

3809 PARTIES

- 3809.1 A case before the Commission shall be captioned as each appellant versus each appellee, and shall designate the intervenor, if any. If the Commission has initiated the review or if a petition has been adjudicated by the Office of Administrative Hearings without an opposing party, the case shall be captioned as regarding the petition of the party that initiated the case (“In re Petition of [Name]”).
- 3809.2 In the event of the death, dissolution, reorganization, or change of ownership or interest of a party, the Commission may, upon its own motion when such an event is suggested on the record, or upon the motion of a party, substitute or add a person, including a trust or representative of the party’s estate, as a party to the appeal.
- 3809.3 If it appears to the Commission that the identity of the parties has been incorrectly determined by the Rent Administrator or the Office of Administrative Hearings, the Commission may substitute or add the correct parties on its own motion.
- 3809.4 No substitution or addition of parties shall occur unless all current and proposed parties are served with the motion in accordance with § 3803 and given an opportunity to file written arguments in support of or in opposition to a motion for substitution of parties. The Commission may require a current or proposed party to submit evidence establishing the relationship or interest of the party to be substituted.
- 3809.5 If a party appeals an order of the Rent Administrator that was issued without an opposing party, the case shall be captioned as being in the matter of the appellant. The Rent Administrator shall be permitted to intervene as of right in such a case.

SOURCE: Notice of Final Rulemaking published at 33 DCR 1336, 1342-43 (March 7, 1986); as amended by Final Rulemaking published at 68 DCR 012634 (December 3, 2021).