHAIRPERSON MILLER: Okay. So you  
14 will get something from us. You know what to  
15 do. And before the hearing, submit in writing  
16 and we will look at it. Okay.

17 And we are dealing with lots of  
18 cases like yours this afternoon, you know, you  
19 are not the only one.

20 INTERPRETER TANG: Okay.

21 MS. ZHANG: Thank you so much.

22 CHAIRPERSON MILLER: Okay.

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MS. ZHANG: Yes.

CHAIRPERSON MILLER: Okay. Thank  
you. Good luck.

MEMBER ALBERTI: Thank you.

MEMBER RODRIGUEZ: Thank you.

(Whereupon, the Fact-Finding  
Hearing in the above-entitled matter was  
concluded at 3:05 p.m.)

<p style="text-align: center;"><b>A</b></p> <p><b>\$2,600</b> 7:11  <b>ability</b> 6:18  <b>above-entitled</b> 17:7  <b>accurately</b> 6:15  <b>actively</b> 8:7 9:11  16:4  <b>activity</b> 2:20  <b>actual</b> 2:20  <b>Adams</b> 2:9  <b>address</b> 2:8  <b>ADS</b> 8:15  <b>affirm</b> 6:14  <b>afternoon</b> 2:4,10  16:18  <b>agent</b> 9:19  <b>agents</b> 8:12 9:18  <b>ago</b> 10:21  <b>agreement</b> 15:3  <b>ALBERTI</b> 1:15  4:22 5:3,6,11,14  5:17,19 10:13,15  10:18 12:3,9,13  12:16 13:9,13,16  13:21 14:1,3  15:19 17:4  <b>Alcoholic</b> 1:2,11,11  <b>allowed</b> 8:17  <b>alternatively</b> 3:7  15:4  <b>ANC-1C</b> 1:6  <b>appearing</b> 3:20  <b>apply</b> 3:20  <b>appointed</b> 5:15,18  <b>approval</b> 11:15  <b>April</b> 9:3  <b>asked</b> 8:10 12:22  <b>attending</b> 13:2</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>back</b> 13:6  <b>basically</b> 3:19 14:7  <b>beginning</b> 10:11  <b>best</b> 6:18  <b>Beverage</b> 1:2,11,11  <b>Board</b> 1:2,11 2:14  3:5,11 11:20</p>	<p>14:15 15:7  <b>bought</b> 8:2,5 10:6  10:20  <b>building</b> 1:12 13:12  <b>Bureau</b> 8:21  <b>business</b> 13:10  <b>buyer</b> 15:16</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>cancel</b> 15:7  <b>cases</b> 16:18  <b>Chairperson</b> 1:13  1:15 2:3 4:2,5,10  4:13,17 5:2,4,9,13  6:1,5,8,11,13,20  7:5,12,18,22 10:3  10:9,14,16 11:19  12:1 13:18,22  14:2,5,11 15:12  15:21 16:8,13,22  17:2  <b>check</b> 12:8  <b>Chinese</b> 6:10,17,18  <b>Chung</b> 9:6  <b>city</b> 11:3  <b>Code</b> 2:11  <b>college</b> 13:2  <b>Columbia</b> 1:1,6  <b>come</b> 13:6  <b>comfortable</b> 5:10  5:12,21  <b>complied</b> 3:2  <b>concluded</b> 17:8  <b>consensus</b> 8:21  11:13,15  <b>consider</b> 3:12 15:18  <b>Control</b> 1:2,11,11  <b>cost</b> 11:16  <b>current</b> 3:4</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>D.C</b> 1:12 2:11 9:6  <b>date</b> 3:17  <b>day</b> 3:15  <b>days</b> 14:19  <b>dealing</b> 2:6 16:17  <b>deals</b> 2:12</p>	<p><b>December</b> 4:19  <b>decide</b> 3:14  <b>decision</b> 11:18  <b>deposit</b> 11:14  <b>devoted</b> 2:4  <b>different</b> 10:11  <b>difficulties</b> 13:3  <b>discontinued</b> 2:16  <b>DISTRICT</b> 1:1  <b>doing</b> 16:4</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>Early</b> 12:4  <b>easy</b> 9:12  <b>either</b> 16:1  <b>email</b> 8:20,22 9:3  <b>English</b> 6:17,17  <b>estimate</b> 9:8  <b>exhibits</b> 3:10  <b>explain</b> 7:21  <b>express</b> 8:8  <b>extended</b> 1:8 2:7,19</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>Fact</b> 1:6  <b>Fact-Finding</b> 17:6  <b>faithfully</b> 6:15  <b>familiar</b> 11:3  <b>fee</b> 7:4,4,11  <b>feel</b> 5:10,11,21  <b>fees</b> 3:4 7:6 9:14  <b>find</b> 8:5,13,19 9:12  9:20 11:1,10  15:16 16:1  <b>Finding</b> 1:6  <b>fine</b> 5:20  <b>finished</b> 9:8  <b>first</b> 11:2 12:19  13:6  <b>Five</b> 10:13,14  <b>forever</b> 7:20  <b>four</b> 10:17,18,21  <b>friends</b> 11:4,8</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>geographic</b> 11:3  <b>give</b> 4:6</p>	<p><b>go</b> 13:4  <b>going</b> 2:4,5,8 6:6  11:20 13:5 14:9  15:18  <b>good</b> 4:2,17 5:19  7:13 17:3</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>H</b> 9:5  <b>half</b> 10:18  <b>handled</b> 12:21  <b>Harper</b> 12:12,14  12:15,20 13:20  <b>Harper's</b> 13:10  <b>hear</b> 2:21 3:6  <b>heard</b> 14:6  <b>hearing</b> 1:7,12 3:15  14:19 16:15 17:7  <b>hearings</b> 2:5 6:3  <b>HECTOR</b> 1:16  <b>help</b> 8:10 11:8  <b>hire</b> 8:12  <b>hold</b> 4:20  <b>holders</b> 2:22</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p><b>identify</b> 4:6  <b>important</b> 7:11  <b>importantly</b> 3:5  <b>impose</b> 3:16  <b>inquiry</b> 8:19  <b>intend</b> 10:4  <b>interpret</b> 6:15  <b>interpreter</b> 4:3,8  4:11,15 5:1,16,17  5:18,22 6:4,7,10  6:12,19 10:19  12:18 15:9 16:6  16:20  <b>Interpreters</b> 6:2  <b>issue</b> 7:7,9 11:12  <b>issues</b> 10:22 11:7  11:17</p> <hr/> <p style="text-align: center;"><b>J</b></p> <p><b>Janet</b> 4:9  <b>Joe</b> 12:14,14,20</p>	<p><b>Joey</b> 13:19</p> <hr/> <p style="text-align: center;"><b>K</b></p> <p><b>keep</b> 7:19  <b>keeping</b> 3:3  <b>know</b> 4:6 5:7,20  7:19 8:16 12:10  14:18 15:2,3 16:9  16:14,18</p> <hr/> <p style="text-align: center;"><b>L</b></p> <p><b>language</b> 6:9 11:6  <b>lease</b> 15:2  <b>license</b> 1:7,8 2:12  2:14,15,21,22 3:1  3:8 4:19 6:21  7:16,19 8:2,5,9  10:1,21 12:6  14:13 15:6,8,15  <b>licensees</b> 2:13 3:20  <b>licenses</b> 2:6,9,17  <b>Lili</b> 9:6  <b>line</b> 15:11  <b>liquor</b> 8:17 9:13,15  9:21 10:5,7 13:8  14:21 15:5  <b>little</b> 2:19  <b>living</b> 9:14  <b>location</b> 9:2,5 13:5  <b>long</b> 3:1 10:10  11:16 14:14  <b>look</b> 8:10 11:8 13:5  16:16  <b>looking</b> 8:7,7 9:10  9:11 11:21,22  16:1  <b>lots</b> 16:17  <b>luck</b> 17:3</p> <hr/> <p style="text-align: center;"><b>M</b></p> <p><b>M</b> 8:14 9:2  <b>manage</b> 8:9  <b>management</b> 7:11  <b>manager</b> 13:12  <b>manages</b> 12:5  <b>Mandarin</b> 6:12,16  6:17</p>
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