

6305 AUTHORITY OF HEARING OFFICERS

6305.1 The hearing officer shall have all powers necessary to conduct a fair and impartial hearing, including the following:

- (a) To administer or direct the administration of oaths and affirmations;
- (b) To examine witnesses and direct witnesses to testify;
- (c) To rule upon offers of proof and receive relevant evidence;
- (d) To regulate the course of the hearing and the conduct of the parties, other participants, and their counsel;
- (e) To arrange a conference for settlement or to simplify the issues by agreement of the parties;
- (f) To consider and rule upon procedural requests; and
- (g) To take any action authorized by this chapter.

6305.2 The hearing officer shall have the power to grant appropriate relief, including the following:

- (a) Rental abatements;
- (b) Monetary damages;
- (c) Relocation of residents to other DCHA owned or operated housing units; and
- (d) The ordering of repairs and/or accessibility features by DCHA.

6305.3 Temporary relocation of residents to private housing units available to the agency shall be authorized and may be ordered if the hearing officer finds that the unit is so seriously deficient that it poses a significant threat to the health or safety of the resident.

6305.4 If DCHA does not take immediate action to correct the threat and fails to demonstrate that suitable public housing is available, the hearing officer may order DCHA to temporarily relocate the resident to a suitable private housing unit, providing DCHA fails to demonstrate that suitable housing is available.

SOURCE: Notice of Final Rulemaking published at 33 DCR 7973, 8014 (December 26, 1986); as amended by: Notice of Final Rulemaking published at 35 DCR 4014, 4015 (May 27, 1988); Notice of Final Rulemaking published at 39 DCR 2391, 2293 (April 3, 1992); and Notice of Final Rulemaking published at 49 DCR 2455, 2456-57 (March 15, 2002).

