

6904 APPOINTMENT OF A RECEIVER

6904.1 The following persons shall be excluded for appointment as a receiver:

- (a) An employee of a District agency that licenses or provides financial payment to the type of housing accommodation being placed in receivership;
- (b) A person who has a financial interest in any other real property in common with the owner of the property being placed in receivership;
- (c) A parent, child, grandchild, spouse, sibling, first cousin, aunt, or uncle of the owner of the property being placed under receivership, whether the relationship arises by blood, marriage, or adoption; or
- (d) A tenant of the property being placed under receivership, whether the relationship arises by blood, marriage, or adoption.

6904.2 The Superior Court may appoint a receiver, ex parte, if the Superior Court finds that the affected rental housing accommodation poses an immediate danger to the health, safety, or security of the tenants.

6904.3 A receiver, appointed ex parte, may immediately collect all rents or payments for use and occupancy of the affected rental housing accommodation in order to alleviate the conditions cited by the Superior Court in the order appointing the receiver.

6904.4 The Superior Court may continue an ex parte appointment if:

- (a) The Superior Court finds that the petitioner has proven the existence of grounds under section 502 of the Act; and
- (b) The owner, agent, lessor, or manager has failed to submit a sufficient plan for abatement of the conditions alleged in the petition.

6904.5 A petitioner may request the appointment of a substitute receiver upon the occurrence of the following events:

- (a) The receiver dies;
- (b) The receiver has or develops a disability which impedes his or her ability to carry out the receivership;
- (c) The receiver has or develops a conflict of interest; or
- (d) The receiver fails to make reasonable progress in carrying out the receivership.

SOURCE: Notice of Final Rulemaking published at 49 DCR 7488, 7497-7498 (August 2, 2002).