

**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

2009 JUN 12 A 9:33

GHOLAM R. NAMDAR,  
Tenant/Petitioner,

v.

MARCELO RUIZ,  
Housing Provider/Respondent.

Case No.: RH-TP-09-29556  
*In re:* 2241 40<sup>th</sup> Place NW  
Unit 1

---

**FINAL ORDER**

On March 9, 2009, Tenant/Petitioner Gholam R. Namdar, filed a Tenant/Petition (TP) 29,556 with the Rental Accommodations Division of the Department of Housing and Community Development complaining of violations of the Rental Housing Act of 1985 at the Housing Accommodation, 2241 40<sup>th</sup> Place NW, Unit 1. The matter was scheduled for mediation on June 11, 2009.

Following the mediation, on June 11, 2009, the parties submitted a Stipulation of Dismissal with Prejudice.

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 12<sup>th</sup> day of **June, 2009**,

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

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

  
\_\_\_\_\_  
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

**Certificate of Service:**

**By Priority Mail with Delivery  
Confirmation (Postage Paid):**

Gholam R. Namdar  
P.O. Box 57300  
Washington, DC 20037

Marcelo Ruiz  
37 North Fenwick Street  
Arlington, VA 22201

I hereby certify that on 6-12,  
2009, this document was caused to be served  
upon the above-named parties at the  
addresses and by the means stated.

  
Clerk / Deputy Clerk

**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