

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

JAN 28 A 9:18

LINDA ANDREWS,  
Tenant/Petitioner,

v.

FRANCIS DODOO,  
Housing Provider/Respondent

Case No.: RH-TP-08-29502  
*In re* 1425 4<sup>th</sup> Street, SW  
Unit A617

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**FINAL ORDER**

The housing accommodation at issue is located at 1425 4<sup>th</sup> Street SW, Unit A617. On December 23, 2008, Tenant/Petitioner Linda Andrews filed Tenant Petition 29,502 against Housing Provider/Respondent Francis DoDoo alleging that Housing Provider violated the Rental Housing Act of 1985<sup>1</sup> by failing to properly register the building where Tenant's rental unit is located with the Rental Accommodations Division (RAD), Department of Housing and Community Development and failing to file the proper rent increase forms with RAD. On January 26, 2009, Tenant filed a voluntary motion to withdraw the tenant petition.

The Rules of the Office of Administrative Hearings provide that:

A petitioner may file a summary motion for voluntary dismissal of any action, or of any claim asserted in an action, at any time . . . and the presiding Administrative Law Judge may grant a summary motion for voluntary dismissal without awaiting a response from the respondent. 1 District of Columbia Municipal Regulations (DCMR) 2817.1

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<sup>1</sup> D.C. Official Code §§ 42-3501.01 *et seq.*

Unless otherwise provided by statute, these Rules or an order of this administrative court, a dismissal under this Rule is without prejudice unless otherwise stipulated by the parties . . . . 1 DCMR 2817.4

Tenant has moved, voluntarily, to withdraw her tenant petition, which is tantamount to a voluntary motion to dismiss under OAH Rules. The parties have not stipulated to dismissal with prejudice. There is no statute or rule of this administrative court prohibiting voluntary dismissal of this matter without prejudice. Therefore, I am granting Tenant's motion to dismiss. 1 DCMR 2817.1, 2817.4. If Housing Provider objects to any aspect of this Order granting Tenant's motion for voluntary dismissal without prejudice, Housing Provider may file a motion for reconsideration within ten days of the date of service of this Order. 1 DCMR 2937.

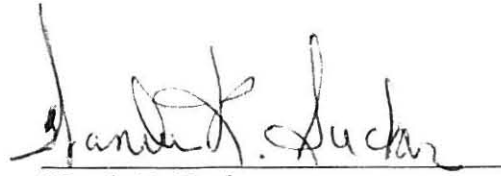
Therefore, it is this 27<sup>th</sup> day of January, 2009:

**ORDERED**, that Tenant's motion for voluntary dismissal is hereby **GRANTED**; and it is further

**ORDERED**, that Case No. RH-TP-08-29502 is hereby **DISMISSED WITHOUT PREJUDICE**; and it is further

**ORDERED**, that if Housing Provider objects to any aspect of this Order granting Tenant's motion for voluntary dismissal without prejudice, Housing Provider may file a motion for reconsideration within ten (10) days of the date of this Order; and it is further

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

A handwritten signature in black ink, appearing to read "Wanda R. Tucker", written over a horizontal line.

Wanda R. Tucker  
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 time limit shall begin to run when the order becomes final. If the Order is served on the parties by mail, an additional five (5) business days shall be allowed, in accordance with 1 DCMR 2811.5.

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/ Delivery Confirmation  
(Postage Paid)**

Linda Andrews  
1425 4<sup>th</sup> Street, SW  
Unit #A617  
Washington, DC 20024

Francis DoDoo  
1425 4<sup>th</sup> Street, SW  
Unit #A808  
Washington, DC 20024

**By Interagency Mail**

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

Keith Anderson  
Acting Rent Administrator  
Rental Accommodations Division  
Department of Housing and Community Development  
941 N. Capitol Street, N.E.  
Suite 7100  
Washington, DC 20002

I hereby certify that on Jan. 28, 2009 this document was caused to be served upon the above-named parties at the address(es) and by the means stated.

Benedetta Rhames  
Clerk / Deputy Clerk