

DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

TP 27,439

2801 Pennsylvania Avenue, S.E., Unit 305

Ward Seven (7)

WILLIAM C. SMITH & CO., INC.
Housing Provider/Appellant

v.

MARGARET K. JEFFERSON
Tenant/Appellee

ORDER DISMISSING APPEAL

October 29, 2002

BANKS, CHAIRPERSON. Margaret K. Jefferson, Tenant, filed the tenant petition on February 12, 2002 and the Office of Adjudication (OAD) issued a decision and order on September 24, 2002. On October 25, 2002, OAD issued an order that granted the Housing Provider's motion for reconsideration, vacated the OAD decision and order, and ordered a de novo hearing be scheduled. On October 28, 2002, the Housing Provider filed a notice of appeal in the Commission of the September 24, 2002, decision and order issued by OAD.

THE COMMISSION'S ORDER

The Commission's jurisdiction is to hear and decide appeals from final decisions of the Rent Administrator. D.C. OFFICIAL CODE § 42- 3502.02(a)(2); 14 DCMR § 3804.1 (1991); Pegram v. Cooper, TP 27,003 (RHC June 26, 2002) citing Cohen v. Beneficial Industrial Loan Corp., 337 U.S. 541 (1949); District of Columbia v. Tschuden, 390 A.2d 986 (D.C. 1978) cited in Borger Mgmt., Inc. v. Bennett, TP 22,402 (RHC Nov. 14, 1991).

See also West v. Morris, 711 A. 2d 1269 (D.C. 1998). In this appeal, there is no final decision and order, because OAD on reconsideration vacated its final decision and order. Accordingly, the appeal before the Commission is dismissed as not being from a OAD final decision and order.

SO ORDERED.



RUTH R. BANKS, CHAIRPERSON

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Order Dismissing Appeal was mailed by priority mail with delivery confirmation, postage prepaid, this **29th day of October 2002** to:

Vincent Mark J. Policy, Esquire
1620 L Street, N.W.
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and

Margaret K. Jefferson
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LaTonya Miles
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