

DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

TP 27,870

In re: 3227 11th Street, N.W.

Ward One (1)

ALTHEA PAUL
Tenant/Appellant

v.

FERNANDO MIRANDA
Housing Provider/Appellee

ORDER ON CONSENT MOTION FOR CONTINUANCE

March 26, 2004

BANKS, CHAIRPERSON. On March 25, 2004, the parties filed a motion for continuance of the hearing scheduled for Monday, March 29, 2004. The motion stated that the parties reached a settlement, which had terms that would not be concluded until April 30, 2004. Althea Paul, Tenant, anticipates she will dismiss her appeal at the conclusion of the settlement agreement. Both parties are represented by counsel.

The Commission's rule, 14 DCMR § 3815.1-3 (1991), states:

Any party may move to request a continuance of any scheduled hearing or for extension of time to file a pleading, other than a notice of appeal, or leave to amend a pleading if the motion is served on opposing parties and the Commission at least five (5) days before the hearing or the due date; however, in the event of extraordinary circumstances, the time limit may be shortened by the Commission.

Motions shall set forth good cause for the relief requested.

Conflicting engagements of counsel, absence of counsel, or the employment of new counsel shall not be regarded as good cause for continuance unless set forth promptly after notice of the hearing has been given.

In the instant case, the parties reached a settlement on Wednesday, March 24, 2004, and filed their consent motion for a continuance on Thursday, March 25, 2004. Accordingly, the Commission determined there were extraordinary circumstances, which allowed the five day time limit in § 3815.1 to be shortened. In addition, good cause, a settlement, was shown by the parties for the continuance. Therefore, the motion to continue the hearing is GRANTED.

SO ORDERED.



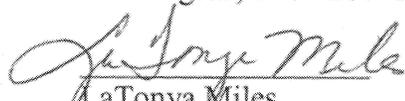
RUTH R. BANKS, CHAIRPERSON

CERTIFICATE OF SERVICE

I certify that a copy of the Order on Consent Motion for Continuance in TP 27,870 was served by priority mail, with delivery confirmation, postage prepaid, this **26th day of March, 2004**, to:

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