

DISTRICT OF COLUMBIA
OFFICE OF
ADMINISTRATIVE HEARINGS

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OFFICE OF ADMINISTRATIVE HEARINGS
941 North Capitol Street NE, Suite 9100
Washington, D.C. 20002
TEL: (202) 442-8167
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2009 SEP 30 P 4: 52

ARGENTINA LEAL,
Tenant/Petitioner,

v.

OGDEN GARDENS, INC.,
Housing Provider/Respondent.

Case No.: RH-TP-09-29333
In re: 1445 Ogden Street NW, Unit 129

FINAL ORDER

On September 16, 2009, the parties filed a Stipulation of Dismissal with prejudice, signed by counsel for Tenant and counsel for Housing Provider.

The District of Columbia Administrative Procedure Act, D.C. Official Code § 2-509(a) provides that: “any contested case may be disposed of by stipulation, agreed settlement, consent order, or default.” The rules of this administrative court also provide for dismissal of pending cases by filing a stipulation of dismissal with prejudice:

The parties, or their authorized agents or representatives, also may file a stipulation of voluntary dismissal with prejudice, signed by all parties, their authorized agents or representatives, who have appeared in the action to dismiss the action.

1 DCMR 2817.3.


Therefore, I will dismiss this case with prejudice in accord with the parties’ stipulation.

Accordingly, it is this 30th day of **September, 2009**,

ORDERED that this case be **DISMISSED WITH PREJUDICE**; and it is further

ORDERED that the appeal rights of any party aggrieved by this Final Order are set forth

below.

A handwritten signature in black ink, appearing to read "Nicholas H. Cobbs", written over a horizontal line.

Nicholas H. Cobbs
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

By First Class Mail (Postage Paid)

Alysia Robben, Esq.
University of the District of Columbia
David A. Clarke School of Law
4200 Connecticut Avenue NW
Washington, DC 20008

Robert Clayton Cooper, Esq.
Cooper & Crickman, PLLC
1625 Massachusetts Avenue NW
Suite 425
Washington, DC 20036

By Inter-Agency Mail:

District of Columbia Rental Housing
Commission
941 North Capitol Street, NE, 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. Avenue SE
Washington, DC 20020

I hereby certify that on 9-30,
2009, this document was caused to be served
upon the above-named parties at the
addresses and by the means stated.

Benedicta Rhames
Clerk / Deputy Clerk

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ARGENTINA LEAL

Tenant/Petitioner

v.

OGDEN GARDENS, INC.

Housing Provider/Respondent

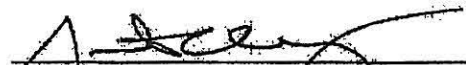
Case No.: RH-TP-08-29333

Administrative Law Judge Cobbs

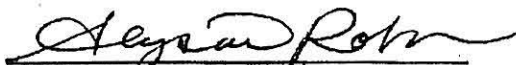
STIPULATION OF DISMISSAL

The Parties hereby stipulate to the dismissal of the above-captioned matter, with prejudice, pursuant to OAH Rule 2817.3.

Respectfully submitted,



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Counsel for Respondent



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