

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

DISTRICT OF COLUMBIA, : **Case No. 2018 CA 008733 B**
Plaintiff, :
 : **Judge Heidi M. Pasichow**
v. :
 :
220 HAMILTON STREET, LLC, et al. :
Defendants. :

**ORDER APPROVING JUNE 19, 2020 CONSENT ORDER; AND (2) DENYING JUNE 16,
2020 CONSENT ORDER**

This matter is before the Court based upon the proposed Consent Order, filed by the parties on June 16, 2020 and supplemented on June 19, 2020.¹ The Court held a Status Hearing on June 26, 2020 to discuss the proposed Consent Order with the parties, including the Court’s concerns about main rulings about the jurisdiction of the Office of the Attorney General (“OAG”) when such rulings were not required. The parties agreed to minor modifications of the proposed Consent Order, attached hereto, which the Court incorporates into this Order. Specifically, Paragraph 1 is modified to read as follows: “Plaintiff District of Columbia is a municipal corporation empowered to sue and be sued and is the local government for the territory constituting the seat of the government of the United States.”

Accordingly, Judgment is entered against Defendants 220 Hamilton Street and Awasum, with the consent of all parties. This case remains open, as Plaintiff still has claims against Defendant Vision Realty. Plaintiff and Defendant Vision Realty represent that the outstanding claims against Defendant Vision Realty will be settled within the next week. Accordingly, the Court orders Plaintiff and Defendant Vision Realty to file any settlement agreement or further

¹ The proposed Consent Order filed on June 16, 2020 did not bear the signature of Defense Counsel. After electronic communications by chambers requesting a copy also signed by Defense Counsel, the parties submitted an updated copy of the proposed Consent Order on June 19, 2020 which was signed by Counsel for all parties and by Defendant Awasum.

proposed Consent Order on or before July 6, 2020. The Court also sets this case for a Status Hearing on August 28, 2020 at 10:30 a.m. as a control date, in the event the parties cannot settle the remaining claims.

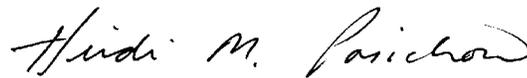
For the aforementioned reasons, it is this 26th day of June 2020,

ORDERED that the June 26, 2020 proposed Consent Order is **APPROVED AS AMENDED BY CONSENT OF THE PARTIES**; it is

FURTHER ORDERED that the June 19, 2020 proposed Consent Order is **DENIED**; it is,

FURTHER ORDERED that Plaintiff and Defendant Vision Realty **SHALL FILE** any Settlement Agreement **on or before July 6, 2020**; and it is,

FURTHER ORDERED that this case is **SCHEDULED** for a Status Hearing on **August 28, 2020 at 10:30 a.m. in Courtroom 516 until and unless further Order of this Court.**



Heidi M. Pasichow
Associate Judge

Copies e-served to:

Monique Cobb
Jimmy Rock
Robyn Bender
John Lui
Argatonia Weatherington
Counsel for Plaintiff

Abby Franke
George Rickman
Lloyd Jordan

Counsel for Defendants

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DISTRICT OF COLUMBIA,	:	Case No. 2018 CA 008733 B
<i>Plaintiff,</i>	:	
	:	Judge Heidi M. Pasichow
v.	:	
	:	
220 HAMILTON STREET, LLC, et al.	:	
<i>Defendants.</i>	:	

CONSENT ORDER

This matter comes before the Court on the joint motion of the District of Columbia (“District”) Office of the Attorney General (“OAG”) and Defendants Vivienne Awasum and 220 Hamilton Street, LLC (“Defendants”), pursuant to SCR-Civil R. 68-I, for entry of this Consent Order (“Order”). The District and Defendants Vivienne Awasum and 220 Hamilton Street, LLC (collectively, the “Parties”) agree to resolve the District’s claims as set forth in this Order.

I. THE PARTIES

1. Plaintiff District of Columbia is a municipal corporation empowered to sue and be sued and is the local government for the territory constituting the seat of the government of the United States.

2. Defendant 220 Hamilton Street, LLC is a limited liability company organized under the laws of the District of Columbia and maintains a principal place of business at 901 R Street, N.W., Apt. #1, Washington, D.C. 20010. 220 Hamilton Street, LLC is the owner of the apartment building located at 220 Hamilton Street, N.W. 220 Hamilton Street, LLC is engaged in the business of real estate, renting and leasing.

3. Defendant Vivienne Awasum is the principal and managing member of 220 Hamilton Street, LLC.

II. DEFINITIONS

4. “Consumer” shall include the definition contained in D.C. Code § 28-3901(a)(2) and for purposes of this Order shall refer to any resident of the District of Columbia to whom Defendants have managed or offered rental housing accommodations.

5. “District’s Housing Laws” shall mean D.C. Housing Code (1 through 16 of Title 14 of the District of Columbia Municipal Regulations or Titles 12A-12L of the District of Columbia Municipal Regulations), the D.C. indoor mold law (D.C. Code §§ 8-241.01-241.09), and regulations (20 DCMR §§3200-3299).

6. “Litigation” shall refer to the Complaint and other papers served and/or filed by the District in the lawsuit known as *District of Columbia v. 220 Hamilton Street, LLC, et al.*, filed in the Superior Court of the District of Columbia (Civil Division), Case No. 2018 CA 008733 B.

III. PRIOR PROCEEDINGS

7. On December 19, 2018, the District filed a Complaint against Defendants 220 Hamilton Street, LLC, Vision Realty and Vivienne Awasum regarding their alleged failure to maintain the apartment building at 220 Hamilton Street NW, Washington, D.C. 20011 (the “Property”). The District’s Complaint alleges, among other things, that Defendants have violated the Tenant Receivership Act (“TRA”), D.C. Code §§ 42-3651.01, *et. seq.*, and multiple sections of the Consumer Protection Procedures Act (“CPPA”), D.C. Code § 28-3901, *et. seq.*

8. Defendants 220 Hamilton Street, LLC and Vivienne Awasum deny they have violated the TRA, the CPPA, or any other law or regulation. Defendants are entering into this consent order to avoid further attorney’s fees and expenses associated with this Litigation and to end the Litigation. Nothing contained in this Order is, or may be construed, to be an admission by Defendants of any violation of law or regulation, or of any other matter of fact or law, or of any

liability or wrongdoing. Nothing in this Order shall waive, release, or otherwise affect any claims, defenses, or positions Defendants may have in connection with any investigations, claims, or other matters the District of Columbia is not releasing hereunder.

IV. APPLICATION

9. The provisions of this Order shall apply to Defendant 220 Hamilton Street, LLC and all persons or entities that it controls or has the ability to control, including without limitation its principals, officers, directors, employees, agents, successors, assignees, affiliates, merged or acquired entities, or wholly owned subsidiaries.

10. The provisions of this Order shall apply to Defendant Vivienne Awasum, and her agents, employees and assigns, and any partnership, corporation or entity in which she either currently, or in the future, has an ownership interest, has authority to control, or has the authority to establish policy.

V. TERMS

11. Defendants shall not engage in any unfair or deceptive trade practice prohibited by the CPPA within the District of Columbia.

12. Defendants shall not engage in any practice that violates the District's Housing Laws.

13. Defendants shall not make any statements or omissions of material fact that tends to deceive or mislead consumers concerning Defendants' willingness and ability to provide housing in compliance with the District's Housing Laws.

14. Defendants shall not offer for rent any residential housing unit in the District unless they are able to supply such housing unit in compliance with the District's Housing Laws.

15. Defendants shall implement and maintain a training program to ensure that all employees and management have sufficient knowledge of the District of Columbia's Housing Laws. Defendants shall provide the training required under this paragraph to all employees and management within (30) days of the date of this Order. Thereafter, Defendants shall provide the training required under this paragraph on an annual basis, or more frequently if appropriate. Defendants shall provide notice to the District in the form of a sworn affidavit upon implementation of the training program required by this paragraph and a copy of the training materials to be provided to participants. Defendants shall also provide follow-up information about the date of the initial training and a list of the attendees.²

16. Defendants shall implement and maintain written policies regarding this Order. Defendants shall provide the policies required under this paragraph to all new employees and management on the first day of employment. Defendants shall provide notice to the District in the form of a sworn affidavit as well as a copy of the written policies upon implementation of the written policies required by this paragraph.

VI. ABATEMENT PLAN

17. Defendants shall comply fully with the "Final Order Approving Substantial Rehabilitation Petition" in Case No. 2017-DHCD-SR 20,136 at the D.C. Office of Administrative Hearings (the "Substantial Rehabilitation Order") as the abatement plan for the District's Tenant Receivership Act, D.C. Code § 42-3651, *et seq.*, claims.

VII. PAYMENT TERMS

² In the event 220 Hamilton has no employees or managers, and is solely controlled and operated by a single member then that member must register for 18 hours of property code, habitability and maintenance training courses within 30 days of the execution of this Consent Order. The training must be completed within 180 days of the execution of this agreement.

18. Within twenty (20) days of the date of execution of this Order, Defendants shall pay jointly to the District the sum of Twenty Five Thousand Dollars (\$25,000.00).

VIII. ADDITIONAL TERMS

19. Upon receipt of the payment due under paragraph 18 the District releases Defendants 220 Hamilton Street, LLC, and Vivienne Awasum from all claims that the Attorney General asserted in the District's Complaint.

20. This Court retains jurisdiction of this Consent Order and the Parties for the purpose of enforcing this Consent Order and for the purpose of granting such additional relief as may be necessary and appropriate. The Parties may agree in writing, through their counsel, to an extension of any time period in this Consent Order without a court order.

21. Defendants shall deliver a copy of this Order to all their corporate officers and management within thirty (30) days of the date of this Order.

22. Defendants shall not cause or encourage any third-parties over which Defendants have control, or knowingly permit third-parties acting on its behalf, to engage in any practices from which the Defendants are prohibited by this Order. This Order shall be considered effective and fully executed on the last date which any party executes the Order. This Order may be executed in counterparts, and copies of signature pages transmitted electronically shall have the same effect as originals of those signature pages.

23. Notwithstanding any other provision of this Order, if the Defendants are in default of paragraph 12 of this Order, prior to any enforcement of this Order, the Defendants shall be given written notice of the alleged default and thirty days to cure the alleged default. If the default cannot reasonably be completed within a 30 day cure period, the Parties may agree to extend the cure

period. This right to cure shall not, in any manner, extend or negate an order of any agency to the Defendants.

24. All notices under this Order shall be provided to the following address via first class and electronic mail, unless a different address is specified in writing by the party changing such address:

For the District:

Monique Cobb (#1531175)
Assistant Attorney General
441 4th Street, N.W., Suite 600 South
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For Defendants 220 Hamilton Street, LLC, and Vivienne Awasum:

Lloyd J. Jordan (#480203)
George Rickman (#433298)
Motley Waller LLP
300 New Jersey Avenue, NW, Suite 900
Washington, D.C. 20001
202.347.0179

CONSENTED TO FOR THE DISTRICT OF COLUMBIA:

KARL A. RACINE
Attorney General for the District of Columbia

KATHLEEN KONOPKA
Deputy Attorney General, Public Advocacy Division

BENJAMIN M. WISEMAN
Director, Office of Consumer Protection

JENNIFER L. BERGER
Chief, Social Justice Section



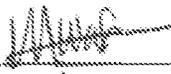
MONIQUE COBB (#1531175)
Assistant Attorney General
441 4th Street, N.W. Suite 600-S
Washington, D.C. 20001
(202) 727-3012 (phone)

Dated: 6/11/2020

CONSENTED TO BY 220 Hamilton Street, LLC and Vivienne Awasum

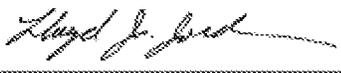


220 Hamilton Street, LLC



Vivienne Awasum, as managing member
220 Hamilton Street, LLC

Dated: 6/11/2020



Lloyd J. Jordan (#480203)
Attorney for 220 Hamilton Street, LLC
and Vivienne Awasum
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lloyd.jordan@motleywaller.com
(202) 871-3300 (phone)

SO ORDERED AND ADJUDGED.



Heidi M. Pasichow
Associate Judge