

3821 DECISIONS ON APPEALS

- 3821.1 Unless an appeal is otherwise dismissed pursuant to an order issued in accordance with this chapter, the Commission shall dispose of all appeals on the merits by issuing a final decision and order. Each final decision and order shall be issued by a majority vote of a quorum of the Commission at a public meeting on the record, in accordance with § 3800.4.
- 3821.2 A final decision and order shall be in writing and shall be signed by all participating Commissioners, whether concurring in or dissenting from the result.
- 3821.3 Upon the signing of a final decision and order, the Clerk shall serve a copy on all parties, or a party's representative of record, by U.S. mail, or by electronic mail attachment with the prior consent of the party, in accordance with § 3803.3.
- 3821.4 The Commission shall retain the original copy of each signed final decision and order, and a copy shall be made publicly available at the Commission's office, on the Commission's website, and by electronic database through the Lexis service or other service as the Commission may deem suitable.
- 3821.5 The original and each copy of a final decision and order that is served on a party shall include a certificate of service that includes the following:
- (a) The date and method of service;
 - (b) Names and addresses of the persons or parties on whom the decision was served; and
 - (c) The signature of the person completing the service.
- 3821.6 A decision and order of the Commission shall become final and effective on the date it is served on the parties; provided, that if a motion for reconsideration or modification is filed, the decision and order shall become final when the motion is granted or denied pursuant to § 3823.
- 3821.7 Any party aggrieved by a final decision and order of the Commission may obtain judicial review of the order by filing a petition for review in the District of Columbia Court of Appeals in accordance with its rules for review of agency orders.
- 3821.8 The effect of a final decision and order of the Commission shall not be stayed automatically by the filing of a petition for review with the District of Columbia Court of Appeals. A party that seeks or intends to seek judicial review in the District of Columbia Court of Appeals may file a motion with the Commission to request a stay pending judicial review.

District of Columbia Municipal Regulations

3821.9 A motion for a stay pending judicial review shall be made and decided in accordance with § 3805.

SOURCE: Notice of Final Rulemaking published at 33 DCR 1336, 1349 (March 7, 1986); as amended by Final Rulemaking published at 68 DCR 012634 (December 3, 2021).