

**DISTRICT OF COLUMBIA**  
**OFFICE OF ADMINISTRATIVE HEARINGS**  
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DISTRICT OF COLUMBIA  
OFFICE OF  
ADMINISTRATIVE HEARINGS

2009 AUG 18 P 2: 57

MARY WARNER,  
Tenant/Petitioner,

v.

PARK ROAD, LLC,  
Housing Provider/Respondent.

Case No.: RH-TP-09-29597

*In re* 714 Park Road NW  
Unit 102

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**FINAL ORDER**

**I. Introduction**

On May 21, 2009, Tenant Mary Warner filed tenant petition ("TP") 29,597 alleging violations of the Rental Housing Act of 1985. An Order was issued on June 22, 2009, scheduling this matter for mediation on July 14, 2009. The petition concerned the housing accommodation located 714 Park Road, NW, Unit 102.

On July 14, 2009, Tenant filed a motion for voluntary withdrawal of the tenant petition pursuant to OAH Rule 2817.1. The motion stated that, "Mary Warner, tenant, dismisses this tenant petition with prejudice." The motion was signed by both Tenant Mary Warner and Kenneth Ross, Housing Provider's Managing Agent.

The rules of this administrative court provide a petitioner may file a summary motion for voluntary dismissal of any action. OAH Rule 2817.1, 1 District of Columbia Municipal Rules ("DCMR") 2817.1. The rules further provide that the parties, their authorized agents, or

representatives may file a stipulation of voluntary dismissal with prejudice signed by all parties, their authorized agents or representatives. OAH Rule 2817.3, 1 DCMR 2817.3. The parties have both signed the voluntary dismissal with prejudice. Accordingly, Tenant's request to dismiss the tenant petition with prejudice is granted.

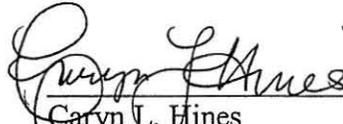
**II. Order**

Therefore, it is this 18<sup>th</sup> day of August 2009:

**ORDERED**, that Tenant's motion for voluntary dismissal is hereby **GRANTED**; and it is further

**ORDERED**, that Case No. RH-TP-09-29597 is hereby **DISMISSED WITH PREJUDICE**; and it is further

**ORDERED**, that the reconsideration and appeal rights of any party aggrieved by this Order are set forth below.

  
Caryn L. Hines  
Administrative Law Judge

## **MOTIONS FOR RECONSIDERATION**

Any party served with a final order may file a motion for reconsideration within ten (10) days of service of the final order in accordance with 1 DCMR 2937. When the final order is served by mail, five (5) days are added to the 10 day period in accordance with 1 DCMR 2811.5.

A motion for reconsideration shall be granted only if there has been an intervening change in the law; if new evidence has been discovered that previously was not reasonably available to the party seeking reconsideration; if there is a clear error of law in the final order; if the final order contains typographical, numerical, or technical errors; or if a party shows that there was a good reason for not attending the hearing.

The Administrative Law Judge has thirty (30) days to decide a motion for reconsideration. If a timely motion for reconsideration of a final order is filed, the time to appeal shall not begin to run until the motion for reconsideration is decided or denied by operation of law. If the Judge has not ruled on the motion for reconsideration and 30 days have passed, the motion is automatically denied and the 10 day period for filing an appeal to the Rental Housing Commission begins to run.

## **APPEAL RIGHTS**

Pursuant to D.C. Official Code §§ 2-1831.16(b) and 42-3502.16(h), any party aggrieved by a Final Order issued by the Office of Administrative Hearings may appeal the Final Order to the District of Columbia Rental Housing Commission within ten (10) business days after service of the final order, in accordance with the Commission's rule, 14 DCMR 3802. If the Final Order is served on the parties by mail, an additional three (3) days shall be allowed, in accordance with 14 DCMR 3802.2.

Additional important information about appeals to the Rental Housing Commission may be found in the Commission's rules, 14 DCMR 3800 et seq., or you may contact the Commission at the following address:

District of Columbia Rental Housing Commission  
941 North Capitol Street, NE  
Suite 9200  
Washington, D.C. 20002  
(202) 442-8949

**Certificate of Service:**

**By Priority Mail with Delivery Confirmation**

**By Inter-Agency Mail:**

**(Postage Paid):**

Mary Warner  
714 Park Road, NW  
Unit 102  
Washington, DC 20010

Park Road, LLC  
1808 S Street, NW  
Washington, DC 20009

District of Columbia Rental Housing  
Commission  
941 North Capitol Street, NE, Suite 9200  
Washington, DC 20002

Keith Anderson, Acting Rent Administrator  
Rental Accommodations Division  
Department of Housing and Community  
Development  
1800 Martin Luther King Jr. Ave., SE  
Washington, DC 20020

I hereby certify that on 8-18, 2009,  
this document was caused to be served upon the  
above-named parties at the addresses and by the  
means stated.

  
Clerk / Deputy Clerk