



District of Columbia Government
Advisory Neighborhood Commission 6A
P. O. Box 75115
Washington, DC 20013



October 19, 2013

Ms. Ruthanne Miller, Chair
ABC Board
1250 14th Street, NW, Fifth Floor
Washington, DC 20009

Dear Chairperson Miller:

Please be advised that at the October 10 meeting of ANC 6A, with a quorum present, the Commission voted (3-1-1) to protest the CT license renewal of XII (License # 76366), located at 1123 H Street NE. Commissioner Alberti left the room before the discussion began on this matter and did not return until after its conclusion. He also did not participate in any email discussions about XII or any other alcoholic beverage licensing matters. This was our regular and publicly¹ announced meeting.

Since opening in 2007, the establishment has violated the Voluntary Agreement, dated March 19, 2007 and Board Order dated October 31, 2007 and subsequent orders on numerous occasions. Documented complaints by residents of excessive noise date back to May of 2008. The ANC's first official complaint to ABRA regarding the blatant disregard of its VA regarding excessive noise was lodged in August 2008 after numerous, unsuccessful attempts to work directly with Bernard Gibson, owner of XII. Since that time, the ANC continues to hear complaints of not only excessive noise, but also of illegal use of public space, safety concerns and excessive loitering around the building. ABRA has investigated episodes of violence within and outside the nightclub.

The litany of violations of the Settlement Agreement continues to the present day. The establishment agreed to the conditions but consistently flaunts them. Even Board Orders are followed by repeats of the same violations.

Sound levels from XII are the curse of this neighborhood. Neighbors with children have moved because of the noise. Broken windows are never replaced despite promises. In short, the ANC is filing

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@googlegroups.com, ANC- 6A and NewHillEast yahoogroups, on the Commission's website, and through print advertisements in the *Hill Rag*.

its protest based upon the severe negative impact that the establishment has on the peace, order and quiet of the surrounding neighborhood.

Commissioner Jay Williams, Chair of the ANC 6A Alcohol Beverage Licensing Committee, will be the primary representative of the ANC in this matter. However, should he not be able to attend any hearing, Commissioner David Holmes is also authorized to represent the ANC for the purposes of this case. Commissioner Williams can be reached at 202-906-0657 or williamsANC6a05@gmail.com.

On behalf of the Commission,

A handwritten signature in black ink that reads "David Holmes". The signature is written in a cursive, flowing style.

David Holmes, Chair