

3920 MOTIONS

- 3920.1 A request for the Rent Administrator to take a particular action shall be made by filing a written motion.
- 3920.2 Motions shall be filed with the Rent Administrator in accordance with § 3901 and served on other parties in accordance with § 3911.
- 3920.3 A written motion may be filed at any time unless the time for filing a specific type of motion is prescribed by the rules in this chapter or the provisions of the Act.
- 3920.4 The party making a motion shall have the burden of proving that the requested action is warranted. A written motion shall state the legal and factual reasons why the Rent Administrator should take the requested action, and a separate memorandum of points and authorities does not need to be filed.
- 3920.5 When a motion is based on information not in the record, a party may support or oppose the motion by attaching affidavits, declarations, or other papers. The Rent Administrator may order a party to file supporting affidavits, declarations, or other papers.
- 3920.6 Before filing any motion, except a motion to dispose of a petition or application or for reconsideration of a final decision and order, a party must make a good faith effort to ask all parties if they agree to the motion. The motion shall state what effort was made and whether all other parties agreed to the motion.
- (a) A “good faith effort” means a reasonable attempt, considering all the circumstances, to contact a party or representative in person, by telephone, by fax, by email, or by other means.
 - (b) Contact by U.S. mail is a good faith effort only if no other means is reasonably available (for example, not having another party’s telephone number or email address).
 - (c) By itself, serving a party with the motion is not a good faith effort to ask if the party agrees to the motion.
 - (d) If a party fails to make a good faith effort to seek agreement, the Rent Administrator may deny the motion without prejudice.
- 3920.7 Any party may file a response to a motion within ten (10) days after service of the motion. No further filings related to the motion are permitted unless ordered by the Rent Administrator.
- 3920.8 A motion for expedited hearing or other form of expedited relief shall be acted upon promptly.

District of Columbia Municipal Regulations

3920.9 The Rent Administrator shall grant or deny each motion by issuing a written order that shall be served on all parties, or a party's representative of record, by U.S. mail in accordance with § 3911.3.

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