

DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

TP 24,975

DEANNA EMBERLY
KEITH ZELIFF
SIDNEY TRAHAN
Tenants/Appellants

v.

JIM MAHER
PAUL WALLA
Housing Providers/Appellees

ORDER DISMISSING APPEAL

May 22, 2002

BANKS, CHAIRPERSON. On November 26, 2001, the Office of Adjudication issued the decision and order in this appeal. On December 13, 2001, the appellants filed a notice of appeal in the Rental Housing Commission, which scheduled the appeal hearing for Tuesday, May 21, 2002, at 2 p.m. In addition, the Department of Consumer and Regulatory Affairs incurred the cost in a contract for the services of a sign language interpreter for the benefit of the appellants. The Commission delayed the hearing beyond 2 p.m., but none of the parties appeared for the hearing. However, the sign language interpreter did appear. The Commission reviewed its file and determined that all parties received notice of the Commission's hearing by United States Postal Service priority mail with confirmation of delivery. The appellants did not file a brief or contact the Commission to request a continuance.

When the Commission's rules are silent on an issue, the Commission refers to the procedural rules of the District of Columbia Court of Appeals (DCCA). 14 DCMR § 3828.1, D.C. Reg. (Feb. 6, 1998). D.C. Ct. App. R.14 provides, "[t]his court, with or

other lawful reason.” In this case the appellants failed to appear to prosecute their appeal. Further, they failed to contact the Commission to request a continuance or convey a reason to excuse their failure to appear, such as a settlement of their appeal issues. Accordingly, the Commission dismisses this appeal for failure of the appellants to appear for hearing after receipt of notice of the hearing date, time, and place from the Commission, and for failure to communicate to the Commission any reason not to dismiss the appeal.

SO ORDERED.


RUTH R. BANKS, CHAIRPERSON

CERTIFICATE OF SERVICE

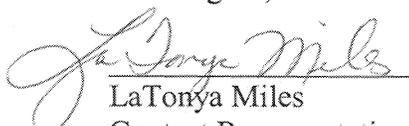
I certify that a copy of the foregoing Order Dismissing Appeal was served on the 22 day of May, 2002, by the United States Postal Service priority mail with confirmation of delivery to:

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