

DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

TP 27,666

In re: 1A St. Matthews Court

Ward Two (2)

THERESA G. LAMB

Housing Provider/Appellant/Cross Appellee

v.

ANARI, INC./WILLIAM ANAWATY

Tenant/Appellee/Cross Appellant

ORDER ON CONSENT MOTION FOR DISMISSAL

November 18, 2003

BANKS, CHAIRPERSON. On September 11, 2003, the Commission issued a notice of scheduled hearing and notice of certification of record to the parties. The notice stated the Commission's hearing was scheduled for Tuesday, November 18, 2003. On Friday, November 14, 2003, the parties filed a "Mutual Consent to Dismissal." The consent document stated that both parties were represented by counsel, and that all issues have been settled or satisfied.

THE COMMISSION'S ORDER

The Commission's rule, 14 DCMR § 3824 (1991), allows for withdrawal of an appeal after review by the Commission for protection of the interests of the parties and the absence of prejudice. Estate of Lee v. Susta Corp., Ltd., TP 24,692 (June 2, 2000); Chaney v. H.J. Turner Real Estate Co., TP 12,065 (RHC Dec. 16, 1985). In this appeal both parties are represented by counsel who have stated that all issues in the appeal were

settled. Therefore, the appeal is moot, and the Commission grants the request to dismiss the appeal with prejudice.

SO ORDERED.



RUTH R. BANKS, CHAIRPERSON

MOTIONS FOR RECONSIDERATION

Pursuant to 14 DCMR § 3823 (1991), final decisions of the Commission are subject to reconsideration or modification. The Commission's rule, 14 DCMR § 3823.1 (1991), provides, "[a]ny party adversely affected by a decision of the Commission issued to dispose of the appeal may file a motion for reconsideration or modification with the Commission within ten (10) days of receipt of the decision."

JUDICIAL REVIEW

Pursuant to D.C. OFFICIAL CODE § 42-3502.19 (2001), "[a]ny person aggrieved by a decision of the Rental Housing Commission ... may seek judicial review of the decision ... by filing a petition for review in the District of Columbia Court of Appeals." Petitions for review of the Commission's decisions are filed in the District of Columbia Court of Appeals and are governed by Title III of the Rules of the District of Columbia Court of Appeals. The Court's Rule, D.C. App. R. 15(a), provides in part: "Review of orders and decisions of an agency shall be obtained by filing with the clerk of this court a petition for review within thirty days after notice is given, in conformance with the rules or regulations of the agency, of the order or decision sought to be reviewed ... and by tendering the prescribed docketing fee to the clerk." The Court may be contacted at the following address and telephone number:

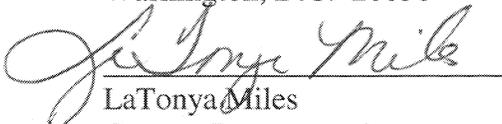
D.C. Court of Appeals
Office of the Clerk
500 Indiana Avenue, N.W., 6th Floor
Washington, D.C. 20001
(202) 879-2700

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing ORDER ON CONSENT MOTION FOR DISMISSAL in TP 27,666 was mailed by priority mail, with confirmation of delivery, postage prepaid this 18th day of November, 2003, to:

David Lamb, Esquire
1818 N Street, N.W.
Suite 710
Washington, D.C. 20036

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LaTonya Miles
Contact Representative