DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

TP 28,013

In re: 4100 Massachusetts Avenue, N.W., Unit 1319

Ward Three (3)

RUSSELL L. LEE
Tenant/Appellant

v.

DEBORAH PETONYAK
Housing Provider/Appellee

ORDER ON LETTER FILED MAY 1, 2006 FOR WRIT OF MANDAMUS

May 2, 2006

BANKS, CHAIRPERSON. On April May 1, 2006, Russell L, Lee, Tenant, filed a letter suggesting that the motion to withdraw order filed on April 26, 2006, be considered a petition for a writ of mandate [sic].

I. ISSUE

1. Whether the letter established the criteria for a writ of mandamus.

II. DECISION ON ISSUE

1. Whether the letter established the criteria for a writ of mandamus.

The Tenant wrote in the letter filed on May 1, 2006, "the Commission may entertain a petition for writ of mandate [sic] (I hope)."

The Tenant failed to indicate what agency regulation a public officer did not follow and failed to identify what agency should receive the writ of mandamus. Dillard v. Yeldell, 334 A.2d 578 (D.C. 1975). The letter also does not indicate who should be mandamused nor why a writ of mandamus applied to this case. Accordingly, the request

in the letter is denied. See Parreco v. Dist. of Columbia Rental Hous. Comm'n, 885 A. 2d 327 (D. C. 2005) (where the court stated the Commission could not decide an issue which was not properly raised by the tenant).

SO ORDERED.

RUTH R. BANKS, CHAIRPERSON

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Order on Motion for Writ of Mandamus in TP 28,013 was mailed by priority mail, with confirmation of delivery, postage prepaid this **2nd day of May, 2006**, to:

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