

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

2009 AUG 19 A 10:49

JERRY WATTS,
Tenant/Petitioner,

v.

PATTON ARMS, LLC, et al.,
Housing Providers/Respondents.

Case No.: RH-TP-09-29591
In re: 5078 Benning Road, S.E.
Unit 3

FINAL ORDER

On May 13, 2009, Jerry Watts filed Tenant Petition (TP) 29,591 against Patton Arms, LLC and Landmark Atlantic Management. This administrative court scheduled this matter for mediation on August 18, 2009. The parties appeared for mediation, with Administrative Law Judge Robert Sharkey serving as the mediator. During the mediation, the parties resolved all issues in the tenant petition and submitted a joint motion to dismiss the tenant petition with prejudice.

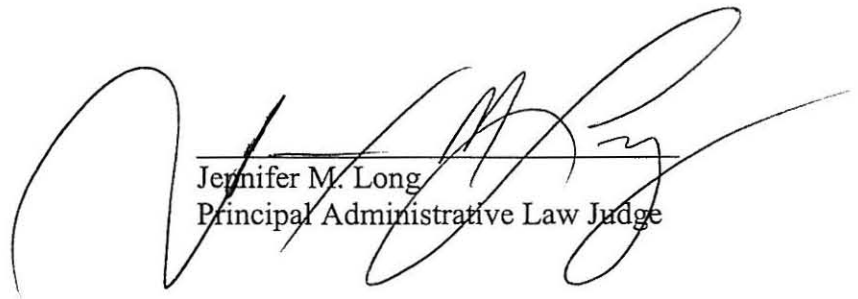
The District of Columbia Administrative Procedure Act, at D.C. Official Code § 2-509(a), provides that a contested case may be disposed of by agreed settlement. In addition, 1 DCMR 2817.3, the OAH rule governing voluntary dismissals, provides that “parties, or their authorized agents or representatives, 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 an action.” Since the parties have filed a joint motion for voluntary dismissal with prejudice, the court will dismiss this action in accordance with 1 DCMR 2817.

Therefore, it is this **19th** day of **August, 2009**:

ORDERED, that parties' joint motion for voluntary dismissal is hereby **GRANTED**; and it is further

ORDERED, that RH-TP-09-29591 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.



Jennifer M. Long
Principal 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):**

Jerry Watts
5010 Southern Avenue, S.E.
Unit 3
Washington, DC 20019

Michael Lefkowitz
2008 Hillyer Pl., N.W.
Washington, DC 20009

By Inter-Agency Mail:

District of Columbia Rental Housing Commission
941 North Capitol Street, N.E., Suite 9200
Washington, D.C. 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 August 19, 2009
this document was caused to be served upon the
above-named parties at the addresses and by the
means stated.


Clerk / Deputy Clerk