

DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

RH-TP-06-28,220

RH-TP-06-28,649

In re: 3133 Connecticut Ave., N.W.
Unit 506

Ward Three (3)

DON WASSEM

Tenant/Appellant/Cross-Appellee

v.

**TANYA MARHEFKA,
KLINGLE CORPORATION, and
B.F. SAUL COMPANY**

Housing Providers/Appellees/Cross-Appellant

ORDER GRANTING LEAVE TO FILE REPLY

November 6, 2023

CARMICHAEL, ADMINISTRATIVE JUDGE: This case is scheduled for a hearing before the Rental Housing Commission (“Commission”) on November 14, 2023. Pursuant to a scheduling order issued by the Commission, the tenant/appellant/cross-appellee (“Tenant”) filed his brief on September 1, 2023, and the housing providers/appellees/cross-appellants (“Housing Providers”) filed their brief on October 26, 2023.

On November 2, 2023, the Tenant filed a motion for leave to file a reply to the Housing Providers’ brief, because the Commission’s prior scheduling order did not provide for one and the Housing Providers’ brief addresses one issue, raised in its initial notice of (cross-) appeal, to which the Tenant seeks to respond.¹ The Tenant requests a due date of either November 27 (after

¹ Although the Housing Providers’ notice of appeal enumerated 10 claims of error, the Housing Provider concludes its brief by asking the Commission to reverse the final order only with respect to the issuance of fines for “willful” violations of the Rental Housing Act of 1985.

the currently scheduled hearing) or November 13 (the day before the currently scheduled hearing) and, if applicable, to reschedule the hearing. On November 3, 2023, the Housing Provider filed their opposition to any further extensions of time in this matter.

In the interest of giving the Tenant a fair opportunity to respond, the Commission will grant leave to file a reply to the Housing Providers' briefing of its issue on cross-appeal. However, we observe that the Housing Providers' briefing of this one issue is slightly more than one page long and mostly a block quotation from applicable case law. We do not think the Tenant will require an extended period to respond to this, and we are not inclined to reschedule the hearing of this already long-delayed appeal.

Accordingly, the tenant's motion for leave to file a reply is **GRANTED**, and such reply shall be due no later than 11:59 pm Eastern Standard Time (per the Commission's prior scheduling order), **November 9, 2023**.

SO ORDERED.

Toya Carmichael
Toya Carmichael (Nov 6, 2023 10:18 EST)

TOYA CARMICHAEL, ADMINISTRATIVE JUDGE

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing **ORDER GRANTING LEAVE TO FILE REPLY** in RH-TP-06-28,220 & RH-TP-06-28,649 was emailed on this **6th day of November, 2023**, to:

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