

3928 RELIEF FROM JUDGMENT

3928.1 On motion and upon such terms as are just, the Rent Administrator may relieve a party from a final order issued by the Rent Administrator for the following reasons:

- (a) Mistake, inadvertence, surprise, excusable neglect;
- (b) Newly discovered evidence which by due diligence could not have been discovered in time to move for reconsideration under § 3924;
- (c) Fraud, misrepresentation, or other misconduct of an adverse party; or
- (d) The decision has been satisfied, released, or discharged, or a prior decision upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the decision have prospective application.

3928.2 A motion filed pursuant to § 3928.1 shall be filed within a reasonable time after the date the grounds for relief first exist or are discovered; provided, that motions filed pursuant to § 3928.1(a), (b), or (c) shall not be filed more than one (1) year after the order was issued.

3928.3 The filing of a motion under this section does not stay the effectiveness of a final order or extend the time to file an appeal.

SOURCE: Final Rulemaking published at 68 DCR 012634 (December 3, 2021).