

**3813 WITHDRAWAL OF APPEARANCE**

- 3813.1 If an attorney or other person representing a party wishes to withdraw from a case pending before the Commission, a written motion to withdraw shall be filed in accordance with § 3814.
- 3813.2 An attorney or other representative who has not been granted leave to withdraw shall remain the representative of record.
- 3813.3 If an attorney or other representative who has not been granted leave to withdraw fails to attend a Commission hearing or respond to a notice or pleading, the attorney may be subjected to the provisions of §§ 3812.13, 3812.14, or 3812.15.
- 3813.4 A motion to withdraw an appearance shall contain a statement of the following:
- (a) Whether the party will be unrepresented or will have substitute representation, and whether the absence of representation will prejudice the rights of the party.
  - (b) Whether the party consents in writing to the motion, or opposes the motion in writing or otherwise;
  - (c) If the party has not obtained substitute representation, certification that the attorney or representative filing the motion has:
    - (1) Notified the party of the intent to withdraw and of the party's opportunity to oppose the motion, and advising the party to obtain other counsel or representation prior to filing the motion; and
    - (2) Provided the party with the list of legal resources published by the Rental Accommodations Division; and
  - (d) A current name, address, and phone number or email address for either the unrepresented party or for the party's substitute representation, if any has been obtained.
- 3813.5 The Commission shall decide a motion to withdraw an appearance promptly and may deny the motion if it does not comply with the requirements of this section or if withdrawal would unduly delay the case, be unduly prejudicial to any party, or otherwise not be in the interests of justice.
- 3813.6 If an attorney or other representative's motion for leave to withdraw does not include the contact information required by § 3813.4(d), the motion may be granted if it contains a certification that the party has ceased communication and that the representative has been unable to obtain the information after a good faith effort to do so.

## District of Columbia Municipal Regulations

SOURCE: Notice of Final Rulemaking published at 33 DCR 1336, 1345 (March 7, 1986); as amended by Final Rulemaking published at 68 DCR 012634 (December 3, 2021).