

**DISTRICT OF COLUMBIA
OFFICE OF ADMINISTRATIVE HEARINGS**

One Judiciary Square
441 Fourth Street, NW
Washington, DC 20001-2714
TEL: (202) 442-9094
FAX: (202) 442-9451

DISTRICT OF COLUMBIA
OFFICE OF ADMINISTRATIVE HEARINGS

2010 JUL -1 P 3: 25

STEFAN MULLER,

Petitioner,

v.

BEN STEWARD,

Respondent.

Case No.: 2009-OAH-DHCD-0000038

Agency No.: TP 29,774

In re: 1536 T Street, NW, Apt. B

FINAL ORDER

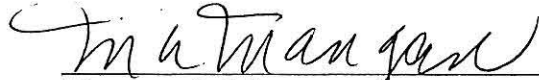
On his motion, Stefan Muller's November 13, 2009, tenant petition is dismissed without prejudice. The housing accommodation at issue is Apartment B at 1536 T Street, NW. On June 16, 2010, Petitioner Muller filed a letter stating that he was "choosing to hereby withdraw my claim with OAH against Mr. Steward."

A "petitioner may file a summary motion for voluntary dismissal of any action, or of any claim asserted in an action, at any time . . ." OAH Rule 2817.1. Without a stipulation, statute, rule or order specifying otherwise, a dismissal is without prejudice. OAH Rule 2817.4.

Therefore, it is this 1st day of July, 2010:

ORDERED, that Case Number 2009-OAH-DHCD-0000038 is **DISMISSED** without prejudice; and it is further

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


Margaret A. Mangan
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
441 4th Street, NW
Suite 1140 North
Washington, DC 20001
(202) 442-8949

Certificate of Service:

By First-Class Mail (Postage Paid):

Stefan Muller
1515 15th Street, NW, Unit 209
Washington, DC 20005

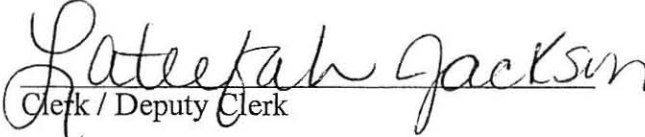
Ben Steward
1538 T Street, NW
Washington, DC 20009

By Inter-Agency Mail:

District of Columbia Rental Housing Commission
441 4th Street, NW
Suite 1140 North
Washington, DC 20001

Keith Anderson, Acting Rent Administrator
District of Columbia Department of Housing and Community Development
Housing Regulation Administration
1800 Martin Luther King Jr. Avenue, SE
Washington, DC 20020

I hereby certify that on 7-1, 2010 this document was caused to be served upon the above-named parties at the addresses and by the means stated.


Clerk / Deputy Clerk