

DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

TP 27,184

JAMES KEVIN HUBLER
Tenant/Appellant

v.

RENEAU REAL ESTATE, LLC
Housing Provider/Appellee

**ORDER ON JOINT MOTION TO VACATE DEFAULT JUDGMENT
AND DISMISS APPEAL**

May 17, 2002

BANKS, CHAIRPERSON. On December 13, 2001, the Office of Adjudication issued its decision and order in this case. The decision and order dismissed with prejudice the Tenant's petition for failure to appear at the scheduled hearing, after receiving notice of the hearing. On January 31, 2002, the Tenant, through counsel filed a notice of appeal in the Commission. On May 16, 2002, the parties filed "Joint Motion to Vacate Default Judgment and After Vacating Default Judgment, Joint Motion to Dismiss Appeal as Settled." There was no copy of a settlement document attached to the motion, however, the motion referred to the settlement terms.

The Commission reviewed the information in the joint motions, which were signed by counsel for both parties. The motions resolved all issues in the notice of appeal by requesting that the Commission dismiss the appeal as settled. Moreover, it requested the hearing examiner's default judgment be vacated and stated a companion case in the Superior Court between the parties was settled also.

The Commission, in accordance with the terms of Proctor v. District of Columbia Rental Hous. Comm'n, 484 A.2d 543 (D.C. 1984), considered that the terms in the joint

motions were supported by both parties, fully resolved the disputes between the parties, saved litigation costs, and avoided delays inherent in the administrative and judicial processes. Accordingly, the Commission Grants the motions and vacates the default judgment in the OAD decision and order.

SO ORDERED.

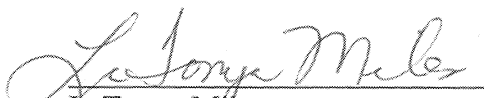

RUTH R. BANKS, CHAIRPERSON

CERTIFICATE OF SERVICE

I certify that on May 17th, 2002, a copy of the foregoing ORDER ON JOINT MOTION TO VACATE DEFAULT JUDGMENT AND DISMISS APPEAL was served by priority mail with confirmation of delivery to:

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