

DISTRICT OF COLUMBIA
OFFICE OF ADMINISTRATIVE HEARINGS
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DISTRICT OF COLUMBIA
OFFICE OF
ADMINISTRATIVE HEARINGS

2009 AUG 18 P 2:13

GEOFFREY O. WUZOR, PH.D.,
Tenant/Petitioner,

v.

SCOTT S. FORTNEY,
Housing Provider/Respondent.

Case No.: RH-TP-09-29547

In re: 6630 Georgia Avenue, NW
Unit 204

FINAL ORDER

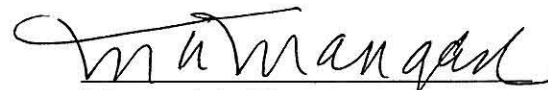
On August 11, 2009, Tenant/Petitioner Geoffrey Wozor filed a letter stating that he was withdrawing his tenant petition because he and Housing Provider/Respondent had resolved the matter. I construe the letter as a motion to dismiss.

Office of Administrative Hearings (OAH) Rule 2717.1, 1 DCMR 2717.1 provides that a "petitioner may file a summary motion for voluntary dismissal of any action, or any claim asserted in an action, at any time . . . and the presiding Administrative Law Judge may grant a summary motion for voluntary dismissal without awaiting a response from the respondent." Unless otherwise stipulated by the parties or provided by statute, rule or order, the dismissal is without prejudice. OAH Rule 2717.1, DCMR 2717.1. Accordingly, Petitioner's request is granted.

Therefore, it is 18th day of August, 2009:

ORDERED, that Case No.: RH-TP-09-29547 is **DISMISSED** without prejudice and it is further

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


Margaret A. Mangan
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 Priority Mail with Delivery Confirmation (Postage Paid):

Geoffrey O. Wuzor. Ph.D.
6630 Georgia Avenue, NW
Apt. 204
Washington, DC 20012

Scott S. Fortney
P.O. Box 1808
Alexandria, VA 22313

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
Rental Accommodations Division
Department of Housing and Community Development
1800 Martin Luther King Jr. Ave., SE
Washington, DC 20020

I hereby certify that on 8-18, 2009, this document was caused to be served upon the above-named parties at the addresses and by the means stated.

Benedetta Rhames
Clerk / Deputy Clerk