

**DISTRICT OF COLUMBIA**  
**OFFICE OF ADMINISTRATIVE HEARINGS**  
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DISTRICT OF COLUMBIA  
OFFICE OF  
ADMINISTRATIVE HEARINGS  
2009 MAR 23 A 11: 04

KEVIN A. LYNN  
Tenant/Petitioner,

v.

DEUTSCHE BANK NATIONAL TRUST  
COMPANY  
Housing Provider(s)/Respondent(s).

Case No.: RH-TP-09-29490  
In re: 50 Florida Avenue, N.W., Unit B

**FINAL ORDER**

Currently pending before this administrative court is the Tenant/Petitioner's attached letter, which I construe as a summary motion for voluntary dismissal filed pursuant to OAH Rule 2817.1. OAH Rule 2817.1 states in pertinent part:

A petitioner may file a summary motion for voluntary dismissal of any action...and the presiding administrative law judge may grant a summary motion for voluntary dismissal without awaiting a response from the respondent.

The requirements of this rule have been met in that the Tenant/Petitioner clearly established that he was withdrawing his tenant petition in the letter of March 12, 2009, filed with this administrative court on March 18, 2009. Accordingly, the dismissal will be granted pursuant to OAH Rule 2817.1.

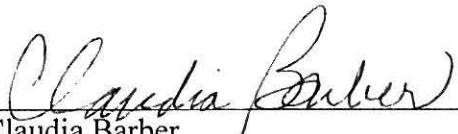
It is this 20<sup>th</sup> day of March, 2009:

**ORDERED**, that the Tenant/Petitioner's letter filed herein is **APPROVED** as a Summary Motion for Voluntary Dismissal, which is **GRANTED**; and it is further

**ORDERED**, that Tenant Petition RH-TP-09-29490 is **DISMISSED WITHOUT PREJUDICE**; and it is further

**ORDERED**, that either party may move for reconsideration of this Final Order within ten days under OAH Rule 2937; and it is further

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

  
\_\_\_\_\_  
Claudia Barber  
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):

Kevin Arnell Lynn  
50 Florida Avenue, N.W.  
Unit B  
Washington, DC 20001

Deutsche Bank National Trust Company  
ATTN: Renee Dyson, property manager  
Draper and Goldberg  
803 Sycolin Road  
Leesburg, VA 20175

### By Inter-Agency Mail:

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

Keith Anderson, Acting Rent Administrator  
District of Columbia Department of Housing  
and Community Development  
Housing Regulation Administration  
1800 Martin Luther King Jr., Ave., S.E.  
Washington, DC 20020

I hereby certify that on 3-23,  
2009 this document was caused to be served  
upon the above-named parties at the  
addresses and by the means stated.

  
Clerk / Deputy Clerk