

**DISTRICT OF COLUMBIA**  
**OFFICE OF ADMINISTRATIVE HEARINGS**  
941 North Capitol Street, NE Suite 9100  
Washington, DC 20002  
TEL: (202) 442-8167  
FAX: (202) 442-9451

OFFICE OF  
ADMINISTRATIVE HEARINGS

2009 OCT -2 P 3: 30

SULY CORADO CONTERAS,  
Tenant/Petitioner,

v.

BORGER MANAGEMENT, INC.,  
Housing Provider/Respondent.

Case No.: RH-TP-09-29537

*In re:* 1423 Sheridan Street, NW, Unit A2

---

**FINAL ORDER**

On March 3, 2009, Tenant/Petitioner Suly Corado Conteras filed a tenant petition alleging violations of the Rental Housing Act of 1985. A hearing was scheduled for September 10, 2009. The parties have reached a settlement in this matter and on September 9, 2009, the parties filed a stipulation of voluntary dismissal with prejudice. The Administrative Procedures Act provides that any contested case may be disposed of by stipulation. D.C. Official Code § 2-509(a). The rules of this administrative court provide that the parties may file a stipulation of voluntary dismissal with prejudice, signed by all parties. OAH Rule 2817.3. The filing in this case meets the requirements of the rule. With a stipulation signed by all parties, this administrative court may dismiss the case with prejudice. OAH Rule 2817.3.

Therefore, it is this 2<sup>nd</sup> day of October 2009:

**ORDERED**, that the motion for voluntary dismissal is hereby **GRANTED**; and it is further

**ORDERED**, that Case No. RH-TP-08-29537 is hereby **DISMISSED WITH PREJUDICE**; and it is further

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



Erika L. Pierson  
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, NE  
Suite 9200  
Washington, DC 20002  
(202) 442-8949

**Certificate of Service:**

**By First Class Mail (Postage Paid):**

Jonathan R. Schuman  
Schuman & Felts  
4804 Moorland Lane  
Bethesda, MD 20814

Marc Borbley, Esq.  
Neighborhood Legal Services  
680 Rhode Island Avenue, NE  
Washington, DC 20002

**By Interagency Mail**

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

Keith Anderson  
Acting Rent Administrator  
Rental Accommodations Division  
Department of Housing and Community  
Development  
1800 Martin Luther King Avenue, SE  
Washington, DC 20020

I hereby certify that on 10-2, 2009  
this document was caused to be served upon the  
above-named parties at the addresses and by the  
means stated.

  
Clerk / Deputy Clerk