

DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

TP 28,370

In re: 4009 3rd Street, S.E. Unit B1

Ward Eight (8)

WINN MANAGEMENT/ATLANTIC GARDEN APT.
Housing Provider/Appellant

v.

DEBRA BURTON
Tenant/Appellee

ORDER ON CONSENT MOTION FOR CONTINUANCE

December 7, 2007

YOUNG, CHAIRPERSON. On December 6, 2007, the parties filed a motion for continuance of the hearing scheduled for Thursday, December 13, 2007. The motion stated that counsel for the tenant/appellee did not represent her at the tenant petition hearing below. Counsel further argued that given the long factual history of the instant appeal and the legal complexity of the issues involved therein, that it would be in the interest of justice to grant a continuance to permit counsel the necessary time to prepare. Counsel for the tenant/appellee and housing provider/appellant request a continuance to 10:00 a.m., Thursday, January 24, 2008.

The Commission's rule, 14 DCMR § 3815.1-3 (2004), states:

Any party may move to request a continuance of any scheduled hearing or for extension of time to file a pleading, other than a notice of appeal, or leave to amend a pleading if the motion is served on opposing parties and the Commission at least five (5) days before the hearing or the due date; however, in the event of extraordinary circumstances, the time limit may be shortened by the Commission.

Motions shall set forth good cause for the relief requested.

Conflicting engagements of counsel, absence of counsel, or the employment of new counsel shall not be regarded as good cause for continuance unless set forth promptly after notice of the hearing has been given.

In the instant case, the parties filed their consent motion for a continuance on Thursday, December 6, 2008, more than five (5) days before the schedule hearing on December 13, 2008. Accordingly, the Commission determined that the joint motion was in accordance with the rules and further that good cause was shown by the parties for the continuance. Therefore, the motion to continue the hearing is GRANTED.

SO ORDERED.

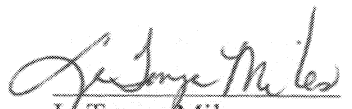

RONALD A. YOUNG, CHAIRPERSON

CERTIFICATE OF SERVICE

I certify that a copy of the Order on Consent Motion for Continuance in TP 28,370 was served by priority mail, with delivery confirmation, postage prepaid, this 7th day of December, 2007, to:

Margie Sollinger, *pro bono publico*
Bread for the City Legal Clinic
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