



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



November 30, 2012

Mr. Bernard Gibson
XII
1123 H Street NE
Washington, DC 20002

Dear Sir:

At its meeting of November 8, 2012, Advisory Neighborhood Commission 6A (ANC) adopted a motion to invoke the cure provision of the ANC's VA with XII (Twelve) located at 1123-1125 H Street, NE.

Consequently this letter invites you to appear before the ANC's ABL committee to describe the corrections you will have made to bring your establishment into compliance with your VA. These corrections are expected within 10 days or the matter will be reported to the Alcoholic Beverage Regulatory Administration. The motion passed 5-0-1, with Commissioner Alberti not voting and not present in the room. The meeting was the eight-member Commission's publicly announced¹ and regularly scheduled meeting held with a quorum present.

On the following page is a PDF of the relevant language from the Voluntary Agreement you signed.

¹ ANC 6A meetings are advertised electronically on the anc6a-announce@yahoo.com list, the ANC6A email group (not run by the ANC), the NewHillEast email group, through print advertisements in the *Hill Rag*, and on our website, ANC6A.org.

Enforcement:

- a. If either party hereto believes in good faith that the applicant is in violation of this agreement, written notice specifying the alleged violation shall be delivered to the applicant and the applicant shall have ten (10) days after receipt of such written notice to come into compliance with this agreement or respond to said alleged notice of default.
- b. Applicant and the ANC 6A Commission agree to enter into this agreement. If the applicant should breach the conditions of this agreement, it is understood by all parties that the ANC 6A, and/or its committees, or others shall immediately petition the ABC Board for a "show cause" hearing pursuant to 23 D.C.M.R. 1513.5.
- c. This cooperative agreement is binding on the applicant and its assigns and will continue in force for any and all subsequent license holders at this location.

The ANC finds that XII is causing excessive noise to trouble the residential neighborhood to the south of the building because of a failure to adequately maintain and repair its sound insulation. We also find that excessive noise is coming from the rooftop of your establishment.

The next meeting of the ABL Committee is December 18, 2012 at 7 pm. We will expect your statement then to include information about the changes you have made. If the ABL committee is not satisfied, I will refer the matter on behalf of the ANC to ABRA.

For the Commission,



David Holmes
Chair, ANC 6A