

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

2009 JAN 28 P 1:39

JUANITA THOMAS,  
Tenant/Petitioner,

v.

CAPITOL PARK PLAZA APARTMENTS,  
Housing Provider/Respondent.

Case No.: RH-TP-08-29494

*In re:* 201 I Street, S.W., Unit V617

**FINAL ORDER**

On December 8, 2008, Juanita Thomas filed a tenant petition with the Rent Administrator. The Rent Administrator transmitted a copy of the petition to the Office of Administrative Hearings (OAH). Tenant's petition indicates that Tenant believes that the Housing Provider failed to provide a 30 day notice of a rent increase, that the rent was increased while the Tenant's unit was not in compliance with the D.C. Housing Regulations, that the Housing Provider had substantially reduced services and/or facilities in violation of the Rental Housing Act of 1985 (the "Act"), and that the Housing Provider had taken retaliatory action against the Tenant.

On January 12, 2009, Tenant and the Housing Provider filed a Consent Motion To Dismiss requesting that TP 29,494 be dismissed with prejudice. I construe this motion to be a stipulation to dismiss this matter with prejudice and in accordance with OAH Rule 2817.3; 1 DCMR 2817.3, the Tenant's petition will be dismissed with prejudice.

Therefore, it is, this 27<sup>th</sup> day of **January, 2009**:

**ORDERED**, that TP 29,494 is **DISMISSED WITH PREJUDICE**; and it is further

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



Louis J. Burnett  
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):**

Juanita Thomas  
201 I Street, S.W.  
Unit V617  
Washington, DC 20024

Capital Park Plaza Apartments  
Attn: Sharon Holland  
201 I Street, S.W.  
Washington, DC 20024

I hereby certify that on 1-28, 2009  
this document was caused to be served upon the  
above-named parties at the addresses and by the  
means stated.

  
Clerk / Deputy Clerk