

DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

NV 09-001

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

Ward Three (3)

TENANTS OF 3133 CONNECTICUT AVENUE, N.W.
Tenants/Appellants

v.

KLINGLE CORPORATION
Housing Provider/Appellee

ORDER

September 25, 2015

SZEGEDY-MASZAK, CHAIRMAN. On September 21, 2015, the Tenants/Appellants Blake Nelson, Wendy Nelson, Donald Wassem, and Christine Burkhardt filed a timely Motion for Reconsideration in the above-captioned case. Under the Commission's regulations governing motions for reconsideration or modification, "[w]ithin fifteen (15) days of filing of the motion, the Commission shall grant the motion, deny the motion or enlarge the time for later disposition of the motion." 14 DCMR § 3823.3 (2004) (emphasis added). The Commission observes that the fifteen (15) day period for acting on the September 21, 2015 Motion for Reconsideration expires on October 6, 2015. *Id.*

In light of the Commission's recent schedule, including the filing of a number of procedural motions in other cases requiring immediate Commission consideration, and in order to give full and fair consideration to the issues raised in the Motion for Reconsideration, the Commission, on its own motion and in the exercise of its reasonable discretion, hereby extends the time period for disposition of the Motion for Reconsideration from October 6, 2015, to

October 16, 2015. 14 DCMR § 3823.3; *see also* 14 DCMR § 3816.6.¹ As provided in 14 DCMR § 3823.5, the failure of the Commission to act on the Motion for Reconsideration by October 16, 2015, “shall constitute a denial of the motion for reconsideration or modification.” *See* Prime v. D.C. Dep’t of Pub. Works, 955 A.2d 178 (D.C. 2008) (quoting Ammerman v. D.C. Rental Accommodations Comm’n, 375 A.2d 1060, 1063 (D.C. 1977)) (explaining that administrative tribunals such as the Commission “must be, and are, given discretion in the procedural decisions made in carrying out their statutory mandate.”); *see also* Smith Prop. Holdings Five (D.C.) L.P. v. Morris, RH-TP-06-28,794 (RHC May 22, 2014); KMG Mgmt., LLC v. Richardson, RH-TP-12-30,230 (RHC Jan. 28, 2014).

SO ORDERED



PETER B. SZEGEDY-MASZAK, CHAIRMAN

¹ 14 DCMR § 3816.6 provides the following: “The Commission, for good cause shown, may enlarge the time prescribed, either on motion by a party or on its own initiative; provided, that the Commission does not enlarge the time for filing a notice of appeal.”

CERTIFICATE OF SERVICE

I certify that a copy of the **ORDER** in NV 09-001 was served by first-class mail, postage prepaid, this 25th day of September, 2015, to:

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