

**3913 CONCILIATION OF DISPUTES AND THE CONCILIATION SERVICE**

- 3913.1 Either a housing provider or a tenant may initiate a request for conciliation of a dispute arising under the Act by the Rental Accommodations Division Conciliation Service established by § 503 of the Act (D.C. Official Code § 42-3505.03). Nothing herein shall prevent the Rent Administrator from initiating a conciliation proceeding with the approval of the parties.
- 3913.2 A request for conciliation of a dispute shall be filed on a form published by the Rent Administrator and shall include a completed request packet in accordance with the requirements of the published form.
- 3913.3 The Conciliation Service shall do the following:
- (a) Utilize knowledge of the Act, this subtitle, and, if applicable, an Apartment Improvement Program building improvement plan, and other specific information about the circumstances of the dispute to assist the parties in arriving at a mutually acceptable explanation of the dispute and to assist the parties in developing a mutually acceptable settlement or resolution of the dispute;
  - (b) Advise both the housing provider and the tenant of their rights and obligations under the Act, this subtitle, and other applicable D.C. laws; and
  - (c) Advise both the housing provider and the tenant of circumstances surrounding the dispute that constitute violations of the Act, this subtitle, and other D.C. laws.
- 3913.4 Neither party to a dispute brought before the Conciliation Service shall be compelled to attend a session or participate in any proceeding of the Conciliation Service.
- 3913.5 The results of an attempt to conciliate a dispute shall not be binding upon either party, except where an agreement is developed voluntarily as a result of the conciliation.
- 3913.6 Agreements reached during conciliation shall not prevent the Rent Administrator from enforcing the provisions of the Act or this subtitle.
- 3913.7 The proceedings of the Conciliation Service shall be informal, voluntary, and non-adversarial. No evidentiary record for a pending petition shall be established by any filings, statements, or proceedings before the Conciliation Service.

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- 3913.8 Admissions of responsibility by either party or other stipulations required as an essential condition for making an agreement shall not be admissible in any adjudicatory proceedings under the Act, this subtitle, or any other administrative or judicial proceedings under provisions of District law.
- 3913.9 Each tenant petition may be reviewed by the Conciliation Service to determine if it involves issues that could be resolved through conciliation.
- 3913.10 If issues that may be resolved through conciliation are presented in a tenant petition, the Conciliation Service shall discuss with the tenant the conciliation of the matters raised in the tenant petition. If the tenant agrees, the Conciliation Service shall contact the housing provider.
- 3913.11 If a tenant and housing provider agree to conciliation, the Rent Administrator shall delay the transmittal of the case to the Office of Administrative Hearings or, if the case has already been transmitted, notify the presiding Administrative Law Judge that a stay or continuance of proceedings may be advisable.
- 3913.12 If conciliation fails, upon mutual consent of the parties, the housing provider and the tenant may submit any dispute for arbitration, in accordance with § 3914.

SOURCE: Notice of Final Rulemaking published at 33 DCR 1336, 1358-59 (March 7, 1986); as amended by Final Rulemaking published at 68 DCR 012634 (December 3, 2021).