

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

2009 FEB 20 A II: 25

JOSEPH M. FORD,
Tenant/Petitioner,

v.

CURTIS PROPERTIES, INC.,
Housing Provider/Respondent.

Case No.: RH-TP-08-29426
In re: 1635 18th Street, S.E., Unit 201

FINAL ORDER

Joseph Ford, Tenant/Petitioner, filed Tenant Petition (TP) 29,426 on September 10, 2008 and initiated this matter against Housing Provider/Respondent, Curtis Properties, Inc. The petition concerned the housing accommodation located at 1635 18th Street, S.E., Unit 201.

This matter was scheduled for an evidentiary hearing on January 8, 2009. Tenant/Petitioner appeared *pro se*. The property manager, Rosalind Tolson, appeared on behalf of Curtis Properties, Inc. When the court convened the hearing, the court invited the parties to attempt to mediate the case. The parties reviewed this administrative court's voluntary mediation agreement, and informed the court that they were willing to discuss their claims with a mediator. Administrative Law Judge Nicholas Cobbs served as the mediator. The mediation was not successful. As a result, the parties appeared for the evidentiary hearing before Administrative Law Judge Jennifer Long.

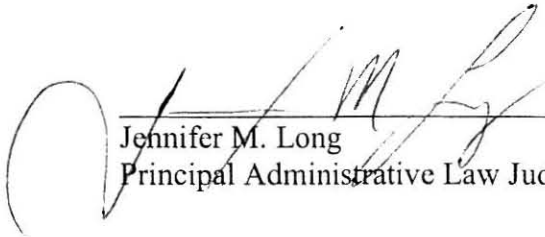
When the court convened the hearing and inquired about exhibits, Tenant/Petitioner informed the court that he submitted documents to Ms. Sun in the Office of the Tenant Advocate. The court recessed the hearing and Mr. Ford went to the Office of the Tenant Advocate and retrieved the documents. Mr. Ford returned with the documents and provided the housing provider's representative with a copy of the documents. After Ms. Tolson reviewed the documents, the parties agreed to resume mediation. Following a successful mediation, the parties submitted a joint motion to voluntarily dismiss the petition with prejudice.

In accordance with 1 DCMR 2817.3, the OAH rule governing voluntary dismissals, "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." Since the parties have filed a joint motion for voluntary dismissal with prejudice, the court will dismiss this action in accordance with 1 DCMR 2817.

Accordingly, it is this **19th** day of **February, 2009**:

ORDERED, that RH-TP-08-29426 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.


Jennifer M. Long
Principal 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 Priority Mail with Delivery Confirmation (Postage Paid):

Joseph M. Ford
1635 18th Street, SE
Unit 201
Washington, DC 20020

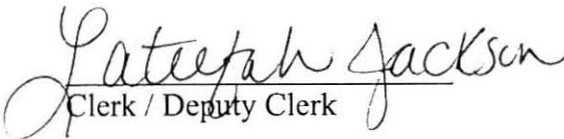
Cornerstone Apartments
Curtis Properties, Inc.
3701 Saint Barnabas Road
Suitland, MD 20746

By Inter-Agency Mail:

District of Columbia Rental Housing Commission
941 North Capitol Street, N.E., Suite 9200
Washington, D.C. 20002

Keith Anderson
Acting Rent Administrator
Rental Accommodations Division
Department of Housing and Community Development
1800 Martin Luther King, Jr., Avenue, S.E.
Washington, D.C. 20020

I hereby certify that on Feb. 20, 2009 this document was caused to be served upon the above-named parties at the addresses and by the means stated.


Clerk / Deputy Clerk