

**DISTRICT OF COLUMBIA**  
**OFFICE OF ADMINISTRATIVE HEARINGS**  
941 North Capitol Street NE, Suite 9100  
Washington, DC 20002  
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2009 FEB 10 A II: 32

SHERIDAN REHABILITATION AND  
WELLNESS, INC.,  
Tenant/Petitioner,

v.

NIMIA HAYDEE VENEGAS AND MARIO  
ALAS,  
Housing Providers/Respondents.

Case No.: RH-TP-08-29378  
*In re* 1307 Fort Stevens Drive NW  
Units 1, 2 & 3

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**FINAL ORDER**

On July 31, 2008, Tenant/Petitioner, Sheridan Rehabilitation and Wellness, Inc., filed a tenant petition asserting that: (1) Respondents/Housing Providers were not properly registered with the Rental Accommodations Division (RAD) of the Department of Housing and Community Development (DHCD); and (2) Housing Providers did not file the correct rent increase forms with the RAD. In a Statement Supplementing Tenant Petition filed January 9, 2009, Tenant asserted an additional claim for refund of alleged illegal rent increases, among other assertions.

By Order of December 24, 2008, I denied a motion by Housing Providers to dismiss the tenant petition and scheduled the case for hearing on February 9, 2009. Both parties appeared for the hearing on that date together with counsel. The parties then agreed to participate in mediation before another Administrative Law Judge. Following the mediation the parties filed a

Settlement Agreement setting forth the terms of the settlement and stating that the: "Parties agree that this case is to be entered as dismissed with prejudice."

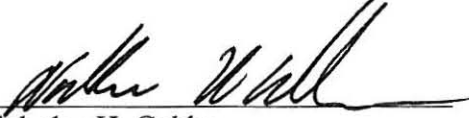
The District of Columbia Administrative Procedure Act, D.C. Official Code § 2-509(a) provides that: "Unless otherwise required by law other than this subchapter, any contested case may be disposed of by stipulation, agreed settlement, consent order, or default." OAH Rule 2817.3, 1 District of Columbia Municipal Regulations ("DCMR") 2817.3, provides:

The parties or their authorized agents or representatives, also may file a stipulation of voluntary dismissal with prejudice, signed by all parties, their authorized agents or representatives, who have appeared in the action to dismiss an action.

Accordingly, it is this 10<sup>th</sup> day of **February, 2009**,

**ORDERED** that Case No. RH-TP-08-29378 is **DISMISSED WITH PREJUDICE**; and  
it is further

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

  
Nicholas H. Cobbs  
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, N.E.  
Suite 9200  
Washington, D.C. 20002  
(202) 442-8949

**Certificate of Service:**

**By Facsimile and First Class Mail**

Jonathan R. Schuman, Esq.  
4804 Moorland Lane  
Bethesda, MD 20814  
(301) 986-7960 (fax)

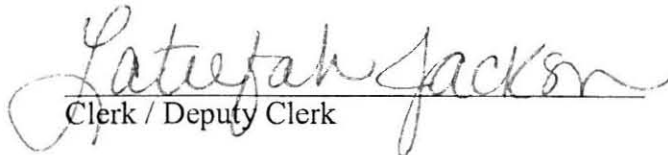
Carol S. Blumenthal, Esq.  
Blumenthal & Cordone PLLC  
1700 17th St. NW, Ste. 301  
Washington, DC 20009  
(202) 265-7419 (fax)

**By Inter-Agency Mail:**

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

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 2-10,  
2009, this document was caused to be served  
upon the above-named parties at the  
addresses and by the means stated.

  
Clerk / Deputy Clerk