

**August 04, 2021
9200 Basil Court
Largo, MD 20774
Virtual Hearing**

Present:

Daphne Turpin-Forbes, Board Chair
Armando Camacho, Vice Chairman
Tammie Norman, Commissioner
Tammy Sparkman, Commissioner
Terence Sheppard, Director
Jason DeLoach, Esquire, Counsel
Robert Clark, Chief Liquor Inspector
Christian Mendoza, Deputy Chief Liquor Inspector
Johnny Toles, Deputy Chief Liquor Inspector
Patricia Bell, Administrative Manager
Leonard Vauss, Administrative Assistant
Katrice James, Administrative Aide
Keyanna Little, Administrative Aide
Jamie Schaefer, Administrative Aide

Start Time: 7:04 p.m.

Commissioner Forbes: This is an open meeting for the Prince George's County Board of License Commissioners. Welcome to our House. To ensure compliance with the law (Maryland Open Meetings Act) and our goal of transparency, to please identify yourself when speaking and speak audibly. As a professional courtesy, when not speaking, please mute your device. If someone from the public that is not providing testimony as a witness today, I will recognize you in the hearing and give you an opportunity for your voice to be heard. Everyone's voice matters at the BOLC. We understand that some of you may be passionate about what you have to say and that passion, in this regard, is permissible. What is not permissible is if truth, facts, and respect are not grounded in your voice. Thank you in advance for being truthful, respectful, and honest during the entire proceeding.

Director Sheppard: During a typical hearing, there would be an exchange between the Board and the attorneys to exchange information as exhibits. Because this hearing is now virtual, we have implemented a 10-day rule to give those individuals here today, 10-days from today's date to add to the official record. I would ask that you email myself or the administrative staff for the BOLC. You may add information to the record long as it is information that has been discussed in this hearing.

1. **t/a PartyHQ** – Request for a Special Entertainment Permit.
Licensees do not have an attorney, acknowledge their right to an attorney, and agree to move forward without representation.

Ronald Covington and **Rodney Chambers** are sworn in.

Ms. Forbes: What brings you here today?

Mr. Chambers: We are here to request an Entertainment Permit.

Ms. Forbes: Have you submitted a security plan?

Corporal Proctor is sworn in.

Ms. Forbes: Did you receive a copy of the security plan?

Corporal Proctor: Yes, I have. On July 29, 2021 at 11:00 AM, I went to Party HQ and met Mr. Chambers to talk about the facility. This is an amusement establishment with bowling, dining, and drinking alcohol. I discussed with Mr. Chambers how there is to be no use of promoters and no adult entertainment. Finally, I explained to Mr. Chambers that any changes to the business are to be submitted to the Office of Secondary Employment and The Board of License Commissioners. The proposed security plan was adequate.

Ms. Forbes: Mr. Covington or Mr. Chambers, tell me about your vision for having a Special Entertainment Permit.

Mr. Chambers: We were looking to have karaoke, spoken word events, comedy, smooth jazz brunches... things that would require a live DJ.

Ms. Forbes: Have you read Rule and Regulation No. 75 and understand your responsibilities?

Mr. Chambers: Yes ma'am.

Ms. Forbes: Do you understand these Rules and Regulations? Are they clear?

Mr. Chambers: No question, I understand.

Commissioner Camacho: Do you understand that the Special Entertainment permit only covers from 9 PM until 3 AM? Entertainment occurring during the day does not require permission. The one key thing about having a magic hour of 9:00 PM, no one under 21 is allowed.

Mr. Chambers: I understand.

Commissioner Camacho: I want to be very clear, because you could lose you entertainment very quickly.

Ms. Forbes: I would like to give you a friendly reminder than these points are covered in RR No. 75.

Commissioner Camacho: Where inside of the establishment will the entertainment take place?

Mr. Chambers: The areas could vary. We have space near the bowling lanes. We could also use the restaurant or bar area.

Mr. Covington: They could use the upstairs space as well.

Commissioner Camacho: That's running the risk of a mixed crowd. All areas of entertainment cannot contain anyone under the age of 18.

Mr. Chambers: We understand and we have about 90 employees to help enforce those rules.

Mr. Camacho: Remember that you are the only ones who will be held responsible for a violation.

Commissioner Camacho makes a motion to grant the Special Entertainment permit to t/a Party HQ, seconded by **Commissioner Norman**.

After Board vote, the motion carries.

2. **t/a Gee's** – Requesting to remove Mr. Prayjot Batra as a licensee and transfer his 60% interest to increase Mr. Siddhartha Maharjan's interest to 100%. Mr. Maharjan is not represented by an attorney, acknowledges his right to an attorney, and agrees to move forward without representation.

Siddhartha Marharjan is sworn in.

Mr. Marharjan: When I was renewing this license, I had a discussion with Ms. James about his application. Mr. Batra had wanted to leave in early 2020 and I had forgotten to tell you, but I also knew there must be a hearing.

Ms. Forbes: Let the record also reflect that we received Mr. Batra's letter of resignation and with the consent for transfer of interest Mr. Batra's 60% to Mr. Marharjan's 40%, giving Mr. Marharjan 100% financial interest.

No further questions.

Commissioner Camacho makes a motion to remove Mr. Batra as a licensee, transferring his 60% financial interest to Mr. Marharjan, giving Mr. Maharjan 100% financial interest; seconded by **Commissioner Norman**.

After Board vote, the motion carries.

3. Monzurul Islam, President, M & P Investment, Inc., **t/a Lee's Deli Mini Mart**, 5400 Marlboro Pike, Forestville, 20747, Class D, Beer and Wine, is summoned to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about May 7, 2019 a transfer application for a Class D, Beer and Wine was filed, that on or about July 23, 2019 approval by the Board was granted to the issuance of the license; the license has not been placed in operation after six months following approval being granted. Continued from December 9, 2020, January 13, 2021 & February 10, 2021. **Traci Scutter, Esquire** is representing. With Ms. Scutter is the store manager for Lee's Deli Mini Mart. Mr. Hoque is present to speak on behalf of Mr. Islam.

Ms. Forbes: Ms. Scutter, is your client on the line?

Ms. Scutter: Yes, he is. I have my client, Mohammed Hoque. We are also joined this evening by co-counsel, Julian Hafner.

Ms. Forbes: Let me make sure I have this correct. I have that the licensee is a Mr. Monzurul Islam, not a Mr. Hoque. Am I missing something?

Mr. Hoque: I am representing Mr. Islam because he is currently out of town.

Ms. Forbes: Are you on the license, Mr. Hoque?

Mr. Hoque: I am just the manager. I am representing them on behalf of Mr. Islam.

Ms. Forbes: Let me just pause for a second. Counselor, I'm not exactly sure what we can do here. Mr. Hoque is not a licensee and sometimes we need to talk to the licensee directly. Do we have jurisdiction over anyone but the licensee?

Mr. DeLoach: It is unusual for a licensee to not be present for an administrative issue. Can you proceed? You can. I'm not sure whether the Board had specific questions for the licensee. I believe it is up to the Board to decide whether we proceed, but it is unusual particularly being that this meeting is virtual.

Ms. Forbes: From my perspective, I have questions for the licensee. We are talking about a license that has not been effectuated for 2 years and 3 continuances later. I would absolutely have questions for the licensee. I respect Mr. Hoque for showing up in Mr. Islam's place; however, I don't believe he could answer the questions to my satisfaction. Commissioners, what say you? Shall we proceed with Mr. Hoque or must we issue a continuance for the licensee be present?

Commissioner Camacho: Licensee must be present.

Commissioner Sparkman: Licensee must be present.

Commissioner Norman: Licensee must be present.

Ms. Forbes: Counsel, what say you? You have the floor, Ms. Scutter.

Ms. Scutter: I will let Julian Hafner chime in after I speak. Mr. Islam's English is very poor. He would need an interpreter to come before the Board. I was retained about 48 hours ago, so we have not been able to arrange interpretation. I have been working with Mr. Mohammed Hoque over the past couple of days. Mr. Hoque is very knowledgeable of the business. I have found him to be organized and I am impressed. He has been more than capable of handling all my questions as well as Julian's. Julian, do you have any words on that?

Julian Hafner: I don't have much more to add. Mr. Hoque has been responsive to all our questions and I believe he is in the best position to answer the questions the Board. I believe a continuance might be in order.

Ms. Forbes: I appreciate, Ms. Scutter, that you just got your arms around this case; however, the Board only has jurisdiction over the licensee. This is a serious matter. They have not effectuated for 2 years, and 3 hearing continuances, and we have that right and with have to insist on that right to hear the licensee explain what happened. We will have to consider continuing the case for one last chance to speak with the licensee and an interpreter. I will entertain a motion.

Commissioner Camacho makes a motion to suspend the license pending the appearance of the licensee, seconded by **Commissioner Norman**.

Ms. Forbes: We have a motion to suspend the license pending the appearance of licensee, Mr. Islam, before the Board. Should we have some discussion? Mr. Camacho, I have a question; why suspend the license and not continue?

Commissioner Camacho: It has been over 2 years and the licensee has been unavailable and failed to provide advance warning. We cannot carry this on. Maybe this will provide some incentive for the licensees to show up to the next hearing.

Commissioner Norman: I agree with Commissioner Camacho. With the use of technology and the hearings being virtual, he could join the from anywhere. There is no excuse for not being able to show up.

Director Sheppard: Just to remind the Board, we have a hearing on August 11th. This license has also not been renewed, as of yet, for the past two years and expires on the 15th.

Commissioner Camacho: It is additional incentive for him to show up.

Ms. Forbes: Considering the license will expire on the 15th, you may speak to your clients and be very clear. If there is no transaction and all paperwork is not turned into the Board before closing on the 15th, the license will expire absolutely. Can we agree on this amendment to the main motion for a continuance?

Commissioner Camacho makes an amended motion to allow the licensees one more opportunity to speak with the Board on the August 11th hearing and have until the 15th to renew their license or the license will expire absolutely, seconded by **Commissioner Norman**.

After Board vote, the motion carries.

4. Leia Burks, Managing Member/Authorized Person, Taseen Abdulbarr, Member/Authorized Person, Center Pocket, LC, **t/a Center Pocket Billiards and Cafe**, 4931 Tesla Drive, Bowie, 20715, Class B (BLX), Beer, Wine and Liquor, is summoned to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about May 20, 2019 a new application for a Class B (BLX), Beer, Wine and Liquor was filed, that on or about July 23, 2019 approval by the Board was granted to the issuance of the license; the license has not been placed in operation after six months following approval being granted.

Licensee is represented by Linda Carter, Esquire.

Ms. Carter: Ms. Leia Burke is joining us from Texas. Ms. Abdulbarr will not be before us today.

Leia Burks is sworn in.

Ms. Carter: I believe as we appear before you today, the only thing that is missing is the release from the Comptroller's Office, which, we have been told it's on its way. We have a Temporary U&O which allows for training. We are anticipating the final U&O to arrive within 10-14 days. (**Leia-** That is correct.) We have completed everything aside from one release from the Comptroller's Office and are waiting on them. We would respectfully request 30 more days from the Board for my client.

Director Sheppard: I can confirm that Ms. Carter is honest.

No questions from the commissioners.

Commissioner Camacho makes a motion to allow a 30-day extension for t/a Center Pocket Billiards & Café, seconded by **Commissioner Norman**.

After Board vote, the motion carries.

5. Aster Haileselassie, Member/Authorized Person, DC Dynasty, LLC, **t/a National Golf Club at Tantallon**, 300 St. Andrews Drive, Fort Washington, 20744, Class C, GCC, Beer, Wine and Liquor, is summoned to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about December 17, 2019 a transfer application for a Class C, GCC, Beer, Wine and Liquor was filed, that on or about February 25, 2020 approval by the Board was granted to the issuance of the license; the license has not been placed in operation after six months following approval being granted. Continued from December 9, 2020.

Licensee is represented by **Robert Kim, Esquire**.

Aster Haileselassie is sworn in.

Mr. Kim: Madam Chair, the only document missing for effectuation is the U&O from DPIE. It has been about 16 months since the approval. We have obviously had some issues with the U&O with Covid-19, inspections and so on. This is the information I have

from the general manager. I asked the general manager and he emailed me on Monday, saying they have passed all of their inspections and expect to pass the fire alarm inspection soon. The final building inspection will be on Friday, August 6th. We are close to opening; all other information and documents are ready and in my file. I was hoping that we could have this done and taken care of before the hearing, but we can't control the schedule of DPIE. Any time that the Board can allot to this business, we will take. I believe 30 days may be accurate, 60 days at most. I'm confident that we've come this far and we can get it done.

Ms. Forbes: Where are you reading off the information from?

Mr. Kim: I'm reading off the email from the general manager at National Golf Club. Apparently, the previous licensee had 2 U&O's and much has taken longer. Covid-19 has held up departments and this permit.

Ms. Forbes: Can you provide the Board with a copy of the email?

Mr. Kim: Yes, I'll forward it.

Ms. Forbes: That is to be sent the Board for the record. Are there and more questions?

No questions.

Commissioner Camacho makes a motion to allow t/a National Golf Club at Tantallon an additional 60 day to effectuate their license following a transfer, seconded by

Commissioner Norman.

After Board vote, the motion carries.

6. Oscar Hernandez, Member Manager, H and P Restaurant, LLC, t/a **OMG Restaurant Bar and Lounge**, 1401 University Blvd E, Unit # G-12, 13 & 14, Hyattsville, 20783, Class BL(R) Beer, Wine and Liquor, is summoned to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about August 4, 2020 a transfer application for a Class BL(R), Beer, Wine and Liquor was filed, that on or about October 27, 2020 approval by the Board was granted to the issuance of the license; the license has not been placed in operation after six months following approval being granted.

Licensee is represented by **Robert Kim, Esquire.**

Oscar Hernandez is sworn in.

Mr. Kim: This is another case of needing a U&O. We filed for one 5-6 months ago. Mr. Hernandez has come to discover that there is a hold up with DPIE; not because of his business, but the mall in which his business is located. The mall has issues with the county in connection with the fire alarm and, what else, Oscar? (**Mr. Hernandez-** The fire alarm system and the elevator.) So, unless the landlord fixes these issues, DPIE cannot come out to issue an inspection. I apologize, but I didn't know there was a problem. Mr. Hernandez has been working with the landlord and with the county, but we're caught as to what we can do to help their issues and ours. We are simply in need of a U&O.

Commissioner Norman: So first, your client must tackle the issues with the landlord and get those cleared up. Then, you must go through the entire U&O process with DPIE as a whole separate issue.

Mr. Kim: We have had the U&O paperwork filed with DPIE for 5-6 months. We have been sitting here waiting, not knowing that there were issues going on in the mall.

Because all of the stores are under one roof in the mall, it becomes everyone's issue under that roof. Everyone becomes effected by the landlord's ability to get the mall's problems solved and their inspections completed in a timely manner.

Ms. Forbes: Mr. Kim, I'd like to ask Mr. Hernandez a question, please? Mr. Hernandez, you've been the one talking to the landlord about where he is in the process of getting the fire alarm and elevator issues solved? (**Mr. Hernandez-** Yes.) Can you tell me about what was discussed?

Mr. Hernandez: I have the last conversation with the manager from yesterday around 1 o'clock. She said that, at this point, it is only the fire alarm system that requires work. The elevator has already been fixed. They were working on it and trying to resolve those problems; however, she did not give me a date in which they would be fixed. An inspector for Prince George's County was present. They are working with the county to fix the problem.

Ms. Forbes: So, you are keeping the lines of communication open with the landlord? (**Mr. Hernandez-** Yes.) Thank you for that. I appreciate you sharing. Commissioners, any questions for Mr. Kim and his client? Hearing none, I will entertain a motion.

Commissioner Camacho makes a motion to allow an additional 60 days to effectuate the license for t/a OMG Restaurant, Bar, and Lounge-

Mr. Kim: Could we get more time? I'm sorry, I'm just not as confident in that amount of time as I was for National Golf Club.

Commissioner Camacho: I understand, but Mr. Kim... we understand the dilemma, but we can't wait forever. If we rescind the transfer, he will have to come back and reapply. He could then take it up with his landlord and make some concessions on rent, due to the extra cost and trouble. We can't just keep this as an open venue. Madam Chair, I will reconsider for a 90-day amendment to my earlier motion.

Commissioner Camacho makes an amended motion to grant t/a OMG Restaurant, Bar, and Lounge an extension of 90 days to effectuate, seconded by **Commissioner Norman**.

Commissioner Norman: I would like to clarify. This sounds like it will go beyond 90 days. Maybe the consideration would be to rescind the license and simply apply again because we will not keep extending this.

Mr. Kim: It makes more sense to finish what we started. We simply need to hurry the others along. I think 90 days should be efficient. What do you think, Oscar?

Mr. Hernandez: I don't know, Mr. Kim. One think we need to expect... the permit was approved in April. May and June, we did some repairs getting ready for the inspection. Then, when we were ready for inspection, they informed me that they cannot conduct an inspection on my end until the building's issues are settled.

Ms. Forbes: Let's see where we are in the process once we get closer to that date. The closer we get to that date we will have time to reconsider. The motion on the floor is for an additional 90 days to effectuate.

After Board vote, the motion carries.

7. Un Jin Shin, President/Treasurer, Jenny J. Kim, Vice President/Secretary, S & K Enterprises, Inc., t/a **Dodge City Market**, 7409 Marlboro Pike, District Heights, 20747, Class D, Beer and Wine, is summoned to show cause for an alleged violation of Section 26-2102 of the Alcoholic Beverage Article of the Annotated Code and Rule 26 of the Rules and Regulations for Prince George's County, to wit; That on or about November

24, 2020 a transfer application for a Class D, Beer and Wine was filed, that on or about January 26, 2021 approval by the Board was granted to the issuance of the license; the license has not been placed in operation after six months following approval being granted.

Licensee is represented by **Robert Kim, Esquire**.

Mr. Un Shin is sworn in.

Mr. Kim: Un Shin is the majority owner and this case is different from the others because it is most recent. It has been just over 6 months and though the plan was for Mr. Shin to purchase the property and own the business; however, purchasing the property became a financial issue to Mr. Shin. The owner agreed to sell the business to Mr. Shin after allowing him to lease the property for 5 years with intent to purchase. We can file the U&O application and we also must obtain a lease agreement or deed. I would like to request an extension for effectuation to about 120 days to 180 days. This would give us enough time to complete the transaction.

Ms. Forbes: So, to recap, there is a 5-year lease with the option to purchase and you can't get the U&O without that first. How long do you believe it will take to complete these tasks?

Mr. Kim: I'm confident that the Lease will be obtained within 10-14 days, two weeks. We have done most of the paperwork already, it's just the building and how quickly the landlord can finish servicing the building so that we can obtain a U&O from DPIE.

Commissioner Norman: Mr. Kim, just to confirm, Mr. Shin will purchase the business and lease the property for 5 years?

Mr. Kim: Yes, he will buy the property/business within 5 years. He will be a tenant under the lease agreement.

Commissioner Camacho makes a motion to extend the effectuation time for t/a Dodge City Market by 6 months, seconded by **Commissioner Norman**.

Commissioner Norman: So, the business isn't open and operating, is it? (**Mr. Kim-Yes.**) Under which license?

Mr. Kim: The management agreement is still under Ms. Park, but the business is managed by Mr. Shin.

Commissioner Norman: Doesn't she have to renew the license, then?

Mr. Kim: I believe it has already been renewed.

Commissioner Norman: Has it been renewed, Director?

Director Sheppard: Yes.

No further questions.

After Board vote, the motion carries.

8. **Proposed Revision to R.R. No. 75-** Special Entertainment/Family Entertainment Permit.

Ms. Forbes: So, Commissioners, you have received a copy of the revisions. (Yes.) Mr. Director, please quickly summarize so that we can all be on the same page with our audience so the public may know and ask questions in an informed way.

Director Sheppard: Yes ma'am. We have added to Rule and Regulation No. 75 an explanation as to what entertainment is. The 6 items that we have added to the application; however, we did not include them in the Rules and Regulations Book. They are:

1. Music played by a Musician, Disc Jockey, Band, or an employee of a licensee.
2. Choreography demonstrated a Dancer.
3. Exotic Dancing by Stripper (if previously approved by the Board).
4. Jokes told by a Comedian.
5. Songs performed by Vocalist or Instrumentalist.
6. Karaoke Machine with Vocalist.

In addition to those 6 items, we have also added language which addresses loud music. Music must be played without the assistance of a DJ or employee. The music must be no louder than normal eating background music; meaning, customers should not have to raise their voices over the music.

Ms. Forbes: Do the Commissioners or Public have any questions, concerns, or need anything reexplained? Public?

No Comments from Commissioners or the Public.

Commissioner Camacho makes a motion to adopt the amended R.R. No. 75 for Special Entertainment/ Family Entertainment Permitting, seconded by **Commissioner Norman**.

After Board Vote, the motion carries.

No further comments from the public, commissioners, or staff.

Adjourned: 8:13 p.m.

Respectfully Submitted,

Jamie Schaefer
Administrative Aide BOLC