

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER 10-07**

Housing Conditions Civil Calendar

WHEREAS, the Superior Court has determined in the interest of justice there is a need to quickly address conditions which constitute violations of the District of Columbia's housing code regulations in rental units in the District of Columbia;

WHEREAS, the Superior Court has decided to develop a Housing Conditions Civil Calendar to expedite actions for enforcement of housing code regulations;

NOW, THEREFORE, IT IS HEREBY,

ORDERED that an additional civil calendar, the Housing Conditions Civil Calendar, is hereby established to expedite actions for enforcement of housing code regulations; and it is further

ORDERED that the effective date of the Housing Conditions Civil Calendar will be **April 28, 2010**, at which time litigants may begin filing complaints on that calendar; and it is further

ORDERED that the Housing Conditions Civil Calendar shall be administered in accordance with the attached memorandum, which provides a detailed description of the program, and the Superior Court Rules of Civil Procedure; and it is further

ORDERED that nothing in this Order or the attached memorandum shall be construed to require litigants to litigate claims regarding housing code violations solely in this forum and shall not limit the ability of litigants to seek relief to which they may be entitled through the filing of a complaint through the regular course in the Civil Actions Branch, Small Claims Branch, or Landlord and Tenant Branch of this Court (i.e., injunctive and monetary relief in the Civil Actions Branch, rent abatements and additional monetary relief in the Small Claims Branch, or rent abatements and counterclaims in the Landlord and Tenant Branch).

SO ORDERED.

BY THE COURT

Date: April 28, 2010

/s/
Lee F. Satterfield
Chief Judge

Copies to:

Judges

Senior Judges

Magistrate Judges

Executive Officer

Clerk of the Court

Director, Civil Division

Library

Daily Washington Law Reporter

DC Bar Webmaster

MEMORANDUM

HOUSING CONDITIONS CIVIL CALENDAR

I. Introduction

The Superior Court of the District of Columbia has determined in the interest of justice there is a need to quickly address conditions which constitute violations of the District of Columbia's housing code regulations in rental units in the District of Columbia. Accordingly, the Superior Court has worked closely with various stakeholders to develop a Housing Conditions Civil Calendar to expedite actions for enforcement of housing code regulations.

The type of complaint which will be heard on the Housing Conditions Civil Calendar is limited in nature and seeks only to enforce compliance with the District of Columbia Housing Code Regulations (14 D.C.M.R. §§ 500 – 900, 1200). Litigants seeking additional relief including, but not limited to, monetary relief for the condition of the property, return of a security deposit, personal injury, or possession of the rental property, must file a separate claim for such relief in the appropriate Branch of the Court.

II. Rules

The pilot Housing Conditions Civil Calendar will be governed by the terms of this Order and attached memorandum and the Superior Court Rules of Civil Procedure.

III. Complaint

Litigants who wish to file a complaint on the Housing Conditions Civil Calendar are required to use Form CA 116 – Verified Complaint to Enforce Housing Code Regulations. The litigant must complete **both** pages of the Complaint. A litigant may supplement the Complaint with additional pleadings, but those pleadings will not be accepted as a substitute for Form CA 116, which must be completed in every case. A copy of the Complaint must be served on each defendant as described below.

Form CA 116 – Verified Complaint to Enforce Housing Code Regulations is available at the Civil Actions Branch Clerk's Office, Moultrie Building, 500 Indiana Avenue, NW, Room 5000. The Complaint is also available online at www.dccourts.gov.

IV. Summons

In addition to the requirement to use Form CA 116 – Verified Complaint to Enforce Housing Code Regulation, litigants who wish to file a complaint on the Housing Conditions Civil Calendar are required to complete and serve the

Summons to Appear in Court and Notice of Hearing. A copy of the Summons must be completed and served on each defendant along with the Complaint. Litigants will receive the date of the initial hearing at the time of filing the Summons with the Civil Actions Branch Clerk's Office.

The Summons to Appear in Court is available at the Civil Actions Branch Clerk's Office, Moultrie Building, 500 Indiana Avenue, NW, Room 5000. The Summons is also available online at www.dccourts.gov.

V. Filing and Fees

A completed Form CA 116 – Verified Complaint to Enforce Housing Code Regulations and Summons to Appear in Court and Notice of Hearing must be filed in the Civil Actions Branch Clerk's Office, Moultrie Building, 500 Indiana Avenue, NW, Room 5000.

The filing fee for the Complaint and Summons is \$15.00. All other fees shall be in accordance with the schedule set out in Rule 202 of the Superior Court Rules of Civil Procedure.

VI. Service of Process

The plaintiff must serve a copy of the Complaint and Summons on each defendant pursuant to Rule 4(c) – (j) of the Superior Court Rules of Civil Procedure.

VII. Timing of Events

Once a completed Complaint and Summons is filed, an initial hearing will be scheduled on the Housing Condition Civil Calendar on the next available date no sooner than 21 days after the date of filing.

Due to the expedited nature of the Housing Conditions Civil Calendar, the plaintiff must effectuate service of process of the Complaint and Summons at least eight (8) calendar days before the date of the initial hearing. The Court may, however, allow for extension of the time for completion of service of process at its discretion. Furthermore, this Order does not abrogate the time limit for service of process articulated in Rule 4(m) of the Superior Court Rules of Civil Procedure.

The plaintiff must file with the Civil Actions Branch Clerk's Office either an acknowledgment of service of process or proof of service of process pursuant to Rule 4(1) of the Superior Court Rules of Civil Procedure at least three (3) calendar days prior to the initial hearing date, except for such extension of time as the Court may allow.

VIII. Pleadings and Motions

- a. *Written Answer.* A defendant to a Complaint filed on the Housing Conditions Civil Calendar is not required to file a written answer.

If a defendant wishes to file an answer, the defendant may file an original written answer within twenty (20) days after service of the Summons and Complaint, or such additional time as the Court may allow. The written answer must be filed in the Civil Actions Branch Clerk's Office, Moultrie Building, 500 Indiana Avenue, NW, Room 5000, with a copy mailed to the plaintiff, or if the plaintiff is represented by an attorney, to the plaintiff's attorney.

- b. *Applications to Proceed without Prepayment of Costs.* Applications to proceed without prepayment of costs, also known as applications for *in forma pauperis*, may be filed by any litigant to an action on the Housing Conditions Civil Calendar with Judge-in-Chambers or by presenting such application to the judge sitting on the Housing Conditions Civil Calendar on the date of the initial hearing or any date thereafter.
- c. *Motions for Temporary Restraining Order.* If the alleged conditions in the rental unit constitute an emergency and pose an immediate threat to the health and safety of the occupants of the unit, a litigant may file a separate motion for temporary restraining order along with a Form CA 116 – Verified Complaint to Enforce Housing Code Regulations. The motion for temporary restraining order will be addressed by Judge-in-Chambers in accordance with its procedures.
- d. *Motions and other Pleadings.* Motions and other pleadings must be filed in accordance with the requirements of applicable Superior Court Rules of Civil Procedure. Motions and other pleadings will be subject to the fee schedule set out in Rule 202 of the Superior Court Rules of Civil Procedure.