

DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

RH-TP-23-31,712

In re: 702 Ridge Road, S.E.

Ward Seven (7)

CHARNICA PAYNE-EVANS
Tenant/Appellant

v.

BRENDA THOMPSON
Housing Provider/Appellee

ORDER GRANTING MOTION TO DISMISS

July 25, 2024

GREGORY, ADMINISTRATIVE JUDGE. This case is on appeal to the Rental Housing Commission (“Commission”) from a final order issued by the Office of Administrative Hearings (“OAH”) based on a petition filed in the Rental Accommodations Division (“RAD”) of the Department of Housing and Community Development (“DHCD”).¹ The applicable provisions of the Rental Housing Act of 1985 (“Act”), D.C. Law 6-10, D.C. OFFICIAL CODE §§ 42-3501.01 - 3509.07 (2012 Repl.), the District of Columbia Administrative Procedure Act (“DCAPA”), D.C. OFFICIAL CODE §§ 2-501 - 510 (2012 Repl.), and the District of Columbia Municipal Regulations (“DCMR”), 1 DCMR §§ 2800-2899 (2010), 1 DCMR §§ 2920-2941 (2010), 14 DCMR §§ 3800-4399 (2004) govern these proceedings.

On March 21, 2024, tenant/appellant Charnica Payne-Evans (“Tenant”) filed a notice of

¹ OAH assumed jurisdiction over tenant petitions from the Department of Consumer and Regulatory Affairs (“DCRA”), Rental Accommodations and Conversion Division (“RACD”) pursuant to the Office of Administrative Hearings Establishment Act, D.C. Law 14-76, D.C. OFFICIAL CODE § 2-1831.03(b-1)(l) (2007 Repl.). The functions and duties of RACD in DCRA were transferred to DHCD by § 2003 the Rental Housing Operations Transfer Amendment Act of 2007, D.C. Law 17-20, D.C. OFFICIAL CODE § 42-3502.04b (2010 Repl.).

appeal with the Commission (“Notice of Appeal”) from a final order issued by OAH: Evans v. Thompson, 2023-DHCD-TP-31,712 (OAH March. 7, 2024); R. at Tab 2. On July 15, 2024, Charnica Payne-Evans (“Tenant”), through counsel John Mark Trumbone, Esq., filed a motion to dismiss the appeal (“Tenant’s Motion to Dismiss”) pursuant to 14 DCMR 3829.14, informing the Commission that a settlement had been reached through mediation.

The Commission has received the settlement agreement signed by both parties, and is therefore satisfied (pursuant to 14 DCMR 3829.13) the matter is resolved.

Accordingly, the Tenant’s motion to dismiss is granted in RH-TP-23-31,712.

SO ORDERED.



LISA M. GREGORY, ADMINISTRATIVE JUDGE

MOTIONS FOR RECONSIDERATION

Pursuant to 14 DCMR § 3823 (2004), final decisions of the Commission are subject to reconsideration or modification. The Commission’s rule, 14 DCMR § 3823.1 (2004), provides, “[a]ny party adversely affected by a decision of the Commission issued to dispose of the appeal may file a motion for reconsideration or modification with the Commission within ten (10) days of receipt of the decision.”

JUDICIAL REVIEW

Pursuant to D.C. OFFICIAL CODE § 42-3502.19 (2001), “[a]ny person aggrieved by a decision of the Rental Housing Commission...may seek judicial review of the decision...by filing a petition for review in the District of Columbia Court of Appeals.” Petitions for review of the Commission’s decisions are filed in the District of Columbia Court of Appeals and are governed by Title III of the Rules of the District of Columbia Court of Appeals. The court may be contacted at the following address and telephone number:

D.C. Court of Appeals
Office of the Clerk
430 E Street, N.W.
Washington, DC 20001
(202) 879-2700

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing **ORDER DISMISSING APPEAL** in RH-TP-23-31,712 was served electronically on this **25th day of July, 2024** to:

John Mark Trumbore, Esq.
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