

DISTRICT OF COLUMBIA
OFFICE OF
ADMINISTRATIVE HEARINGS

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OFFICE OF ADMINISTRATIVE HEARINGS
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2009 APR 24 2: 23

JOSUE ADAMI PEÑA

Tenant/Petitioner,

v.

JAMES T. WALKER,
Housing Provider/Respondent.

Case No.: RH-TP-08-29463

In re: 1107 Penn Street, NE, Unit 3

FINAL ORDER

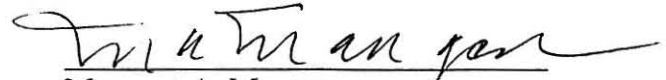
The parties in this matter agreed to dismiss Case Number RH-TP-08-29463 with prejudice, as indicated in the agreement they reached after mediation with Administrative Law Judge Caryn Hines on April 9, 2009. Petitioner Josue Adami Peña and Respondent James Walker signed the agreement.

D.C. Official Code § 2-509(a) provides that any contested case may be disposed of by stipulation. Based upon an agreement signed by all parties, the Office of Administrative Hearings (OAH) may dismiss the case with prejudice. OAH Rule 2817.3.

Therefore, it is, this 24th day of April, 2009:

ORDERED, that Case RH-TP-08-29463 **IS 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.


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
941 North Capitol Street, NE
Suite 9200
Washington, D.C. 20002
(202) 442-8949

Certificate of Service:

**By Priority Mail with Delivery Confirmation
(Postage Paid):**

Josue Adami Peña
1107 Penn Street NE
Unit 3
Washington, DC 20002

Robert Cooper, Esq.
Cooper and Crickman, PLLC
1625 Massachusetts Avenue NW
Suite 425
Washington DC 20036

I hereby certify that on 4-24, 2009, this document was caused to be served upon the above-named parties at the addresses and by the means stated.

Benedicta Rhames
Clerk / Deputy Clerk