

DISTRICT OF COLUMBIA
OFFICE OF ADMINISTRATIVE HEARINGS
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DISTRICT OF COLUMBIA
OFFICE OF
ADMINISTRATIVE HEARINGS
2010 MAR 11 P 2:55

OAKWOOD UNITED, LLC
Tenant/Petitioner

v.

DUDLEY PRO REALTY, LLC
Housing Provider/Respondent

Case No.: RH-TP-09-29639
In re: 215 & 219 Oakwood Street SE

FINAL ORDER

The housing accommodations at issue are located at 215 and 219 Oakwood Street, SE. On July 1, 2009, Tenant/Petitioner Oakwood United, LLC, filed Tenant Petition 29,639 against Housing Provider/Respondent Dudley Pro Realty, LLC, alleging that Housing Provider violated the Rental Housing Act of 1985¹ by failing to provide services and facilities in accordance with a Voluntary Agreement filed with and approved by the Rent Administrator under section 215 of the Act.² Voluntary mediation with the assistance of an Office of Administrative Hearings (OAH) mediator was scheduled for March 9, 2009. At the conclusion of mediation on March 9th, the parties filed a joint stipulation to dismiss this case with prejudice.

This matter is governed by the District of Columbia Administrative Procedure Act (D.C. Official Code §§ 2-501 *et seq.*) (DCAPA) and OAH procedural Rules at 1 District of Columbia Municipal Regulations (DCMR) 2800 *et seq.* and 1 DCMR 2920 *et seq.* The DCAPA at D.C.

¹ Rental Housing Act of 1985 (D.C. Official Code §§ 42-3501.01 *et seq.*).

² D.C. Official Code §§ 42-3502.15.

Official Code § 2-509(a) provides that a contested case may be disposed of by agreed settlement.

OAH Rules provides that:

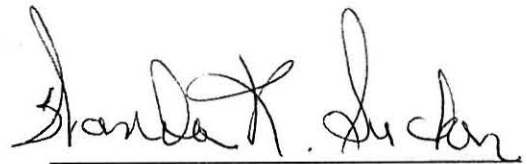
The parties, or their authorized agents or representatives, also may file a stipulation of voluntary dismissal with prejudice, signed by all parties, their authorized agents or representatives, who have appeared in the action to dismiss an action.³

The parties have stipulated to dismissal with prejudice. This matter is dismissed in accordance with the parties' stipulation.⁴

Therefore, it is this 11th day of March, 2010:

ORDERED, that Case No. RH-TP-09-29639 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.



Wanda R. Tucker
Administrative Law Judge

³ 1 DCMR 2817.3.

⁴ 1 DCMR 2817.3; D.C. Official Code § 2-509(a).

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
441 4th Street, NW
Suite 1140 North
Washington, D.C. 20001
(202) 442-8949

Certificate of Service:

**By First Class Mail
(Postage Pre-Paid)**

Kenneth Hoover
Oakwood United LLC
219 Oakwood Street, SE
Washington, DC 20032

Timothy A. Dudley
C.C. Dudley
Dudley Pro Realty LLC
2101 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 3-11, 2010 this document was caused to be served upon the above-named parties at the address(es) and by the means stated.


Clerk / Deputy Clerk