

DISTRICT OF COLUMBIA
OFFICE OF ADMINISTRATIVE HEARINGS
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OFFICE OF
ADMINISTRATIVE HEARINGS

2009 OCT 16 P 5:00

DUANE ROSEBORO,
Tenant/Petitioner,

v.

MARTIN and KIMBERLI PLUMMER,
Housing Providers/Respondents.

Case No.: RH-TP-09-29589

In re: 5043 Sheriff Road, NE

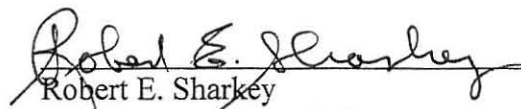
FINAL ORDER

At the hearing on October 16, 2009, Petitioner Duane Roseboro, his attorney Jennafar Wagner, Esquire, and Respondents Martin and Kimberli Plummer appeared. At the commencement of the hearing, the parties stated on the record their settlement agreement and moved for the dismissal without prejudice of the case. I will grant the motion and dismiss the case without prejudice, in accordance with OAH Rule 2817.

Therefore, it is this 16th day of October 2009:

ORDERED, that this matter is **DISMISSED WITHOUT PREJUDICE**; and it is further

ORDERED, that the right of a party to move for reconsideration and appeal rights of any person aggrieved by this Order are stated below.


Robert E. Sharkey
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, in accordance with the Commission's rule, 14 DCMR 3802. The ten (10) day time limit shall begin to run when the order becomes final. If the Order is served on the parties by mail, an additional five (5) business days shall be allowed, in accordance with 1 DCMR 2811.5.

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 First Class Mail (Postage Paid):

Jennafer Wagner, Esquire
WLCH
1200 U Street, NW
3rd Floor
Washington, DC 20019

Martin and Kimberli Plummer
2420 59th Place
Cheverly, MD 20785

By Inter-Agency Mail:

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

Keith Anderson
Acting Rent Administrator
Rental Accommodations Division
Department of Housing and Community
Development
1800 Martin Luther King, Jr., Avenue, S.E.
Washington, D.C. 20020

I hereby certify that on 10/16
2009, this document was caused to be served
upon the above-named parties at the
addresses and by the means stated.


Clerk / Deputy Clerk