

DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

In re: 1530 Rhode Island Avenue, N.E., Unit 506

Ward Five (5)

TP 26,183

ERIC V. STEARNS
Tenant

v.

BROOKLAND INVESTMENTS I, LLC
ANDERSON+SUMMERS, LLC
Housing Providers¹

**ORDER TO COMPLY WITH COMMISSION RULES
AND SUBSTITUTION OF A PARTY**

December 17, 2002

BANKS, CHAIRPERSON. On December 4, 2002, the Commission issued its notice of scheduled hearing on February 11, 2003, and notice of receipt of the certified record, in this review of the Rent Administrator's decision and order dated July 24, 2002, initiated by the Commission. In response to the notice, on December 11, 2002, the Commission received a letter dated December 6, 2002, stating that the firm of Anderson+Summers, LLC represents the owner, Brookland Investments I, LLC, as the management company for the property. The letter also stated, "Anderson+Summers, LLC is authorized to manage issues relating to legal proceedings." Letter at 1. Finally, the letter advised the Commission that the Tenant did not reside at the housing accommodation.

¹ According to the letter dated December 6, 2002 and received by the Commission on December 11, 2002, Edwards Apartments was the former Housing Provider, which was purchased by Brookland Investments I, LLC, which is represented by Anderson+Summers, LLC.

The letter is not in conformity with the Commission's rules. For example, the letter does not contain:

1. A certificate of service (on the letter) with the names and addresses of the parties or their counsel or representative as required by 14 DCMR § 3803.7 (1991);
2. The original document (letter) and four copies which must be filed in the Commission, as required by 14 DCMR § 3801.7 (1991) and have a self addressed postage prepaid envelop for a fifth copy to be date stamped and returned in conformity with 14 DCMR §§ 3801.3 & .4 (1991); and
3. The letter was signed by Bruce W. Hurd, on the letterhead of Anderson+Summers, LLC, without any indication of his capacity or connection to Anderson+Summers, LLC, and the Commission is unable to determine if Mr. Hurd is properly before the Commission pursuant to 14 DCMR § 3812 (1991).

The letter had attached to it a copy of a few of the Commission's rules, 14 DCMR §§ 3807.4 – 3810.1 (1991). Mr. Hurd did not request the Commission, pursuant to 14 DCMR § 3809.2 (1991), to substitute Anderson+Summers, LLC, as the Housing Provider, in lieu of Edwards Apartments, which is the name of the Housing Provider on the Rent Administrator's decision and the Commission's notice dated December 4, 2002. However, the letter gave notice of the change of ownership and management. Accordingly, the Commission pursuant to its rule, 14 DCMR § 3809.2 (1991),² substitutes Brookland Investments I, LLC and Anderson+Summers, LLC, as the Housing Providers in this initiated review. Pursuant to 14 DCMR § 3809.4 (1991), Brookland Investments I, LLC and Anderson+Summers, LLC, have the opportunity, through proper

² The Commission's rule, 14 DCMR § 3809.2 (1991) states:

In the event of the death, dissolution, reorganization, or change of ownership or interest of a party, the Commission may, upon its own motion, upon request of the Rent Administrator or upon the motion of a party, substitute or add a person, partnership, or corporation.

representatives, to file written arguments in support of or opposition to the Commission's substitution of parties.

The Commission will allow the Brookland Investments I, LLC and Anderson+Summers, LLC, the Housing Providers, ten (10) days from the date of receipt of this order to comply with its appeal rules, and file arguments under 14 DCMR § 3809.4 (1991). See Gardiner v. Charles C. Davis Real Mgmt. Realty, TP 24,955 (RHC Nov. 15, 2000) cited in Vicente v. Anderson, TP 27,201 (RHC Sept. 23, 2002). The Tenant also has the right to file arguments within the ten day period, after receipt of this order. The Commission will hold its hearing as scheduled in the notice.

SO ORDERED.



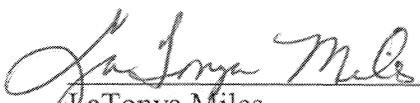
RUTH R. BANKS, CHAIRPERSON

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Order to Comply with Commission Rules and Substitution of a Party was mailed by priority mail, with confirmation of delivery, postage prepaid, the 17th day of December 2002, to:

Brookland Investments I, LLC
Anderson+Summers, LLC
P.O. Box 15601
Washington, D.C. 20003

Eric V. Stearns
1530 Rhode Island Avenue, N.E.
Unit 506
Washington, D.C. 20018



LaTonya Miles
Contact Representative