

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER 19-18**

Housing Conditions Civil Calendar

(Supersedes Administrative Order 10-07)

WHEREAS, the Superior Court determined in 2010 that it is the interest of justice to quickly address conditions which constitute violations of the District of Columbia's housing code regulations in rental units in the District of Columbia, and it established a Housing Conditions Civil Calendar to expedite actions for enforcement of housing code regulations;

WHEREAS, the Housing Conditions Civil Calendar has been administered since April 2010 in accordance with a memorandum attached to Administrative Order 10-07, which describes the program, as well as the Superior Court Rules of Civil Procedure;

WHEREAS, it is now appropriate to replace the memorandum with a case management plan that provides complete and current information about management of cases on the Housing Conditions Civil Calendar and that is available to litigants and the public,

NOW, THEREFORE, IT IS HEREBY,

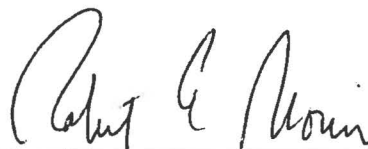
ORDERED that the Housing Conditions Civil Calendar shall be administered in accordance with a case management plan issued by the Court and with the Superior Court Rules of Civil Procedure; and it is further

ORDERED that nothing in this Order, the case management plan, or the Superior Court Rules of Civil Procedure shall be construed to require litigants to litigate claims regarding housing code violations solely in the Housing Conditions Civil Calendar, or 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: December 12, 2019



**Robert E. Morin
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

CASE MANAGEMENT PLAN FOR THE HOUSING CONDITIONS CIVIL CALENDAR

I. Introduction

The Housing Conditions Civil Calendar is a problem-solving court. Its goal is to efficiently and quickly achieve compliance with the District of Columbia Housing Code Regulations (14 D.C.M.R. §§ 500 – 900, 1200) and Property Maintenance Code (D.C.M.R. Title 12G). The Superior Court has worked closely with stakeholders to develop and improve this Calendar in order to expedite actions for enforcement of housing code regulations. A critical component of the Calendar is the housing inspector assigned by the D.C. Department of Consumer and Regulatory Affairs (“DCRA”).

II. Procedures

The Housing Conditions Civil Calendar is governed by the terms of these practices and procedures and the Superior Court Rules of Civil Procedure.

III. Complaint

Litigants who want their complaint to be heard 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 documents, but those documents 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 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 https://www.dccourts.gov/sites/default/files/HCC_HousingCodeComplaint.pdf.

IV. Summons

In addition to completing and serving Form CA 116, 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, Notice of Hearing, and Form CA 116 must be served on each defendant. 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 and Notice of Hearing 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 https://www.dccourts.gov/sites/default/files/pdf-forms/HCC_Summons.pdf www.

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.

Any party may file an application to proceed without prepayment of costs.

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.

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(l) of the Superior Court Rules of Civil Procedure at least three (3) calendar days before the initial hearing date, unless the Court exercises its discretion to extend this deadline.

The time limit for service of process in Rule 4(m) of the Superior Court Rules of Civil Procedure applies to cases on the Housing Conditions Civil Calendar. The Court has discretion to extend the time for service and schedule a new initial hearing.

Instructions for service are available online at https://www.dccourts.gov/sites/default/files/HCC_InstructionSheetForServiceOfHousingCodeComplaintAndSummons.pdf.

VII. Timing of Events

The clerk's office will schedule an initial hearing on the Housing Conditions 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 serve the Complaint and Summons at least eight (8) calendar days before the date of the initial hearing.

As soon as proper service is established, the Court ordinarily schedules a prompt inspection by the DCRA housing inspector. The Court may schedule a re-inspection if warranted. The reports of the housing inspector generally provide the basis for the Court's assessment of the existence and abatement of housing code violations.

VIII. Answers 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-one (21) 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. *Motions.* Consistent with its problem-solving role, the Court minimizes motions practice to expedite resolution of housing code violations.

c. *Motions for Temporary Restraining Order or Preliminary Injunction.* 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 motion for a temporary restraining order and/or a motion for a preliminary injunction. The Court generally addresses more urgent housing code violations that arise after a complaint is filed, not through motions, but through the scheduling of inspections and status hearings.

IX. Calendar Management

Although the Court has the same jurisdiction over cases on the Housing Conditions Calendar as over cases on other calendars in the Civil Actions Branch, the Court imposes several limits on cases on the Housing Conditions Civil Calendar in order to keep the Calendar within manageable limits consistent with resource constraints. In addition, the judge presiding over the Calendar has discretion to manage the Calendar consistent with its purpose efficiently and quickly to secure compliance with housing code regulations.

The type of complaint suitable for the Housing Conditions Civil Calendar is limited in nature. The Calendar's sole focus is to achieve compliance with the housing code regulations. Litigants seeking relief other than abatement of violations, including monetary relief for the condition of the property, personal injury, damage

to personal property, or return of a security deposit, must pursue such relief in the appropriate Branch of the Civil Division. A litigant who brings a case on the Housing Conditions Civil Calendar may seek other relief in a new case filed after the case on the Housing Conditions Civil Calendar is dismissed without prejudice. The Calendar can and does impose sanctions, such as rent abatement, if necessary to achieve compliance with the housing code regulations.

The Calendar is limited to complaints by tenants living in rental units. Cases brought by other types of occupants, including residents with ownership interests in condominium or cooperative units, foreclosed homeowners, commercial tenants, and terminated employees of building owners, are addressed on other calendars in the Civil Actions Branch.

In addition, the Court requires tenants to give landlords reasonable notice of violations and a reasonable opportunity to correct them, including providing access to the rental property. The Court ordinarily addresses housing code violations that are directly related to any housing code violations identified in the original inspection, such as violations that result from or are revealed by attempted repairs of earlier violations. The Court ordinarily does not address housing code violations that arose either after the case began or after the first DCRA inspection was conducted.

As a problem-solving court, the Court does not conduct trials or, except in rare circumstances, evidentiary hearings.

If issues arise that cannot be addressed on the Housing Conditions Civil Calendar without adversely affecting the Court's ability to provide efficient and expedited enforcement of housing code regulations, the Court may certify the case to a randomly assigned Civil 2 Calendar or dismiss it without prejudice so that the plaintiff can file the case on a Civil 2 Calendar. If a case is certified to a Civil 2 calendar, a status hearing will be scheduled no more than four weeks from the date of the certification.

If a landlord filed in the Landlord and Tenant Branch a complaint for possession based on nonpayment of rent *before* the tenant files a complaint on the Housing Conditions Civil Calendar, issues relating to compliance with housing code regulations will be addressed in the Landlord and Tenant Branch, not on the Housing Conditions Civil Calendar. However, if the landlord files a complaint for possession in the Landlord and Tenant Branch *after* the tenant filed the complaint on the Housing Conditions Civil Calendar, the case on the Housing Conditions Civil Calendar will ordinarily proceed. A judge presiding over the Housing Conditions Civil Calendar has discretion to dismiss such a case without prejudice if (a) issues arise that cannot be addressed on the Calendar without adversely affecting the Court's ability to provide efficient and expedited enforcement of housing code regulations in other cases and (b) the Landlord and Tenant Branch can provide relief efficiently and expeditiously.

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March 19, 2018

LANDLORD
ADDRESS
Washington, DC 20020

To Whom It May Concern:

I represent CLIENT, the tenant at ADDRESS. Ms. CLIENT has made numerous requests for repairs since she moved into this unit. Despite your awareness of the conditions of the apartment, she and her children remain in unsafe and unsuitable housing. You are required to provide tenants with units that meet the standards of the District of Columbia Municipal Regulations, and we request that you promptly correct the violations and make the repairs that Ms. CLIENT has requested.

Specifically, Ms. CLIENT's unit is in violation of the D.C. Housing Code and poses a danger to her family due to the following conditions:

1. Suspected Mold

Ms. CLIENT suspects that her daughter's bedroom contains mold, and that it is affecting her family's health. Dark spots indicative of mold are visible on the wall of the bedroom. In accordance with D.C. Code § 8-241.04, Ms. CLIENT requests that you inspect for mold within seven days of receipt of this letter. If more than ten square feet of mold is discovered from any single source, it must be remediated by a licensed mold remediator within 30 days, in accordance with 20 D.C.M.R. § 3205 and 20 D.C.M.R. § 3201.

2. Rodents

Mice are entering Ms. CLIENT's unit on a regular basis. In the past three months, she has caught sixteen mice in the apartment. The unit should be thoroughly inspected for rodent access points and all access points should be ameliorated. An extermination should also be conducted in accordance with 14 D.C.M.R. § 805.

3. Front Door Does Not Seal

The front door to Ms. CLIENT's unit does not sufficiently seal to exclude debris and pests from entering the unit. When the door is closed, a large gap remains between the door and frame. The door should be inspected and repaired to ensure that the door fits well within the frame, in accordance with 14 D.C.M.R. § 705.

Due to the aforementioned conditions, Ms. CLIENT's unit is unsafe and in violation of the D.C. Housing Code. In order to remedy the housing conditions and avoid legal action, you must take immediate and significant steps to make the apartment habitable for Ms. CLIENT and her family. If the necessary repairs are not made immediately, we will take all appropriate legal action.

If you wish to discuss this matter further, I can be reached at (202) 467-4900 ext. 000, or at attorney@childrenslawcenter.org.

Sincerely,

ATTORNEY
Attorney for CLIENT

Encl: Letter from Dr. dated 2/9/2018; Blood test of CHILD showing presence of mold in his body

May 4, 2018

Capitol Park Tower LLC
140 Q Street NE, Suite 140B
Washington, DC 20002

Re: 100 G St. SW, Apt. 1

To Whom It May Concern:

I represent Sarah Smith, the tenant at 100 G Street SW, Apt. 1, Washington, DC 20024. Ms. Smith is requesting a reasonable accommodation for her family pursuant to the Fair Housing Act, as amended in 1988 (42 U.S.C. § 3601 et. seq.), and repairs to her unit to bring it into compliance with the D.C. Housing Code.

The requested reasonable accommodations are based on asthma diagnoses for Ms. Smith's sons, Ryan, age four, and David, age eight. Their asthma is exacerbated by environmental conditions such as second-hand smoke. The family's neighbors smoke cigarettes and the smoke enters their unit through gaps along Ms. Smith's front door and through the bathroom vent.

Therefore, Ms. Smith requests that you install a better seal around the front door to ensure smoke does not enter from the hallway. Additionally, she requests that you inspect the bathroom vent and ensure that smoke cannot enter the unit from the neighbor's unit.

Moreover, you are required to provide tenants with units that meet the standards of the District of Columbia Municipal Regulations, and we request that you promptly correct the violations and make the repairs that Ms. Smith has requested.

Specifically, Ms. Smith's unit is in violation of the D.C. Housing Code due to the following conditions:

1. Damaged Tiles in Shower

The glaze on the tiles in the shower is coming off in patches and several of the tiles are chipped. The shower should be repaired in accordance with 14 D.C.M.R. § 600.2.

2. Cracks in Plaster and Peeling Paint

There is chipping paint on the kitchen cabinets. There are cracks in the walls in the living room and one of the bedrooms. Each of these conditions should be repaired in accordance with 14 D.C.M.R. §§ 706 and 707.

3. Toilet

One of the bathroom toilets runs for approximately 30 minutes after each flush. The toilet should be inspected and repaired in accordance with 14. D.C.M.R. § 600.2.

4. Bathroom Sink Plunger

The stopper for the bathroom sink has been improperly repaired using tape. The repair should be corrected to conform to workman-like standards, as required by 14 D.C.M.R. § 701.

Due to the aforementioned conditions, Ms. Smith's unit is in violation of the D.C. Housing Code. In order to avoid legal action, you must take immediate steps to repairs the conditions in the unit.

To provide the requested reasonable accommodation and schedule repairs, please contact Ms. Smith directly at (202) 000-1000.

If you wish to discuss this matter further, I can be reached at (202) 467-4900 ext. 000, or at attorney@childrenslawcenter.org.

Sincerely,

ATTORNEY
Attorney for Sarah Smith

Copied to: UIP Property Management Inc., 301 G Street SW, Washington, DC 20024

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA CIVIL DIVISION
CIVIL ACTIONS BRANCH**

500 Indiana Avenue, N.W., Room 5000, Washington, DC 20001 Telephone (202) 879-1133 www.dccourts.gov

Case No. CA _____

Plaintiff(s)/Tenant(s)

vs.

Defendant(s)/Landlord(s)

Address (No post office boxes)

Address

City State Zip Code

City State Zip Code

Phone Number

Phone Number (if known)

VERIFIED COMPLAINT TO ENFORCE HOUSING CODE REGULATIONS

DISTRICT OF COLUMBIA, ss:

- I, (name, address, and phone #) _____, swear or affirm, under penalties of perjury, that I have knowledge of the facts set forth in this Complaint and that I am: Tenant or an attorney authorized to make this verification or a person who has a right to demand that the Defendant/Landlord complete repairs to the rental unit because _____.
- Upon information and belief, the Defendant/Landlord is responsible for maintaining the rental unit at (address) _____ in compliance with the Housing Code Regulations.
- I verify that the rental unit **currently contains** housing code violations including, but not limited to those listed in the Housing Code Violations Addendum **attached to the Complaint**.
- I believe the Defendant/Landlord is aware, or should be aware, of the violations listed in the Housing Code Violation Addendum for one or more of the following reasons (check all that apply):
 - I spoke directly with the Defendant/Landlord or his/her representative: (name of person, if known) _____.
 - I sent a letter to or left a note for the Defendant/Landlord, or his/her representative, at: (last known address) _____.
 - I left, or attempted to leave, a voicemail with the Defendant/Landlord at: (phone number) _____.
 - I sent an email to the Defendant/Landlord at: (email address) _____.
 - The Defendant/Landlord or his/her agent has personally observed the conditions or otherwise knew about the listed violations because: (explain) _____.
 - Other: (explain) _____.
- Optional:** The Defendant/Landlord may:
 - Enter my rental unit on any date between 9:00 a.m. and 5:00 p.m., Mon. – Fri., for the purpose of inspection and repairs.
 - Contact me at (phone #) _____ to arrange a time and date to enter my rental unit for inspection and repairs.

Therefore, Plaintiff/Tenant asks the Court for an order to repair all of the housing code violations in the unit within a time to be determined by the Court.

Subscribed & sworn to before me this _____ day of _____, 20_____

Plaintiff/Plaintiff's Attorney Date

Notary Public/Deputy Clerk My Commission expires

Important Note to Parties: Court of Appeals Rule 49 and Superior Court Rule of Civil Procedure 101 prohibit the unauthorized practice of law. Any person who is not a lawyer in good standing in the District of Columbia should be aware that he or she could be engaging in the unauthorized practice of law if he or she acts on behalf of another for any purpose other than to request a continuance.

Plaintiff/Plaintiff's Attorney Unified Bar No.

Address Zip Code

Phone No. Email Address (required only for attorneys)

CLERK OF THE COURT



NOTICE TO DEFENDANTS

Please note that you should have received with this Complaint an additional form entitled “**Summons to Appear in Court and Notice of Hearing.**” If you did not receive the Summons, *immediately* call the Civil Action Branch Clerk’s Office at 202-879-1133 to learn what date you are required to appear in Court to respond to this Complaint.

AVISO A LOS DEMANDADOS

Sírvanse tomar nota, que junto con la Demanda, deben haber recibido un formulario adicional, titulado “**Citatorio para Comparecer en el Juzgado y Aviso de Audiencia**”. Si no recibió el Citatorio, llame *inmediatamente* a la Secretaría de Actas de Demandas Civiles, al 202-879-1133 para enterarse de la fecha en que tiene que comparecer ante el Juzgado para contestar esta Demanda.

HOUSING CODE VIOLATION ADDENDUM

The Tenant/Plaintiff **must complete** this form and attach it to the Complaint. Please be as **accurate and specific** as possible when identifying the **location (room or common areas) and/or nature** of the problems with the rental unit.

Heating, Lighting, Ventilation 14 D.C.M.R. § 500 et seq.

- Inadequate heating (*location*) _____
- Lack of windows (*location*) _____
- Inadequate ventilation (*location*) _____
- Inadequate air conditioning (*location*) _____

Plumbing, Utilities 14 D.C.M.R. § 600 et seq.

- Plumbing (leaks from inside the unit) (*location*) _____
- Plumbing (leaks from outside the unit) (*location*) _____
- Lack of waterproof floor in the bathroom
- Broken or stopped toilet (*location*) _____
- Broken or not functioning shower/bath tub
- Broken or not functioning sinks (*location*) _____
- Inadequate or broken electrical outlets (*location*) _____
- Inadequate hot water (*location*) _____

Construction, Maintenance, Repairs 14 D.C.M.R. § 700 et seq.

- Walkway in disrepair (*explain*) _____
- Roof/chimney requires repair (*explain*) _____
- Gutters/drainage clogged, leaking or missing
- Cracks or holes exterior walls (*location*) _____
- Cracks or holes interior walls (*location*) _____
- Peeling paint (*location*) _____
- Mold or mildew (*location*) _____
- Broken, uneven or unrepaired floors (*location*) _____
- Broken stairways/steps/porches (*location*) _____
- Broken or not functioning windows (common areas) (*location*) _____
- Broken or not functioning windows (*location*) _____
- Broken doors or locks (exterior) (*location*) _____
- Broken doors or locks (interior) (*location*) _____
- Broken or not functioning kitchen appliances (stove/oven, refrigerator/freezer) (*explain*) _____
- Broken kitchen cabinets (*explain*) _____

Cleanliness, Sanitation and Safety 14 D.C.M.R. § 800 et seq.

- Dirt/dust/filth/garbage in common areas or for which the landlord is responsible
- Inadequate garbage storage facilities
- Rodents/mice (*explain*) _____
- Insect infestation (*explain*) _____
- Window screens (missing/holes) (*location*) _____
- Broken sheds and fences (*explain*) _____

Safety and Fire Prevention 14 D.C.M.R. § 900 et seq.

- Missing fire extinguisher (*location*) _____
- Broken or obstructed fire escapes/stairways
- Broken or missing emergency and exit lights
- Broken or missing fire alarm

Apartments and Apartment Housing 14 D.C.M.R. § 1200 et seq.

- Apartment unit not numbered
- Broken mail receptacle (*explain*) _____
- Broken/damaged elevator (*explain*) _____

Other Housing Code Violations

- Explain and provide location _____

If any of the problems listed in the Housing Code Violation Addendum constitute an emergency and pose an **immediate** threat to the health and safety of the occupants of the rental unit, you must file a motion for Temporary Restraining Order along with this Complaint in order for the Court to immediately address your emergency conditions.

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Please note that you should have received with this Complaint an additional form entitled “**Summons to Appear in Court and Notice of Hearing.**” If you did not receive the Summons, *immediately* call the Civil Action Branch Clerk’s Office at 202-879-1133 to learn what date you are required to appear in Court to respond to this Complaint.

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INSTRUCTIONS FOR FILING A VERIFIED COMPLAINT TO ENFORCE HOUSING CODE REGULATIONS AND SUMMONS TO APPEAR IN COURT

IMPORTANT NOTICE: These instructions are not a substitute for the advice of a lawyer. Landlord and tenant law can be very complicated, and it is not possible to address every situation in these instructions. You are strongly encouraged to talk to a lawyer to help you protect your legal rights. You may also visit the Landlord Tenant Resource Center, Room 115, (9:15 a.m. – 12 p.m., Monday – Friday) for free legal information.

The Housing Conditions Court is a court of limited jurisdiction. Every case filed in the Housing Conditions Court is a “Verified Complaint to Enforce Housing Code Regulations.” A Verified Complaint to Enforce Housing Code Regulations is a request from the tenant that the court enter an order requiring the landlord to repair the tenant’s rental unit. If you seek additional relief from your landlord, such as monetary relief for the condition of the property, return of your security deposit, or personal injury, you must file those claims in the Civil Actions Branch or the Small Claims and Conciliation Branch.

Filing Without the Assistance of an Attorney

An individual person may file a Verified Complaint in the Housing Conditions Court on his or her own behalf without the assistance of an attorney. In general, a person who is not an attorney may not file a case on behalf of another person or a business. Corporations and certain other businesses that are plaintiffs must be represented by an attorney at all times, including when the Complaint is filed.

If you wish to proceed without an attorney, the Clerk’s Office can answer basic questions about how to fill out Complaint and Summons forms, provide you with an instruction sheet describing how to serve the Complaint and Summons, and give you other basic information. The Clerk’s Office cannot give you legal advice. You are strongly encouraged to seek the advice of an attorney.

Free Legal Information

The D.C. Bar’s Landlord Tenant Resource Center is open every day the Court is in session from 9:15 a.m. to 12:00 p.m., and staffed with lawyers trained in landlord and tenant law. If you do not have your own lawyer, the Resource Center may be able to answer your questions about filing a Complaint and Summons and other legal issues, free of charge. The Resource Center is located in Room 115, next to the metal detectors, near the entrance to D.C. Superior Court Building B, 510 4th Street, N.W. The Resource Center will help both landlords and tenants who do not have their own lawyers.

You may also seek assistance with filing a Complaint and Summons from the following organizations:

Neighborhood Legal Services	(202) 269-5100	Legal Counsel for the Elderly	(202) 434-2120
D.C. Law Students in Court	(202) 638-4798	Bread for the City	(202) 265-2400
The Legal Aid Society of D.C.	(202) 628-1161	D.C. Bar Legal Information Help Line	(202) 626-3499

Filing Fees (Court Costs)

The cost for filing a Verified Complaint to Enforce Housing Code Regulations is \$15.00.

Completing a Verified Complaint to Enforce Housing Code Regulations

You are *required* to use the Verified Complaint to Enforce Housing Code Regulations. It is important that you fill the Form out completely and accurately. Make sure that what you write on the Complaint can be read clearly on all of the copies in black ink. The following pages include step-by-step instructions for filling out the Complaint. If you are not certain how to complete the form, you should seek information from the Landlord Tenant Resource Center or legal advice from an attorney.

*Please see the **Instructions for Serving a Verified Complaint to Enforce Housing Code Regulations and Summons to Appear in Court** for information on how to complete service of process of your verified complaint.*

Completing the Summons to Appear in Court and Notice of Hearing

In addition to serving the defendant/landlord with a Complaint, you are also *required* to serve the defendant/landlord with a completed Summons to Appear in Court and Notice of Hearing. If you do not serve a Summons along with your complaint the Court may dismiss your case. The Civil Action's Branch Clerk's Office will give you the Summons.

Fill out the case caption with the Plaintiff's name, address (no P.O boxes), and phone number and the Defendant's name, address, and phone number, if known. Leave the spaces for the case number and date of the initial hearing blank as the Clerk will provide you with that information.

*Please see the **Instructions for Serving a Verified Complaint to Enforce Housing Code Regulations and Summons to Appear in Court** for information on how to complete service of process of the summons.*

Instructions for Completing the Verified Complaint to Enforce Housing Code Regulations

The Housing Conditions Court is a court of limited jurisdiction. If you are seeking an order from the Court requiring your landlord to repair your rental unit or the common areas of the rental property, you must use the Complaint discussed herein. If you are seeking monetary relief for housing code violations, the return of the security deposit, property damage due to housing code violations, or personal injury, you must file a separate complaint in the Civil Actions Branch or Small Claims Branch.

A sample Verified Complaint to Enforce Housing Code Regulations follows these instructions. **The numbered boxes on the attached “Sample Complaint” correspond to the instruction numbers below.**

1. Civil Action Case Number. Leave this area blank because the Clerk will assign a case number to you.
2. Type or very clearly print the Plaintiff’s name and complete address, including the ZIP code and telephone number. You may NOT list a post office box as the address. Use black ink.
3. Type or very clearly print the name and complete address of the Defendant, including the apartment number, suite, or lot and square number, quadrant (NE, NW, SE, or SW), and ZIP code. If you know it, you are required to include the defendant’s telephone number.
4. Print your name, address, and phone number. Place a check in one of the three boxes to explain whether you are (1) the Tenant, (2) an attorney authorized to verify the complaint, or (3) a person who is not the tenant of the property but has the right to demand that the Defendant make repairs to the rental unit. If you are not the tenant but are demanding repairs to the property you must explain why you are entitled to demand that the Defendant make repairs to the property.
5. In this section, you are swearing that you believe the landlord is responsible for maintaining the rental unit and you must list the address where the court will order repairs (which is likely the same as the plaintiff’s address).
6. In this section, you are swearing that the rental unit at issue currently contains housing code violations which are listed in the Housing Code Violations Addendum which is the second page of the Complaint. You must complete the Housing Code Violation Addendum in order for your complaint to proceed.
7. In this section, you must indicate if you believe the landlord is aware, or should be aware, of the violations listed in the Housing Code Violations Addendum. You may check any of the boxes that you believe apply to your situation. Be sure to provide the information requested depending on the box(es) you check (e.g. name of person you spoke to if you claim you told the landlord or his or her representatives about the housing code violations in your rental unit). Be as specific and accurate as possible when providing the requested information.
8. This section is **optional** and you are not required to check either box. However, allowing the landlord to access the property or indicating that the landlord may contact you via telephone to arrange a time and date for access to the property may accelerate completion of repairs to your rental unit.
9. The Notary Public or Clerk will complete this section after you sign the Complaint. The Complaint can be notarized at the Landlord and Tenant Clerk’s Office for no charge.
10. The person whose name appears in Section 4 must sign the Complaint in this space in the presence of a Notary Public or a Clerk working in the Landlord and Tenant Clerk’s Office.
11. This important note may apply to you. If you are not a lawyer in good standing in the District of Columbia you could be engaging in the unauthorized practice of law if you are representing or acting on behalf of another individual in the Civil Actions Branch for any purpose other than to request a continuance.
12. If you are represented by an attorney, he or she should complete this section, including his or her bar number and email address. If you are not represented by an attorney, you should complete this section with your information. If you are not an attorney, leave blank the areas requesting a Unified Bar No. and Email Address. If someone other than the plaintiff completed the verification of the Complaint, the plaintiff or the plaintiff’s attorney *must* sign the complaint in this Section.
13. Civil Action Case Number. Leave this area blank because the Clerk will assign a case number to you.

14. This is the Housing Code Violations Addendum. You **must** complete this page in order for your complaint to proceed. Check all that apply to your situation. Be as specific as possible when identifying the location (room or common areas) and/or nature of the problems with the rental unit.
15. If you have additional housing code violations which do not fit into the categories provided, list the violations and their location in the space provided.
16. If any of the problems listed in the Housing Code Violation Addendum constitute an emergency and pose an immediate threat to the health and safety of the occupants of the rental unit, you must file a motion for temporary restraining order along with this Complaint in order for the Court to immediately address your emergency conditions. The Clerk can assist you with the steps required to file a motion for temporary restraining order.



SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Civil Division – Civil Actions Branch

500 Indiana Ave., N.W., Room 5000, Washington, D.C. 20001

Telephone Number: (202) 879-1133 Website: www.dccourts.gov

Case No. CA _____

Plaintiff(s)/Tenant(s)

vs.

Defendant(s)/Landlord(s)

Address (No post office boxes)

Address

City State Zip Code

City State Zip Code

Telephone Number Email Address

Telephone Number (if known) Email Address (if known)

SUMMONS TO APPEAR IN COURT AND NOTICE OF HEARING

TO THE ABOVE NAMED DEFENDANT:

YOU ARE HEREBY SUMMONED AND REQUIRED TO APPEAR ON _____ AT 9:00 A.M.
PROMPTLY, in Courtroom 52, Court Building B, 510 4th Street, N.W.

1. You are being sued on a Complaint to Enforce Housing Code Regulations.
2. This paper is a Summons in a lawsuit filed by Plaintiff seeking an order of the Court requiring repairs to a housing accommodation in the District of Columbia.
3. The Complaint attached to this Summons states the grounds claimed by Plaintiff. If the Complaint is not attached, a copy is available in the Civil Actions Branch Clerk’s Office, 500 Indiana Ave., NW, Room 5000.
4. If you, or your attorney, do not appear on the date and time listed above, a default judgment may be entered against you for the relief demanded in the Complaint, which is an order requiring you to repair the premises occupied by Plaintiff.
5. You are not required to file a written answer to this Complaint. If you wish to file an answer, you may file a written answer within twenty one (21) days after service of this summons upon you in the Civil Actions Branch Clerk’s Office, 500 Indiana Ave., NW, Room 5000, and mail a copy to Plaintiff or, if Plaintiff has an attorney, to Plaintiff’s attorney.
6. **Court employees are not permitted to give advice on legal questions.**

PLEASE SEE THE BACK OF THIS FORM FOR IMPORTANT INFORMATION ABOUT THE COURT PROCESS. IF YOU HAVE ANY ADDITIONAL QUESTIONS ABOUT THE SUMMONS AND COMPLAINT, OR YOUR RIGHTS AND RESPONSIBILITIES, PLEASE CONSULT AN ATTORNEY PROMPTLY.

CITATORIO DE COMPARENCIA EN EL TRIBUNAL Y NOTIFICACIÓN DE AUDIENCIA

AL SUSODICHO DEMANDADO: POR LA PRESENTE SE LE CITA A COMPARECER EL DÍA A LAS 9:00 A.M. EN PUNTO en la Sala 52, Edificio “B” del Tribunal, 510 Calle 4, N.W.

1. Usted está siendo demandado sobre una Demanda para que se Cumplan los Reglamentos del Código de Vivienda.
2. Este documento es un Citatorio en una demanda presentada por el Demandante, quien solicita una Orden del Juez para que se requieran reparaciones a una vivienda en el Distrito de Columbia.
3. La Demanda adjuntada a este Citatorio declara los fundamentos presentados por el Demandante. Si no está adjunta la Demanda, habrá una copia en la Secretaría de la Sección de Demandas Civiles, 500 Indiana Ave., NW, Oficina 5000.
4. Si usted o su abogado no comparecen en la fecha y a la hora señaladas, se podría dictar un fallo en rebeldía contra usted para que se decrete el desagravio pretendido en la Demanda, lo cual es una orden que le manda reparar la vivienda que ocupa el Demandante.
5. Usted no está obligado a presentar una contestación escrita a esta Demanda. Si usted desea presentar una contestación, puede presentar una contestación escrita dentro de los veintiún (21) días siguientes a su recibo de este citatorio en la Secretaría de la Sección de Demandas Civiles, 500 Indiana Ave., NW, Oficina 5000 y enviarle una copia por correo al Demandante o, si el Demandante está representado por abogado, enviarle copia a ese abogado.
6. **A los empleados del tribunal no se les permite asesorar sobre cuestiones jurídicas.**

AL DORSO VERÁ INFORMACIÓN IMPORTANTE SOBRE EL PROCESO JUDICIAL. SI TIENE MÁS PREGUNTAS SOBRE EL CITATORIO Y LA DEMANDA O SOBRE SUS DERECHOS Y DEBERES, CONSÚLTELE A UN ABOGADO LO ANTES POSIBLE.

Plaintiff/Plaintiff’s Attorney Demandante/Abogado del Demandante Bar No.

CLERK OF THE COURT (Secretario de Actas)

Address (Dirección) Zip Code (Código postal)

Phone No. (Teléfono) Email Address

如需翻译, 请打电话 (202) 879-4828 Veuillez appeler au (202) 879-4828 pour une traduction 번역을 원하시면, (202) 879-4828 로 전화하십시오
Đề có một bài dịch, hãy gọi (202) 879-4828 □□□□ □□□□ (202) 879-4828 □□□□

IMPORTANT INFORMATION - PLEASE READ CAREFULLY

- BEFORE YOU COME TO COURT:** Before your court date, contact an agency for legal assistance, such as **Neighborhood Legal Services (202) 269-5100** or **D.C. Bar Legal Information Help Line (202) 626-3499** or go to www.lawhelp.org/dc to learn about settlement options, legal defenses, presenting your case and more information about your rights. **Landlords and tenants may also visit the Landlord Tenant Resource Center located at 510 4th Street, NW, Bldg. B, Room 208 (202) 508-1710. The Resource Center provides legal information from attorneys at no charge and is open from 9:15 a.m. to Noon, Mon. – Fri.**
- A TENANT OR OCCUPANT OF YOUR PROPERTY HAS SUED TO ENFORCE THE HOUSING CODE REGULATIONS. COME TO COURT ON THE DATE YOUR SUMMONS REQUIRES YOU TO APPEAR:** Come to court even if you think you have made all necessary repairs to the property and/or that the property is in compliance with the Housing Code. If you do not come to court, or if you are late, a default judgment may be entered against you ordering repairs to the property.
- YOU MUST BE IN THE COURTROOM PROMPTLY AT 9:00 AM AND YOU SHOULD EXPECT TO BE IN COURT FOR SEVERAL HOURS:** Check in with the courtroom clerk. If you get to court late, tell the clerk immediately that you have arrived. If a default has been entered against you, try to speak to a private lawyer or a lawyer in the Landlord Tenant Resource Center (Building B, Room 208, 510 4th Street N.W.) and/or file a "Motion to Vacate Default" in the Civil Actions Branch Clerk's Office, 500 Indiana Ave., NW, Room 5000.
- BRING ALL PAPERS RELATING TO YOUR CASE TO COURT:** *Bring this document and the Complaint attached to this document with you to court every time you appear.* Also, bring all papers related to your case, such as your lease, rent receipts, pictures or anything else that will explain your side of the case to the judge. You do not need to bring witnesses to the first court hearing.
- WHEN YOU GET TO COURT:** Neither party is required to make any agreement in this case. If you make an agreement with the Plaintiff, be sure that all promises you or the Plaintiff make are in writing before you sign the agreement. If you do not want to make an agreement or cannot reach an agreement, your case will be called before the judge where you may present any defenses or make any requests.
- IF YOU HAVE AN EMERGENCY AND CANNOT COME TO COURT OR GET THERE ON TIME:** Call the clerk immediately at (202) 879-1750. Come to court as soon as you can and ask for help.
- PERSONS WITH DISABILITIES:** If you have a disability as defined by the Americans with Disabilities Act (ADA) and you require an accommodation, please call (202) 879-1700.
- INTERPRETATION SERVICES:** If you need language interpretation services for any language other than Spanish, please call (202) 879-4828 as soon as you get these papers. If you need a Sign Language Interpreter, call (202) 879-1492 or (202) 879-1656 (TDD).
- CHILD CARE:** A Child Care Center is in the main courthouse (500 Indiana Ave., NW, Room C-185). Call (202) 879-1759 or visit <https://www.dccourts.gov/jurors/arranging-child-care> for information, qualification requirements, and registration.

INFORMACIÓN IMPORTANTE - POR FAVOR LEA CON ATENCIÓN

- ANTES DE PRESENTARSE AL TRIBUNAL:** Antes de su audiencia, comuníquese con una de las entidades de servicios legales, tales como el Neighborhood Legal Services (202) 269-5100 o el D.C. Bar Legal Information Help Line (202) 626-3499 o al www.lawhelp.org/dc para enterarse de las opciones de común acuerdo, sus defensas, cómo presentar su caso e información adicional sobre sus derechos. Los arrendadores e inquilinos pueden acudir al Centro de Recursos de Arrendador e Inquilinos, sito en 510 Calle 4, NW, Edificio B, Oficina 208, (202) 508-1710. El Centro de Recursos cuenta con abogados que le ofrecen información jurídica gratuita. Atención: 9:15 a.m. a 12:00 p.m. de lunes a viernes.
- ALGÚN INQUILINO O MORADOR EN SU PROPIEDAD ENTABLÓ UNA DEMANDA PARA QUE SE CUMPLAN LOS REGLAMENTOS DEL CÓDIGO DE VIVIENDA. COMPAREZCA AL TRIBUNAL EN LA FECHA QUE SE LE INDICA EN EL CITATORIO:** Comparezca al tribunal incluso si cree que ha hecho todas las reparaciones necesarias a la propiedad y que la propiedad cumple con el Código de Vivienda. Si no comparece, o si llega tarde, podría asentarse un fallo por rebeldía contra usted, ordenándosele que haga las reparaciones en la propiedad.
- COMPAREZCA EN SALA PUNTUALMENTE A LAS 9:00 AM Y ANTICIPE QUE ESTARÁ EN EL JUZGADO VARIAS HORAS:** Si llega tarde, avísele al secretario que acaba de llegar. Si se ha emitido un fallo en su contra por incomparecencia, intente hablar con un abogado particular o con uno en el Centro de Recursos para Arrendadores e Inquilinos (Edificio B, Oficina 208, 510 4th Street, N.W.) y/o presente una Petición para Desestimar Fallo por Rebeldía (*Motion to Vacate Default*) en la Secretaría de la Sección de Demandas Civiles, 500 Indiana Avenue, N.W., Oficina 5000.
- TRAIGA CONSIGO TODOS LOS DOCUMENTOS PERTINENTES A SU CASO:** *Cada vez que comparezca, traiga este documento, al igual que la demanda adjunta.* También traiga todos los documentos pertinentes a su caso, como lo son el contrato, recibos del pago de alquiler, fotos o cualquier otra cosa que le explique al juez su parte de la causa. No tiene que traer testigos a la primera audiencia.
- CUANDO LLEGUE AL TRIBUNAL:** No se le exige a ninguna parte que llegue a un acuerdo en el caso. Si llega a un acuerdo con el demandante, asegúrese que todas sus promesas y las del demandante estén escritas antes de firmar el acuerdo. Si no desea o no pueden llegar a un acuerdo, su caso será ventilado ante el juez y ahí podrá presentar cualquier defensa o hacer cualquier petición.
- SI TIENE UNA EMERGENCIA Y NO PUEDE LLEGAR AL TRIBUNAL O NO PUEDE LLEGAR A TIEMPO:** Llame de inmediato a la secretaria al (202) 879-1750. Diríjase al tribunal lo más pronto posible y pida ayuda.
- PERSONAS CON DISCAPACIDADES:** Si tiene una discapacidad definida por la Ley para Estadounidenses con Discapacidades (ADA por sus siglas en inglés) y requiere de un acomodo, sírvase llamar al (202) 879-1700.
- SERVICIOS DE INTERPRETACIÓN:** Si necesita servicio de intérprete para un idioma que no sea el español, favor de llamar al (202) 879-4828 apenas reciba estos documentos. Si necesita intérprete de señas comuníquese al (202) 879-1492 o al (202) 879-1656 (TDD).
- GUARDERÍA INFANTIL:** Hay una Guardería Infantil en el tribunal principal (500 Av. Indiana, NW, C-185). Informe al (202) 879-1759 o ver el sitio web, <https://www.dccourts.gov/es/jurors/arranging-child-care> para información, requisitos e inscripción.

INSTRUCTIONS FOR SERVICE OF PROCESS OF THE VERIFIED COMPLAINT TO ENFORCE HOUSING CODE REGULATIONS AND SUMMONS TO APPEAR IN COURT AND NOTICE OF HEARING

IMPORTANT NOTICE: These instructions are not a substitute for the advice of a lawyer. Landlord and tenant law can be very complicated, and it is not possible to address every situation in these instructions. You are strongly encouraged to talk to a lawyer to help you protect your legal rights. You may also visit the Landlord Tenant Resource Center, Room 115, (9:15 a.m. – 12 p.m., Monday – Friday) for free legal information.

In order for the Housing Conditions Court to consider your claim for repairs, you must first properly serve on the Defendant the Verified Complaint to Enforce Housing Code Regulations and Summons to Appear in Court and Notice of Hearing. If you do not properly complete service of the Complaint and Summons the Court will not be able to address your claims and may dismiss your case.

Service of process may be very difficult and complicated. You are strongly encouraged to seek legal information from an attorney or through one of the organizations listed below. The Clerk's Office can answer basic questions about how to fill out Complaint and Summons forms, provide you with an instruction sheet describing how to serve the Complaint and Summons, and give you other basic information. The Clerk's Office cannot give you legal advice.

Free Legal Information

The D.C. Bar's Landlord Tenant Resource Center is open every day the Court is in session from 9:15 a.m. to 12:00 p.m., and staffed with lawyers trained in landlord and tenant law. If you do not have your own lawyer, the Resource Center may be able to answer your questions about service of the Complaint and Summons and other legal issues, free of charge. The Resource Center is located in Room 115, next to the metal detectors, near the entrance to D.C. Superior Court Building B, 510 4th Street, N.W. The Resource Center will help both landlords and tenants who do not have their own lawyers.

You may also seek assistance with service of a Complaint and Summons from the following organizations:

Neighborhood Legal Services	(202) 269-5100	Legal Counsel for the Elderly	(202) 434-2120
D.C. Law Students in Court	(202) 638-4798	Bread for the City	(202) 265-2400
The Legal Aid Society of D.C.	(202) 628-1161	D.C. Bar Legal Information Help Line	(202) 626-3499

Timing of Service

You should attempt to complete service of process as soon as practicable once the Complaint and Summons are filed with the Clerk's Office. Due to the expedited nature of the Housing Conditions Calendar you must serve the Defendant at least eight (8) calendar days prior to date of the initial hearing for your case. However, the judge sitting on the Housing Conditions Calendar may extend the time for service of process at his or her discretion.

Affidavit of Service

Once service of process is completed you must file with the Civil Actions Branch Clerk's Office either an affidavit of service of process or acknowledgment of service of process at least three (3) calendar days prior to the date of the initial hearing in your case. However, the judge sitting on the Housing Conditions Calendar may extend the time for filing the affidavit of service of process at his or her discretion.

The Civil Actions Branch Clerk's Office can provide you with an affidavit of service for you or your process server to complete upon request.

Acceptable Methods of Service

Service of the Complaint and Summons must be completed according to the requirements of Rule 4 of the Superior Court Rules of Civil Procedure. You can find a copy of Rule 4 on the Court's website at http://www.dccourts.gov/dccourts/docs/SUPERIOR_COURT_RULES_OF_CIVIL_PROCEDURE_090707.pdf.

I. Service of Process Upon an Individual

- a. By any person who is not a party to the lawsuit and is at least 18 years old by delivering a copy of the Complaint and Summons to the Defendant personally
- b. By any person who is not a party to the lawsuit and is at least 18 years old by leaving a copy of the Complaint and Summons at the Defendant's house or residence with a person of suitable age and discretion residing in the Defendant's house or residence.
- c. By any person who is not a party to the lawsuit and is at least 18 years old by delivering a copy of the Complaint and Summons to an agent authorized by appointment or by law to receive service of process for the Defendant.
- d. By mailing a copy of the Complaint and Summons to the Defendant by registered or certified mail, return receipt requested.
- e. By mailing a copy of the Complaint and Summons by first-class mail, postage prepaid, to the Defendant, together with two copies of a Notice and Acknowledgment – Form 1-A and a return envelope, postage prepaid, addressed to the sender.

II. Service Upon Corporations and Associations

- a. By any person who is not a party to the lawsuit and is at least 18 years old by delivering a copy of the Complaint and Summons to an officer or a managing or general agent of the Defendant corporation or business entity, or any other agent authorized by appointment or by law to receive service of process. **See below for additional information regarding registered agents for corporations and other business entities.**
- b. By mailing a copy of the Complaint and Summons by registered or certified mail, return receipt requested to an officer or a managing or general agent of the Defendant corporation or business entity, or any other agent authorized by appointment or by law to receive service of process. **See below for additional information regarding registered agents for corporations and other business entities.**
- c. By mailing a copy of the Complaint and Summons by first-class mail, postage prepaid, together with two copies of a Notice and Acknowledgment – Form 1-A and a return envelope, postage prepaid, addressed to the sender to an officer or a managing or general agent of the Defendant corporation or business entity, or any other agent authorized by appointment or by law to receive service of process. **See below for additional information regarding registered agents for corporations and other business entities.**
- d. By delivering two copies of the Complaint and Summons to the Superintendent of Corporations at the District of Columbia Department of Consumer and Regulatory Affairs after a diligent effort has been made to serve the Defendant and investigation has revealed that (1) the attempt to serve the registered agent on record is unsuccessful (mail returned, etc.), (2) the organization's status is revoked, (3) the registered agent has resigned and no new agent was appointed, or (4) the company is not registered but operating within the District of Columbia. **See below for additional information regarding the Superintendent of Corporations.**

III. Service Upon the District of Columbia, an Officer or Agency, or Other Government Entities

- a. By any person who is not a party to the lawsuit and is at least 18 years old by delivering a copy of the Complaint and Summons to the Mayor of the District of Columbia (or designee) and the Corporation Counsel of the District of Columbia (or designee). The Mayor and Corporation Counsel may each designate an employee for receipt of service of process by filing a written notice with the Clerk of the Court.

- b. By mailing a copy of the Complaint and Summons by registered or certified mail, return receipt requested to the Mayor of the District of Columbia (or designee) and the Corporation Counsel of the District of Columbia (or designee). The Mayor and Corporation Counsel may each designate an employee for receipt of service of process by filing a written notice with the Clerk of the Court.

Registered Agents for Corporations and the Superintendent of Corporations

A corporation or other business entity (LLC, LLP, partnership, etc) conducting business in the District of Columbia should have a registered agent who is responsible for accepting service of process for the Defendant. If the Defendant has a registered agent on record, that agent should be served with the Complaint and Summons.

A database of registered agents is maintained by the Department of Consumer and Regulatory Affairs (DCRA). You can search for registered agents online at <http://mblr.dc.gov/corp/lookup/index.asp>. You may also contact DCRA at (202) 442-4400 or www.dkra.dc.gov.

If a corporation or business entity (LLC, LLP, partnership, etc.) conducting business in the District of Columbia fails to maintain a registered agent or the corporation is not registered with DCRA, then you may complete service of process by serving the Superintendent of Corporations. The Superintendent of Corporations will accept service of process if a diligent effort has been made to serve the Defendant and investigation has revealed that (1) the attempt to serve the registered agent on record is unsuccessful (mail returned, etc.), (2) the organization's status is revoked, (3) the registered agent has resigned and no new agent was appointed, or (4) the company is not registered but operating within the District of Columbia. Contact DCRA at (202) 442-4400 or visit <http://dcra.dc.gov/dcra/cwp/view,a,1343,q,644416.asp> for more information about the process for serving the Superintendent of Corporations.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Civil Division
Housing Conditions Calendar

CLIENT,)	
)	
<i>Plaintiff,</i>)	
)	Case No.
v.)	
)	Judge NAME
LANDLORD)	
)	
<i>Defendant.</i>)	

DECLARATION OF SERVICE

I hereby certify that I served a copy of the Summons and Verified Complaint to Enforce Housing Code Violations in the above-captioned case upon:

Name:

Address:

By personal service to NAME on DATE at TIME at the above address.

I further certify that I am a competent person over eighteen years of age, that I am not a party to the above-captioned matter, and that I have served the above-listed documents as indicated above.

Pursuant to DC Super. Ct. Civil R. 9-I (e)(1), I declare under penalty of perjury that the foregoing statements are true and correct to the best of my personal knowledge, information, and belief.

Dated:

PERSON CONDUCTING SERVICE
CONTACT INFO



SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
500 Indiana Ave, NW, Washington, DC 20001
(202) 879-1010 www.dccourts.gov

<i>Case Caption</i>	<i>Case Number</i>

APPLICATION TO PROCEED WITHOUT PREPAYMENT OF COSTS, FEES, OR SECURITY
 (Form 106A *In Forma Pauperis*)

I, _____ am the

- | | |
|---|---|
| <input type="checkbox"/> Plaintiff/Petitioner | <input type="checkbox"/> Movant |
| <input type="checkbox"/> Defendant/Respondent | <input type="checkbox"/> Intervenor/Proposed Intervenor |
| <input type="checkbox"/> Guardian | <input type="checkbox"/> Other: _____ |

I respectfully ask that I not be required to prepay court fees in this case. I cannot do so without substantial financial hardship to me or my family for the following reason(s):

INCOME

1. I receive the following public benefits:
- Temporary Assistance for Needy Families (TANF)
 - General Assistance for Children (GAC)
 - Program on Work, Employment and Responsibility (POWER)
 - Supplemental Security Income (SSI)

If you checked any of the boxes in question 1, you do not need to answer any more questions and may skip to the "Declaration" on page 3. Otherwise, go to the next question.

For Clerk's Use Only

This Application has been reviewed and approved by:		
<i>Signature</i>	<i>Printed Name</i>	<i>Date</i>



SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
500 Indiana Ave, NW, Washington, DC 20001
(202) 879-1010 www.dccourts.gov

2. I receive the following benefits:
- Interim Disability Assistance
 - Medicaid or DC Healthcare Alliance

If you checked any of the boxes in question 2, you do not need to answer any more questions and may skip to the 'Declaration' on page 3. Otherwise, you must answer the rest of the questions on this form. If additional information concerning questions 2-8 is required, you will be notified.

3. My total income over the past 12 months from all sources is \$_____.

4. I am presently
- employed.
 - unemployed. The last date I worked was _____, _____.
Month Year

DEPENDENTS

5. How many people depend on you for financial support? _____.
 Of these people, how many are minor children or elderly? _____.

ASSETS

6. I have \$_____ in cash, including money in bank accounts.
 I own the following vehicles, real estate, or other valuable property:_____

EXPENSES

7. This is my best estimate of the monthly expenses for me and the people who depend on me for financial support:

Housing (such as rent, mortgage, taxes, insurance):	
Utilities (such as gas, electric, water, phone, internet):	
Food and household necessities:	
Child-related expenses (such as childcare, diapers):	
Health (such as medical, prescriptions, dental, vision, insurance):	
Transportation (such as vehicle loan, gas, insurance, metro, buses):	
Other debt and expenses:	
Total Estimated Monthly Expenses:	



OTHER CIRCUMSTANCES

8. Explain any special circumstances that you want the judge to consider in support of your request, including any child support orders, large monthly expenses, debts, wage or bank account garnishments, and/or judgments.

DECLARATION

I solemnly swear or affirm under criminal penalties for the making of a false statement, which includes 180 days in jail or a \$1,000 fine or both, that I have read this Application and that the factual statements made in it are true to the best of my personal knowledge, information and belief.

Signature

Address Line 1

Address Line 2

Phone Number

Date

POINTS AND AUTHORITIES

1. D.C. Code § 15-712.
2. D.C. Code § 22-2405.
3. Civil Rule 54-II, Domestic Relations Proceedings Rule 54-II, and Family Rule R.
4. *Adkins v. E.I. Du Pont de Nemours & Co., Inc.*, 335 U.S. 331 (1948).
5. *Harris v. Harris*, 137 U.S. App. D.C. 318, 322, 424 F.2d 806 (1970), *cert. denied*, 400 U.S. 826 (1970) (“*in forma pauperis* relief not limited to those who are public charges or absolutely destitute”).
6. *Green v. Green*, 562 A.2d 1214 (D.C. 1989) (statute “effectuates the fundamental principle that every litigant should be provided equal access to the courts without regard to financial ability”).
7. *Cabillo v. Cabillo*, 317 A.2d 866, 866 (D.C. 1974) (per curiam)(reversing denial of *in forma pauperis* status and mandating granting of petition where litigant’s income “only slightly above the welfare standard”).



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<i>Case Caption</i>	<i>Case Number</i>
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ORDER

Upon consideration of the Application to Proceed Without Prepayment of Costs, Fees, or Security filed by _____, it is hereby ordered that the Application is:

- GRANTED** in this Family Court case, and, pursuant to Domestic Relations Rule 54-II(i), witnesses will be subpoenaed without prepayment of witness fees.
- GRANTED** in this Civil Division case, and pursuant to Civil Rule 54-II(i), the clerk will attempt to serve by mail the materials listed in Civil Rule 4(c)(1). Plaintiff/Petitioner is responsible for service and proof of service if the clerk's efforts are unsuccessful.
- GRANTED** in this Probate Division case.
- GRANTED** in this Tax Division case.
- GRANTED** in this Criminal Division case.
- GRANTED** _____

DENIED, for the reasons stated on the record in open court and in the presence of the applicant or applicant's counsel.

DENIED, for the following reasons:

Date

Judge



Superior Court of the District of Columbia
CIVIL DIVISION – Civil Actions Branch
 500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001
 Telephone: (202) 879-1133 Website: www.dccourts.gov

Case No. _____

MOTION FOR RESTRAINING ORDER

TEMPORARY RESTRAINING ORDER

An emergency order that lasts 14 days

PRELIMINARY INJUNCTION

An emergency order that lasts until trial

 PLAINTIFF

vs

 DEFENDANT

 Address (No Post Office Boxes)

 Address (No Post Office Boxes)

 City State Zip Code

 City State Zip Code

 Telephone Number

 Telephone Number

 Email Address (optional)

 Email Address (optional)

1. Is there an emergency? If yes, what is the nature of that emergency? Include facts, name(s), and location(s):

2. Plaintiff requests that the Court order the Defendant(s) to:

The following questions are optional and can be helpful to the Court.

A. What is the relationship between Plaintiff and Defendant?

- | | |
|---|--|
| <input type="checkbox"/> Landlord & Tenant | <input type="checkbox"/> Family |
| <input type="checkbox"/> Dating relationship or child in common | <input type="checkbox"/> Friends or former friends |
| <input type="checkbox"/> Neighbors | <input type="checkbox"/> No relationship |
| <input type="checkbox"/> Co-Workers | <input type="checkbox"/> Other (explain): |

B. Were the police contacted about the incident?

- | | |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

C. Was anyone arrested?

- | | |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

If yes, provide the name of the individual(s) arrested:

D. Are there any **prior** cases involving Plaintiff and Defendant in the Superior Court of the District of Columbia, or any other court(s)?

- | | |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

If yes, provide the case number(s) and location of the other court(s):

E. Are there any **ongoing** cases involving Plaintiff and Defendant in the Superior Court of the District of Columbia, or any other court(s)?

Yes

No

If yes, provide the case number(s) and location of the other court(s):

F. Is there a written or oral lease agreement between Plaintiff and Defendant?

Yes

No

G. Is there an eviction pending?

Yes

No

If yes, provide the eviction date and explain:

H. Does this case involve a foreclosure?

Yes

No

If yes, explain the status of the case:

I. Does this case involve students attending the same school?

Yes

No

If yes, explain:

State any other information, of which the Court should be aware:

SIGNATURE

SIGNATURE

DATE

CERTIFICATE OF SERVICE

On _____, 20____, I mailed this motion to all the lawyers in the case, the Plaintiff(s) and the Defendant(s) who do not have lawyers, as listed below:

Name:	Name:
Address:	Address:

SIGNATURE

DATE

POINTS AND AUTHORITIES

What legal basis – laws, regulations, court rules or decisions – do you want the judge to consider?

SIGNATURE

DATE

Filing a Housing Conditions Complaint

Background

The Housing Conditions Calendar is a specific DC Superior Court calendar that hears housing conditions cases. The Court is only convened on Tuesday mornings. This court is different than Landlord-Tenant Court and is part of the Civil Branch. It is in Building B of DC Superior Court (510 4th St. NW), but all filings are completed in the main Moultrie courthouse (300 Indiana Ave. NW), via Case File Xpress, or via email at civilefiling@dcsc.gov.

Filing a Housing Conditions Case with an IFP

All cases will have the complaint and summons; some cases will also have an *In Forma Pauperis* (“IFP”) filing. IFP filings are for cases where the client cannot afford to pay court fees and meets the legal requirements to get fees waived. The IFP must be approved before the case will be docketed.

If the client can check any of the boxes in #1 at the bottom of the first page of the IFP, the IFP can be approved by the civil clerk. Take the IFP, complaint, and summons directly to the civil clerk’s office for filing or file all documents together via email (civilefiling@dcsc.gov).

If the client cannot check a box for question #1, the IFP must be approved by the Judge-in-Chambers before the complaint can be filed. If you wish to file in-person, take the IFP and the complaint/summons to the Judge-in-Chambers, Room 4220 (4th floor) of DC Superior Court. You should get a same-day ruling on the IFP. After the IFP has been granted, go to the civil clerk’s office to file the complaint and summons. Alternatively, email the IFP, complaint, and summons to civilefiling@dcsc.gov for approval.

Filing a Housing Case without an IFP

If the client is ineligible for an IFP, you can file in-person with the civil clerk, via Case File Xpress (preferred by the court), or via email (civilefiling@dcsc.gov). The filing fee is \$15.00. You will only need the complaint, summons, and filing fee to complete the filing.

Next Steps

Regardless of how you file, you should receive an initial hearing date for approximately 4-6 weeks after the filing date. In the intervening time, you are responsible for serving the opposing party (although the Court says they will serve opposing parties in cases with IFPs, we highly recommend you do not rely on this service). After service is completed, file an affidavit of service with the Court (in-person or via Case File Xpress) prior to your initial hearing.

Checklist for Housing Conditions Calendar Filings

IFP Filing

Take IFP and complaint/summons to Judge-in-Chamber, Room 4220 at DC Superior Court

Wait time:

If wait time is reasonable, return to pick up signed IFP and complaint/summons

If wait time is too long (over 45-60 minutes), notify assigning attorney and investigator on court run tomorrow that documents need to be picked up

Housing Conditions Case Filing

Take IFP (if there is one) or filing fee (\$10) and Complaint and Summons to Civil Clerk, Room 5000 at DC Superior Court

Get case number for all cases

Return copy of complaint, IFP and summons to the assigning attorney