

**3903 RIGHT TO HEARING AND DISPOSITION WITHOUT
HEARING**

- 3903.1 If a petition or other application requires an evidentiary hearing pursuant to the Act or Chapters 41-44 of this title, including those listed in § 3900.2, the Rent Administrator, after making any initial determinations or issuing any necessary or appropriate preliminary orders, shall transmit the petition or application, along with the official record in accordance with § 3919, to the Office of Administrative Hearings. A hearing before the Office of Administrative Hearings shall be conducted in accordance with the District of Columbia Administrative Procedures Act (D.C. Official Code § 2-509), the Office of Administrative Hearings Establishment Act of 2001 (D.C. Official Code §§ 2-1831.01 *et seq.*), and the rules of the Office of Administrative Hearings (1 DCMR §§ 2800 *et seq.* and § 2920 *et seq.*).
- 3903.2 The Rent Administrator on his or her motion may dismiss any petition without a hearing if the petition does not state a claim for which relief can be granted under the Act.
- 3903.3 The Rent Administrator shall dismiss a petition for an adjustment of lawful rent without a hearing if a ruling on the same issue has been made by the Rent Administrator, the Office of Administrative Hearings, or the Commission for the same housing accommodation or rental unit within six (6) months prior to the filing of the petition, unless that previous ruling dismissed a former petition without prejudice to refiling.

SOURCE: Notice of Final Rulemaking published at 33 DCR 1336, 1353 (March 7, 1986); as amended by Final Rulemaking published at 68 DCR 012634 (December 3, 2021).