

DISTRICT OF COLUMBIA
OFFICE OF ADMINISTRATIVE HEARINGS
941 North Capitol Street, N.E., Suite 9100
Washington, D.C. 20002
TEL: (202) 442-8167
FAX: (202) 442-9451

2009 FEB -4 P 12: 01

BRIANA PICKETT,
Tenant/Petitioner,

v.

THOMAS A. HART, JR.
Housing Provider/Respondent.

Case No.: RH-TP-08-29477

In re: 6024 8th Street, N.W., Unit B5

FINAL ORDER

On November 10, 2008, a tenant petition was filed with the Department of Housing and Community Development, Rental Accommodations Division, by Petitioner Briana Pickett. Respondent Thomas A. Hart, Jr. was named as the provider of the housing accommodation located at 6024 8th Street, N.W., Unit B5. By Case Management Order dated January 2, 2009, a hearing was scheduled for February 3, 2009, at 1:30 p.m. at the Office of Administrative Hearings.

When the hearing convened, neither Petitioner nor Respondent appeared. The Case Management Order was served on the parties by Priority Mail Delivery Confirmation, and United States Postal Service delivery confirmation receipts in the file reflect that the Case Management Orders were all delivered to the addresses provided in the tenant petition.

OAH Rule 2818.3 provides, in pertinent part:

(W)here . . . an unrepresented party fails, without good cause, to appear at a hearing . . . , the presiding Administrative Law Judge may dismiss the case Any order of dismissal . . . shall not take effect until fourteen (14) days after the date on which it is served, and shall be vacated upon the granting of a motion filed by the party within such fourteen (14) day period showing good cause why the case should not be dismissed . . .


Accordingly, I will dismiss this case in accordance with OAH Rule 2828.3.

Therefore, it is this 3rd day of February 2009:

ORDERED, that this case is **DISMISSED WITH PREJUDICE**; and it is further

ORDERED, that this Order shall not take effect until fourteen (14) days after the date of its mailing, and shall be vacated upon the granting of a motion within such fourteen (14) day period showing good cause why the case should not be dismissed; and it is further

ORDERED, that the appeal rights of any person aggrieved by this Order are stated below.


Robert E. Sharkey
Administrative Law Judge

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, in accordance with the Commission's rule, 14 DCMR 3802. The ten (10) day limit shall begin to run when the order becomes final. 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):**

Briana Pickett
6024 8th Street, NW
Unit B5
Washington, DC 20011

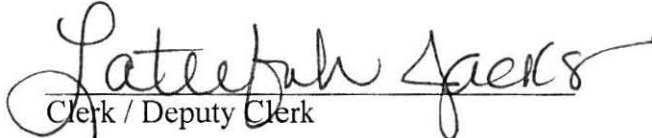
Thomas A. Hart, Jr.
1221 11th Street, N.W.
Washington, DC 20001

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
District of Columbia Department of
Consumer and Regulatory Affairs
Rental Housing Administration
941 North Capitol Street, N.E.,
Suite 7100
Washington, D.C. 20002

I hereby certify that on
2-4, 2009 this document
was caused to be served upon the above-
named parties at the addresses and by
the means stated.


Clerk / Deputy Clerk