# Superior Court of the District of Columbia the Court

#### CIVIL DIVISION- CIVIL ACTIONS BRANCH

#### INFORMATION SHEET

District of Columbia	Case Number:	2022 CA 000100 B	
King Housing, Inc., King Housing LL King Housing of Maryland LLC, and Edgewood Management Corporatio	Date:1/1 _C d/b/a 		
Name: (Please Print)		Relationship to Lawsuit	
Christopher Peña Firm Name: Office of the Attorney General for the	District of Columbia	<ul><li>X Attorney for Plaintiff</li><li>☐ Self (Pro Se)</li></ul>	
Telephone No.: Six digit Unified 202-705-1798	ed Bar No.: 888324806	Other:	
TYPE OF CASE: Non-Jury Demand: \$	· ·	X 12 Person Jury	
PENDING CASE(S) RELATED TO THE A Case No.: Ju	ACTION BEING FILED dge:	Calendar #:	
Case No.: Ju	dge:	Calendar#:	
NATURE OF SUIT: (Check One Box of	Only)		
A. CONTRACTS	COLLECTION CASES	3	
☐ 02 Breach of Warranty ☐ 17 ☐ 06 Negotiable Instrument ☐ 27 ☐ 07 Personal Property ☐ 13 Employment Discrimination ☐ 07 ☐ 15 Special Education Fees ☐ 07		34 Insurance/Subrogation nsent Under \$25,000 Consent Denied	
B. PROPERTY TORTS			
	Destruction of Private Property Property Damage	05 Trespass	
C. PERSONAL TORTS			
□ 02 Alienation of Affection       □ 111         □ 03 Assault and Battery       □ 12 1         □ 04 Automobile- Personal Injury       □ 13         ▼ 05 Deceit (Misrepresentation)       □ 14         □ 06 False Accusation       □ 15 M         □ 07 False Arrest       □ 16 M	Invasion of Privacy Libel and Slander Malicious Interference Malicious Prosecution Malpractice Legal Malpractice Medical (Including Wrongful I Negligence- (Not Automobile, Not Malpractice)	□ 17 Personal Injury- (Not Automobile, Not Malpractice) □ 18Wrongful Death (Not Malpractice) □ 19 Wrongful Eviction □ 20 Friendly Suit □ 21 Asbestos □ 22 Toxic/Mass Torts □ 23 Tobacco □ 24 Lead Paint	

SEE REVERSE SIDE AND CHECK HERE

IF USED

# Information Sheet, Continued

C. OTHERS  01 Accounting 02 Att. Before Judgment 05 Ejectment 09 Special Writ/Warrants (DC Code § 11-941) 10 Traffic Adjudication 11 Writ of Replevin 12 Enforce Mechanics Lien 16 Declaratory Judgment	☐ 17 Merit Personnel Act (OEA) (D.C. Code Title 1, Chapter 6) ☐ 18 Product Liability ☐ 24 Application to Confirm, Modify, Vacate Arbitration Award (DC Cod ☐ 29 Merit Personnel Act (OHR) ☐ 31 Housing Code Regulations ☐ 32 Qui Tam ☐ 33 Whistleblower	e § 16-4401)
II.  03 Change of Name  06 Foreign Judgment/Domestic  08 Foreign Judgment/Internatior  13 Correction of Birth Certificate  14 Correction of Marriage  Certificate  26 Petition for Civil Asset Forfe  27 Petition for Civil Asset Forfe  28 Petition for Civil Asset Forfe	e 2-1802.03 (h) or 32-151 9 (a)] 20 Master Meter (D.C. Code § 42-3301, et seq.) eiture (Vehicle)	☐ 21 Petition for Subpoena [Rule 28-I (b)] ☐ 22 Release Mechanics Lien ☐ 23 Rule 27(a)(1) (Perpetuate Testimony) ☐ 24 Petition for Structured Settlement ☐ 25 Petition for Liquidation
D. REAL PROPERTY	al Sale 31 Tax Lien Bid Off Certifica	t Denied
/s/ Christopher Peña		1/14/2022
Attorney's Signatur		Date

## IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA Civil Division

#### DISTRICT OF COLUMBIA

400 6th Street NW Washington, D.C. 20001,

Plaintiff,

V.

#### KING HOUSING, INC.

11810 Grand Park Avenue, Suite 600 North Bethesda, Maryland 20852

and

#### KING HOUSING LLC d/b/a KING HOUSING OF MARYLAND LLC

11810 Grand Park Avenue, Suite 600 North Bethesda, Maryland 20852

Serve above Defendants on:

#### COGENCY GLOBAL INC.

Registered Agent

1025 Connecticut Avenue NW, Suite 712 Washington, D.C. 20036

and

#### EDGEWOOD MANAGEMENT CORP.

9711 Washington Boulevard, Suite 200 Gaithersburg, Maryland 20878

Serve on:

### CT CORPORATION SYSTEM

**Registered Agent** 

1015 15th Street NW, Suite 1000 Washington, D.C. 20005,

Defendants.

Case No.: 2022 CA 000186 B

JURY TRIAL DEMANDED

#### COMPLAINT FOR VIOLATIONS OF THE TENANT RECEIVERSHIP ACT, CONSUMER PROTECTION PROCEDURES ACT, LEAD-HAZARD PREVENTION AND ELIMINATION ACT AND DISTRICT OF COLUMBIA HUMAN RIGHTS ACT

Plaintiff the District of Columbia (the "District"), through the Office of the Attorney General ("OAG"), brings this action against Defendants King Housing, Inc., King Housing LLC, and Edgewood Management Corporation (collectively, "Defendants"), the owners and managers of King Towers, pursuant to the Tenant Receivership Act (the "TRA"), D.C. Code § 42-3651.01, et seq., the Consumer Protection Procedures Act, (the "CPPA"), D.C. Code § 28-3901, et seq., the Lead-Hazard Prevention and Elimination Act of 2008 (the "LHPEA"), D.C. Code § 8-231.01 et seq., and the District of Columbia Human Rights Act (the "DCHRA"), D.C. Code § 2-1401.01 et seq. In support of its claims, the District states as follows:

#### **INTRODUCTION**

- 1. Built in 1969, the Martin Luther King Towers Apartments ("King Towers") once attracted prospective tenants with affordable housing, new amenities, and a central downtown location. Yet, King Towers has fallen far from its heyday. As well-documented by hundreds of inspections by District and Federal agencies, tenants at King Towers now contend with dangerous and unsafe living conditions. With each passing day in this dangerous setting, King Towers tenants pivot further from disillusionment into despair.
- 2. For years, tenants of this ten-story apartment building at 1220 12th Street NW, Washington, D.C. have endured floods and leaks, ensuing mold growth, and rampant rodent infestation. Tenants, especially small children, have faced lead-paint hazards from the persistent chipping and peeling paint. The constantly malfunctioning elevators not only deny all tenants an

advertised amenity, but Defendants' refusal to make lasting repairs to the elevators and inoperable stairlift also unlawfully discriminates against those tenants with physical disabilities. Management has largely ignored tenants' pleas for remediation, and limited repairs have been haphazard.

- 3. Despite these unsafe conditions, the King Towers's website inaptly invites apartment seekers to "live life your way at King Towers." But, for King Towers tenants, "your way" means "on your own." Tenants are on their own when water pours freely between units, or floods the building lobby. They are on their own when their calls to maintenance go unanswered, or management discourages tenants from reporting emergent issues to District inspectors. Defendants also advertise that King Towers is "just what you need to live the life you want." Yet, the life King Towers tenants want a safe and healthy one is not what King Towers delivers.
- 4. Serious housing code violations pervade every floor at King Towers. Mice scurry into apartments and elevators, and across stained and filthy hallway carpets. Cockroaches have invaded the laundry room. Doors are ill-fitting or have poorly cut keys, creating security risks. Water seeps into the floors, walls, and ceilings from openings in the building's outer structure and between units. Mold and dusty air vents affect the tenants' daily health and safety. Rain causes the parking garage to flood, forcing tenants to trudge through water to reach their cars.
- 5. The many children living at King Towers face serious health risks. Chipping and peeling paint, likely containing lead, went unremedied despite repeated notices to Defendants, further threatening the health of children at King Towers. In 2020, a jagged piece of unrepaired hardwood protruding from a living room floor tore into the foot of a four-year-old child.

- 6. Defendants also discriminate against individuals with disabilities. Tenants or visitors with disabilities regularly contend with a malfunctioning stairlift and elevators. These outages require tenants with physical disabilities to climb flights of steps to the detriment of their health and safety. These frequently malfunctioning elevators have perilously trapped tenants. The basement laundry room and parking garage are completely inaccessible to tenants with disabilities as they lack ramp or elevator access. Defendants also refused multiple reasonable accommodation requests from one tenant to transfer out of a unit that was too narrow for the use of her walker. Defendants' refusal to accommodate tenants with disabilities prevents those tenants from equal use and enjoyment of their homes and constitutes illegal discrimination under District law.
- 7. The District brings this case to secure safe and healthy housing for the residents of King Towers, which include many children and older adults, nearly half of whom participate in either the District of Columbia Housing Choice or Project-Based Voucher Programs (each, commonly referred to as "Section 8"). The District seeks injunctive relief to remedy Defendants' illegal conduct, restitution for tenants deprived of habitable housing, civil penalties, attorneys' fees, and costs.

#### **PARTIES**

8. Plaintiff, the District of Columbia, a municipal corporation empowered to sue and be sued, is the local government for the territory constituting the seat of the government for the United States. The District brings this action through its chief legal officer, the Attorney General for the District of Columbia. The Attorney General has general charge and conduct of all legal business of the District and all suits initiated by and against the District and is responsible for

upholding the public interest. D.C. Code § 1-301.81(a)(1). The Attorney General is specifically authorized to enforce the TRA, CPPA, LHPEA and DCHRA. See D.C. Code §§ 28-3909; 42-3651.03, 8-231.15(e) and 2-1403.16a.

- 9. Defendant King Housing, Inc. is a Maryland non-stock corporation that purchased King Towers, an apartment building located at 1220 12th Street NW, Washington, D.C. 20005, on February 27, 1997. On August 13, 2010, King Housing, Inc. transferred direct ownership of the Property through King Housing Limited Partnership to Defendant King Housing LLC. At all relevant times, Defendant King Housing, Inc. has been the general partner of King Housing Limited Partnership and the sole member of Defendant King Housing LLC.
- 10. Defendant King Housing LLC, a Maryland limited liability company doing business in the District as King Housing of Maryland LLC, has owned King Towers since August 19, 2010. Pursuant to D.C. Code § 47-4639, the Property is not subject to District real estate taxes so long as the Property is owned by King Housing LLC or otherwise has low-income housing tax credit status.
- Defendant Edgewood Management Corporation ("Edgewood") is a property management company operating at 9711 Washington Boulevard, Gaithersburg, Maryland 20878. In the District of Columbia alone, Edgewood manages 33 properties, representing 5,322 units, and in total manages over 160 properties across 11 States. Edgewood aims to provide "hands-on management. . . and enhanced resident services" to its properties to "help improve people's lives." At all relevant times, Edgewood has managed King Towers.

#### **JURISDICTION**

- 12. This Court has subject matter jurisdiction over the District's claims pursuant to D.C. Code §§ 2-1403.16a, 11-921, 8-231.15 and 28-3909.
- 13. This Court has personal jurisdiction over Defendants pursuant to D.C. Code § 13-423.

#### <u>FACTS</u>

#### Conditions at King Towers Have Continuously Declined During Defendants' Control Over the Property, Seriously Threatening Tenants' Life, Health, Safety and Security

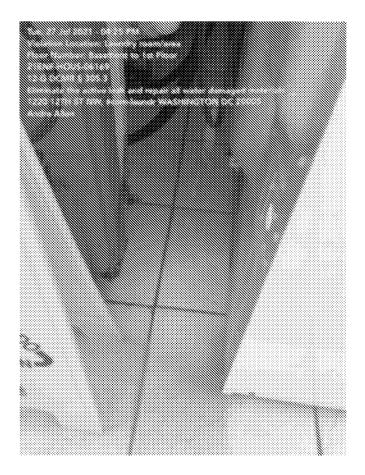
- 14. King Towers is a 129-unit, ten-story apartment building located at 1220 12th Street NW, Washington, D.C. 20005 (the "Property" or "King Towers").
- 15. Over at least the last six years, Defendants have allowed the Property to decline into a serious state of disrepair, as confirmed by numerous inspections conducted by several District agencies over that time.
- Authority ("DCHA") performed more than 300 inspections in the 55 units at King Towers participating in the Section 8 program. The units were evaluated based upon Housing Quality Standards ("HQS") establishing the minimum criteria for the health and safety of Section 8 program participants. Nearly one-third of the inspections that DCHA conducted over this time, or 94 inspections in total, failed. Of the 55 units inspected from January 2015 through November 2021, 43 separate inspected units failed.
- 17. Other District and Federal agencies have confirmed the continued presence of Housing Code violations at the Property. In 2019, the U.S. Department of Housing and Urban

Development ("HUD") noted the presence of life-threatening deficiencies at King Towers, issuing an "86c\*" physical inspection score which represented a 13-point drop from its last inspection less than three years prior. From July through September 2021, the Department of Consumer and Regulatory Affairs ("DCRA") inspected 19 units and one common area, identifying 76 total housing code violations. In September 2021, the Department of Energy and Environment conducted two inspections in the building, finding evidence of mold and water damage. Most recently, in November 2021, OAG investigators confirmed that housing violations identified by other agencies persist.

- 18. Mirroring tenants' own experiences, these inspections document a prolonged pattern of Housing Code and Property Maintenance Code violations at King Towers impacting the life, health, safety, and security of tenants, including, but not limited to:
  - a. active water intrusions, water damage and mold;
  - b. severe rodent and pest infestation;
  - c. hazardous chipping and peeling of suspected lead paint;
  - d. heating and ventilation failures;
  - e. defective or missing fire safety equipment;
  - f. deteriorating and damaged walking surfaces; and,
  - g. malfunctioning elevators, stairlifts and other deprivations of critical services for tenants with physical disabilities.

#### Active Water Intrusions, Water Damage and Mold

- 19. Since at least 2018, King Towers tenants have experienced extensive and continuing water damage caused by plumbing and structural defects.
- 20. From July through September 2021, DCRA found further evidence of water damage, active leaks, or excessive moisture in 8 of the 19 units they inspected at King Towers. In July 2021, DCRA also identified an active leak in the building's laundry facility. In the Notice of Infraction ("NOI") issued for one unit, DCRA noted "[t]he HVAC system is em[it]ting a lot of moisture."



- 21. On September 30, 2021, the Department of Energy and Environment ("DOEE") inspected two units of the building, finding visible mold in one and unremedied water damage in the other.
- 22. On November 9 and 10, 2021, an OAG Inspector confirmed that water intrusion persists at King Towers, and found active leaks, recent water damage and visible signs of potential mold in at least 16 of the 27 units inspected. An OAG Inspector also noted several active leaks throughout the garage.

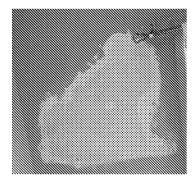
#### **Severe Rodent and Pest Infestation**

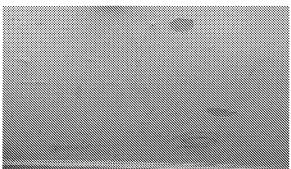
- 23. King Towers has been infested with rodents and insects for over six years. Tenants report that rodents and insects crawl throughout their bedrooms and kitchens, crawling through cabinets, onto dishes and food products and through holes that management refuses to plug. Tenants not only have to purchase rodent traps, but then dispose of the deceased rodents themselves.
- 24. In 2015, a failed DCHA inspection report noted the "major presence of vermin (bedbugs, etc.)" in one unit. Three other units also failed DCHA inspection in 2018 due to bedbugs. Tenants have experienced multiple waves of bedbug infestation over the past few years.
- 25. In August 2021, DCRA issued a NOI to Defendants for failure to properly exterminate. Describing the nature of the infraction, the NOI prescribes that Defendants engage in a "comprehensive pest elimination process throughout the building to eliminate the insect infestation." In 2021, DCRA cited five total units for infestation related violations.
  - 26. On November 9 and 10, 2021, an OAG Inspector confirmed that rodent and insect

infestation remained a problem at the Property, observing numerous dead insects and mouse holes.

#### **Hazardous Chipping and Peeling of Suspected Lead Paint**

27. Tenants, particularly young children, at King Towers face a documented threat of lead-poisoning from chipping and peeling paint in an aged building. Lead-based paint hazards have been found in King Towers units since at least 2016. In August 2016, a unit failed its DCHA inspection due to peeling paint. In August 2017, the same unit failed a subsequent inspection for peeling paint. A separate King Towers unit failed three separate DCHA inspections due to peeling paint in September, October, and November 2021. In August 2021, DCRA found peeling and flaking paint throughout an entire unit. The associated NOI cited Defendants for failing to properly eliminate peeling, flaking, chipping and defective paint in a pre-1978 structure and recommends "full painting of [the] entire unit." In November 2021, an OAG Inspector identified 8 additional units with peeling, flaking, chipping and/or defective paint at King Towers.



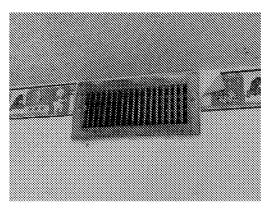


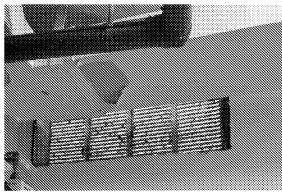
#### Heating and Ventilation Failures

28. Tenants at King Towers regularly struggle to breathe due to the poor quality of air channeled through the vents, exhausts, and fans in their units. Defendants do not clean the vents, allowing dirt and dust to accumulate within, and spew from, the vents. Tenants find their walls and

ceilings stained with dark residue as a result.

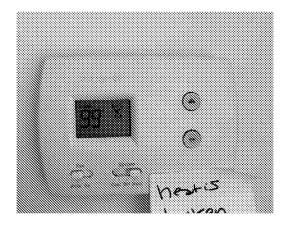
- 29. In July and August 2021, DCRA issued NOIs to Defendants for deficiencies found in the ventilation and exhaust systems of 3 separate units, recommending in one NOI that Defendants, "find [the] source of pollutants and clean entire duct system."
- 30. In November 2021, an OAG Inspector confirmed that King Towers had dirty and poorly maintained vents throughout.





- 31. Heat is also not always guaranteed at King Towers. In the winter of 2019, most of the building went a week without heat. A tenant found herself calling management multiple times before being provided with a space heater.
- 32. Even when heat is on at King Towers, the system experiences dangerous malfunctions. At least one tenant at King Towers experienced excessive heat from her ventilation system. On November 10, 2021, a day on which the highest reported temperature in Washington, D.C. was 72 degrees Fahrenheit, an OAG Inspector entered a unit in which the thermostat would not come down from 99 degrees. The temperature remained 99 degrees despite the tenant having set the heat to 75 degrees. The intensity of the heat inside the unit forced an accompanying

representative from Housing Counseling Services to exit to regain her full breath.



#### **Defective or Missing Fire Safety Equipment**

33. Defendants' failure to maintain or replace fire safety equipment places King Towers tenants at a heightened risk in a fire-related emergency. In 2019, HUD noted smoke detector deficiencies in three of the 22 units they inspected at the Property. In 2021, DCRA cited missing or defective smoke detectors in four of the 19 units they inspected at King Towers. In November 2021, OAG Inspectors confirmed ongoing fire and safety violations at King Towers, including missing fire extinguishers and missing or defective smoke detectors.

#### **Deteriorated and Damaged Walking Surfaces**

34. Floor and walking surface conditions at King Towers have deteriorated over time into a state of disrepair. Since 2019, numerous tenants have made requests to replace or repair damaged hardwood floors in their units. Some floors are defective due to excessive age. Water damage has worsened the problem in other units. In response to such tenant requests, Defendants have dispatched maintenance slowly or not at all.

- 35. From July to September 2021, DCRA issued NOIs to Defendants to repair defective walking surfaces in 6 units of the 19 units DCRA inspected.
- 36. In November 2021, an OAG Inspector confirmed that walking surfaces at King Towers remain defective, noting floor damage in 23 of the 27 units they inspected.

## <u>Failure to Provide Critical Services to Tenants Living with Disabilities: Malfunctioning Elevators and Stairlifts</u>

- 37. District and federal law require that apartment buildings be accessible to individuals with disabilities. In contravention of these laws that Edgewood references on its own website, Defendants knowingly fail to ensure that tenants with disabilities receive the same use and enjoyment of King Towers as all other tenants.
- 38. Defendants have consistently failed to maintain functioning stairway chair lifts and elevators at the Property. Tenants with disabilities depend upon these mechanisms for the most basic of daily tasks, including accessing their apartments or freely leaving their homes.
- 39. The lobby stairlift has not functioned consistently since its installation five years ago. Additionally, King Towers's two elevators often malfunction simultaneously, leaving tenants trapped inside or tenants with disabilities stranded in the lobby until help arrives.
- 40. The laundry facilities and the parking garage located in the basement are completely inaccessible to tenants with disabilities as no elevators descend to this level at all.
- 41. In November 2021, an OAG Inspector confirmed that the lobby stairlift was not operable and the building lacks disability access to the basement level amenities.

#### False Advertisement of Unavailable Amenities

- 42. In addition to failing to provide suitable housing that they advertise as "quality" housing, Defendants do not deliver on several specifically advertised features of life at King Towers. The website for King Towers advertises a "laundry room", "24-hour maintenance", "controlled building access", "business center" and "elevator access" as amenities available to tenants at the Property. However, these amenities are regularly unavailable or not as promised.
- 43. From July through September 2021, the laundry room was unavailable for use due to flooding. When the laundry room finally reopened, tenants found that multiple machines did not work at all or left clothes smelling like mold and sewage. Management fails to promptly fix the machines, and residents are forced to call the service company themselves. The laundry room is also inaccessible to tenants with disabilities a fact that Defendants do not clearly state in advertisements. An OAG inspector visited the Property on November 9, 2021 and confirmed that several machines in the laundry room are out of service.
- 44. Tenants do not feel secure at the Property. Contrary to Defendants' advertisements for the building, there is not secured access to King Towers, and anyone can gain access to the buildings through unlocked entrances, often unattended by security. The security guard posted at King Towers works limited hours and is often not found at night when tenants' security concerns are most pressing. Tenants encounter unknown persons sleeping in common areas such as the lobby, stairwells, and garage. More than one tenant has had packages stolen from the front lobby after drop-offs were no longer accepted in the property management office. Some tenants do not

even enjoy the security of a unit door that properly closes, or which their poorly cut keys allow them to easily unlock and open.

- 45. The business center is not even available to tenants. When not in use by an after school childcare program, the room is locked and inaccessible.
- 46. The advertised elevators at King Towers often are inoperable, forcing tenants to walk up multiple flights of stairs to get home.

#### **COUNT ONE**

#### (Petition for Appointment of a Receiver Under the Tenant Receivership Act)

- 47. The District incorporates by reference paragraphs 1 through 46.
- 48. The Attorney General may petition the Court to appoint a receiver over a rental housing accommodation "operated in a manner that demonstrates a pattern of neglect for the property for a period of 30 consecutive days and such neglect poses a serious threat to the health, safety, or security of the tenants." D.C. Code § 42-3651.02(b). "Pattern of neglect" is defined to include all "evidence that the owner, agent, lessor, or manager of the rental housing accommodation has maintained the premises in a serious state of disrepair. . . [including] vermin or rat infestation, filth or contamination, inadequate ventilation, illumination, sanitary, heating or life safety facilities, inoperative fire suppression or warning equipment, or any other condition that constitutes a hazard to its occupants or to the public." *Id*.
- 49. Defendants have operated King Towers in a manner that demonstrates a pattern of neglect under D.C. Code § 42-3651.02(b). The Property has suffered from chronic systemic repair

issues relating to leaks and mold, plumbing, electrical systems, pest infestations, chipping and peeling paint, damaged walking surfaces and elevators malfunctions.

50. This pattern of neglect has continued for over five years – well beyond the statutory period of thirty (30) consecutive days. Management has ignored repeated complaints from tenants, many of whom are seniors with disabilities or families with young children, about unhealthy and unsafe conditions. Defendants also disregarded numerous notices of infraction and inspections reports, failing to make needed repairs even when cited by multiple District agencies.

#### **COUNT TWO**

#### (Misrepresentations and Omissions in Violation of the Consumer Protection Procedures Act)

- 51. The District incorporates by reference paragraphs 1 through 50.
- 52. The Consumer Protection Procedures Act is a remedial statute that is to be broadly construed, establishing an enforceable right to enjoin unfair or deceptive trade practices regarding consumer goods and services that are or would be purchased, leased, or received in the District.
- 53. Defendants, in the ordinary course of business, offer to lease or supply consumer goods and services and thus, are "merchants" under the CPPA.
- 54. The tenants residing at King Towers are "consumers" under the CPPA because they rented their units for personal, household, or family purposes.
  - 55. Under the CPPA, it is an unlawful trade practice for any person to:
    - (a) represent that goods or services have a source sponsorship, approval, certification, or connection that they do not have;

- (d) represent that goods or services have a particular standard, quality, grade,style, or model, if in fact they are of another;
- (e) misrepresent as to material fact which has a tendency to mislead; [or]
- (f) fail to state a material fact if such failure tends to mislead [...]

  See D.C. Code § 28-3904.
- 56. At King Towers, Defendants committed unfair or deceptive trade practices under the CPPA through, among other acts, the following representations or omissions:
  - a. representing to tenants/consumers, through the offering and entering into of leases and other acts, that King Towers, was safe and habitable and would be maintained in compliance with applicable laws and regulations (including the District's housing code) when, in fact, King Towers is not habitable and Defendants have not maintained King Towers in a manner consistent with District laws and regulations, in violation of the Housing Code, 14 D.C.M.R. § 400 et seq., and the Property Maintenance Code, 12 D.C.M.R. Code 12 § PM-101G et seq..
  - b. representing to tenants/consumers that Defendants have abated or will abate all housing code violations and any other material defects that pose a serious threat to the health, safety, or security of the tenants/consumers when, in fact, Defendants have not done so in violation of the Housing Code, 14 D.C.M.R. § 400 et seq., and the Property Maintenance Code, 12 D.C.M. R. Code 12 § PM-101G et seq..

- c. collecting rent from tenants/consumers while failing to inform them that Defendants would continuously and systematically fail to maintain King Towers in habitable condition, in violation of the Housing Code, 14 D.C.M.R § 400 et seq., and the Property Maintenance Code, 12 D.C.M.R. Code 12 § PM-101G et seq..
- d. advertising the units as replete with upgraded features and having 24-hour emergency maintenance, controlled building access, laundry facilities, business center and elevator access when such amenities are often entirely unavailable or only available sporadically.

#### **COUNT THREE**

## (Unlawful Trade Practices Contrary to District Law in Violation of the Consumer Protection Procedures Act Arising from Housing Code Violations)

- 57. The District incorporates by reference paragraphs 1 through 56.
- 58. The CPPA prohibits any person from engaging in unfair or deceptive trade practices, including trade practices that violate other District of Columbia laws and regulations, including "any provision of title 16 of the District of Columbia Municipal Regulations." D. C. Code § 28-3904(dd).
- 59. Defendants have committed unlawful trade practices in violation of D.C. Code § 28-3904(dd) by engaging in trade practices that violate District laws and regulations meant to protect and promote the health, safety, and welfare of tenants by failing to abate the numerous violations of the Housing Code, 14 D.C.M.R. § 400 *et seq.*, and the Property Maintenance Code, 12 D.C.M.R. § PM-101G *et seq.*, all of which also constitute violations of 16 D.C.M.R. § 3305.

#### COUNT FOUR

# (Deprivation of Equal Use and Enjoyment of the Premises to Persons with Physical Disabilities in Violation of the District of Columbia Human Rights Act)

- 60. The District incorporates by reference paragraphs 1 through 59.
- 61. Under the DCHRA, it is an "unlawful discriminatory practice" to "refus[e] to make reasonable accommodations in rules, policies, practices, or services, when these accommodations may be necessary to afford any person equal opportunity to use and enjoy a dwelling[.]" *See* D.C. Code § 2-1402.21(d)(3)(B).
- 62. Defendants' failure to maintain the lobby stairlift and elevators along with their failure to provide elevator, stairlift or ramp access to the laundry facilities or parking garage violate the DCHRA because Defendants failed to accord those with physical disabilities the same use and enjoyment of the premises as those with able bodies.
- 63. At minimum, the lack of consistently functioning stairlifts and elevators deprives all King Towers tenants of promised amenities. Tenants with physical disabilities suffer an additional harm here from Defendants' failure to make necessary reasonable accommodations as those tenants are unable to reliably reach their homes, much less use and enjoy them.

#### **COUNT FIVE**

#### (Violations of the Lead-Hazard Prevention and Elimination Act)

- 64. The District incorporates by reference paragraphs 1 through 63.
- 65. The LHPEA requires that owners maintain a pre-1978 multi-family residential property free of lead-based paint hazards, including chipping and peeling of presumed lead-based paint. See D.C. Code § 8-231.02(a); see also 20 DCMR § 3301.1. Whenever lead-based paint

hazards are identified, the LHPEA authorizes the District to order a property owner to perform any action the District considers necessary to eliminate lead-based paint hazards. *See* D.C. Code § 8-231.03(c).

- 66. Defendants are "owners" of the property, as that term is defined in the Act, where lead-based paint hazards have been identified by the District.
- 67. King Towers was constructed prior to 1978 and is presumed to contain lead-based paint. *See* D.C. Code § 8-231.01(32). The peeling, chipping, and flaking of the presumed lead-based paint at the Property is a lead-based paint hazard. *See* D.C. Code § 8-231.01(22).
- 68. The presence of lead-based paint hazards severely and negatively impacts tenants, especially children.

#### RELIEF REQUESTED

WHEREFORE, Plaintiff, the District of Columbia, respectfully requests that the Court:

- (a) Appoint a receiver who has demonstrated to the Court the expertise to develop and supervise a viable financial and repair plan for the satisfactory rehabilitation of the multi-unit rental housing accommodations which are the subject of this lawsuit;
- (b) Order that Defendants, jointly and severally, contribute funds in excess of the rents collected from the rental housing accommodation for the purposes of abating Housing Code violations and assuring that any conditions that are a serious threat to the health, safety, or security of the occupants or public are corrected pursuant to D.C. Code § 42-3651.05(f);
- (c) Enter injunctive relief as appropriate against Defendants to eliminate and/or abate all lead-paint based hazards at the Property pursuant to D.C. Code § 8-231.15(e);

- (d) Enter injunctive relief against Defendants to abate any condition that impairs equal ability to use and enjoy the dwelling for individuals with disabilities pursuant to D.C. Code § 2-1403.07;
- (e) Award restitution to disgorge the rent amounts that Defendants charged tenants while King Towers was in violation of the District's Housing Code or otherwise uninhabitable under D.C. Code § 28-3909(a);
- (f) Award civil penalties in an amount to be proven at trial and as authorized per violation of the CPPA pursuant to D.C. Code § 28-3909(b)(l)(2);
- (g) Award civil penalties in an amount to be proven at trial and as authorized per violation of the LHPEA pursuant to D.C. Code § 8-231.15(b);
- (h) Award civil penalties in an amount to be proven at trial and as authorized per violation of the DCHRA pursuant to D.C. Code § 2-1403.13(a)(1)(E-1);
- (i) Award reasonable attorneys' fees pursuant to D.C. Code § 28-3909(b)(4), 42-3651.07(b)(l) and D.C. Code § 2-1403.13(a)(1)(E);
- (j) Award all allowable costs pursuant to D.C. Code § 28-3909(b)(4) and D.C. Code § 2-1403.13(a)(1)(F); and
  - (k) Grant such further relief as the Court deems just and proper.

#### JURY DEMAND

The District of Columbia demands a trial by jury by the maximum number of jurors permitted by law on all claims triable to a jury.

Dated: January 14, 2022 Respectfully submitted,

KARL A. RACINE Attorney General for the District of Columbia

KATHLEEN KONOPKA Deputy Attorney General Public Advocacy Division

WILLIAM F. STEPHENS JIMMY R. ROCK Assistant Deputy Attorneys General Public Advocacy Division

/s/

JENNIFER L. BERGER [490809] Chief, Social Justice Section

/s/

CHRISTOPHER PEÑA [888324806] Assistant Attorney General 400 6th Street NW, 10th Floor Washington, D.C. 20001 (202) 705-1798 (Phone) Christopher.Penal@dc.gov

Attorneys for the District of Columbia



### 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

#### District of Columbia

Plaintiff

VS.

Case Number

2022 CA 000186 B

King Housing, Inc.

Defendant

#### SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within seven (7) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

Christopher Peña

Name of Plaintiff's Attorney

Office of Attorney General for the District of Columbia

Address

400 6th Street NW, 10th Floor, Washington, D.C. 20001

202-705-1798

Date

01/18/2022

Telephone

如需翻译,请打电话 (202) 879-4828

Veuillez appeler au (202) 879-4828 pour une traduction

Để có một bái dịch, hãy gọi (202) 879-4828

Deputy/Clerk

번역을 원하시면, (202) 879-4828至 전數學似例記

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IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.

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<u>EXIGIDO</u>.



#### TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA DIVISIÓN CIVIL

#### Sección de Acciones Civiles

500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001 Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov

	D	Demandante	
	contra		
			Número de Caso:
King Housing, Inc.			
	I	Demandado	
		CITATORIO	
Al susodicho Demanda	do:		
citatorio, excluyendo e agente del Gobierno d sesenta (60) dias, contrenviarle por correo un abogado aparecen al fir copia de la Contestació.  A usted tambié Indiana Avenue, N.W.,	I día mismo de la entrega del e los Estados Unidos de Nor ados después que usted haya la copia de su Contestación a la de este documento. Si el de n por correo a la dirección que en se le require presentar la Centre las 8:30 a.m. y 5:00 p.m.	citatorio. Si usted est teamérica o del Gobi recibido este citatorio al abogado de la par emandado no tiene abo aparece en este Citato Contestación original	al Tribunal en la Oficina 5000, sito en 500
demandante una copia usted incumple con pr efectivo el desagravio c Christopher Peña	de la Contestación o en el pla esentar una Contestación, po que se busca en la demanda.	n original ante el Ju zo de siete (7) dias de dría dictarse un fallo	entre las 9.00 a.m. y las 12.00 der medicular lez ya sea antes que usted le entregue al e haberle hecho la entrega al demandante. Si en rebeldía contra usted para que se haga ETARIO DEL TRIBUNAL
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demandante una copia usted incumple con pr efectivo el desagravio c Christopher Peña Nombre del abogado del D Office of Attorney Genera Dirección	de la Contestación o en el pla esentar una Contestación, por que se busca en la demanda. emandante	n original ante el Ju zo de siete (7) dias de dría dictarse un fallo SECR Por:	nez ya sea antes que usted le entregue al le haberle hecho la entrega al demandante. Si en rebeldía contra usted para que se haga ETARIO DEL TRIBUNAL  Subsecretario
demandante una copia usted incumple con prefectivo el desagravio con Christopher Peña Nombre del abogado del D Office of Attorney Genera Dirección 400 6th Street NW, 10th Flor	de la Contestación o en el pla esentar una Contestación, por que se busca en la demanda. emandante	n original ante el Ju zo de siete (7) dias de dría dictarse un fallo SECR Por:	nez ya sea antes que usted le entregue al e haberle hecho la entrega al demandante. Si en rebeldía contra usted para que se haga ETARIO DEL TRIBUNAL

Si desea conversar con un abogado y le parece que no puede pagarle a uno, llame pronto a una de nuestras oficinas del Legal Aid Society (202-628-1161) o el Neighborhood Legal Services (202-279-5100) para pedir ayuda o venga a la Oficina 5000 del 500 Indiana Avenue, N.W., para informarse sobre otros lugares donde puede pedirayuda al respecto.

Vea al dorso el original en inglés See reverse side for English original



### 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

#### District of Columbia

Plaintiff

VS

Case Number

2022 CA 000186 B

King Housing LLC dba King Housing of Maryland LLC

Defendant

#### SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

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Christopher Peña

Name of Plaintiff's Attorney

Office of Attorney General for the District of Columbia

Address

400 6th Street NW, 10th Floor, Washington, D.C. 20001

202-705-1798

Telephone

如需翻译,请打电话 (202) 879-4828

Veuillez appeler au (202) 879-4828 pour une traduction

Để có một bái dịch, hãy gọi (202) 879-4828

Deputy Clerk

번역器 智화 40년, (202) 879-4828 至 智數等似域段 የአማርኛ ትርተም ለማማኘት (202) 879-4828 ይደውሉ

IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.

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202-705-1798

如需翻译,请打电话 (202) 879-4828

世紀第2個所以到(202)879-4628 呈巡逻路等从从12

Teléfono

#### TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA DIVISIÓN CIVIL

#### Sección de Acciones Civiles

500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001 Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov

District of Columbia	
Demai	ndante
contra	
	Número de Caso:
King Housing LLC dba King Housing of Maryland L	LC
Dema	andado
	ATORIO
Al susodicho Demandado:	
citatorio, excluyendo el día mismo de la entrega del citat agente del Gobierno de los Estados Unidos de Norteam sesenta (60) días, contados después que usted haya recil enviarle por correo una copia de su Contestación al al abogado aparecen al final de este documento. Si el deman copia de la Contestación por correo a la dirección que apar	
Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de los sábados. Usted puede presentar la Contestación or demandante una copia de la Contestación o en el plazo de	estación original al Tribunal en la Oficina 5000, sito en 500 el lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía riginal ante el Juez ya sea antes que usted le entregue al le siete (7) días de haberle hecho la entrega al demandante. Si dictarse un fallo en rebeldía contra usted para que se haga
efectivo el desagravio que se busca en la demanda	
Christopher Peña	SECRETARIO DEL TRIBUNAL
Nombre del abogado del Demandante	
Office of Attorney General for the District of Columbia	Por:
Dirección 400 6th Street NW, 10th Floor, Washington, D.C. 20001	Subsecretario

IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍA RETENÉRSELE SUS INGRESOS, O PODRÍA TOMÁRSELE SUS BIENES PERSONALES O BIENES RAÍCES Y SER VENDIDOS PARA PAGAR EL FALLO. SI USTED PRETENDE OPONERSE A ESTA ACCIÓN, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.

Veuillez appeler au (202) 879-4828 pour une traduction

Để có một bài dịch, hãy gọi (202) 879-4828

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Vea al dorso el original en inglés See reverse side for Englishoriginal



### 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

Filed D.C. Superior Court 01/20/2022 16:49PM Clerk of the Court

#### District of Columbia

Plaintiff

Case Number

DERIOR CON

2022 CA 000186 B

### Edgewood Management Corp.

VS.

Defendant

#### SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

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Christopher Peña	Clerk of the Court
Name of Plaintiff's Attorney	-3 ca - 1 - 1
Office of Attorney General for the District of Columbia	By By
Address	TOF CODE puty Clerk
400 6th Street NW, 10th Floor, Washington, D.C. 20001	01/21/2022
202-705-1798	Date
Talanhara	

如需翻译, 请打电话 (202) 879-4828

Veuillez appeler au (202) 879-4828 pour une traduction

Để có một bài dịch, hãy gọi (202) 879-4828

**樹岡藝 巻新本理 (202) 879-4828 菱 巻 巻 俊 原記 - 『トゥックディング (202) 879-4828 - 東東の赤** 

IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT, IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.

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> See reverse side for Spanish translation Vea al dorso la traducción al español



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如需翻译,请打电话 (202) 879-4828

世紀第2個所以到(202)879-4828 呈透透影響从以至



#### TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA DIVISIÓN CIVIL

#### Sección de Acciones Civiles

500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001 Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov

Office of Attorney General for the District of Columbia  Por:	District of Columbia			
Edgewood Management Corp.  Demandado  CITATORIO  Al susodicho Demandado:  Por la presente se le cita a comparecer y se le require entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintiún (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.  A usted también se le require presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que usted le entregue al demandante una copia de la Contestación o en el plazo de siete (7) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldia contra usted para que se haga efectivo el desagravio que se busca en la demanda.  Christopher Peña  Nombre del abogado del Demandante  Office of Attorney General for the District of Columbia  Dirección  400 6th Street NW, 10th Floor, Washington, D.C. 20001  O1/21/2022	Deman	idante		
Edgewood Management Corp.  Demandado  CITATORIO  Al susodicho Demandado:  Por la presente se le cita a comparecer y se le require entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintiún (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.  A usted también se le require presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodia los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que usted le entregue al demandante una copia de la Contestación o en el plazo de siete (7) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.  Christopher Peña  Nembre del abogado del Demandante  Office of Attorney General for the District of Columbia  Por:  Dirección  400 6th Street NW, 10th Floor, Washington, D.C. 20001	contra			2022 CA 000186 B
CITATORIO  Al susodicho Demandado:  Por la presente se le cita a comparecer y se le require entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintiún (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.  A usted también se le require presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que usted le entregue al demandante una copia de la Contestación o en el plazo de siete (7) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.  Christopher Peña  Nombre del abogado del Demandante  Office of Attorney General for the District of Columbia  Dirección  400 6th Street NW, 10th Floor, Washington, D.C. 20001  101/21/2022			Número de Caso:	
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Teléfono	persona o por medio de un abogado, en el plazo de veint citatorio, excluyendo el día mismo de la entrega del citat agente del Gobierno de los Estados Unidos de Norteam sesenta (60) días, contados después que usted haya recibenviarle por correo una copia de su Contestación al ababogado aparecen al final de este documento. Si el deman copia de la Contestación por correo a la dirección que apar A usted también se le require presentar la Contestación por correo a la dirección que apar A usted también se le require presentar la Contestación or demandante una copia de la Contestación o en el plazo de usted incumple con presentar una Contestación, podría efectivo el desagravio que se busca en la demanda. Christopher Peña  Nombre del abogado del Demandante  Office of Attorney General for the District of Columbia  Dirección  400 6th Street NW, 10th Floor, Washington, D.C. 20001	ciún (21) días orio. Si uste orio o del coido este cita o gado de la dado no tien rece en este Constación original ante o estete (7) día dictarse un factorio de Secrico de Secr	s contados después que to de está siendo demandado Gobierno del Distrito de atorio, para entregar su Caparte demandante. El re e abogado, tiene que envoltatorio.  Inal al Tribunal en la Offices o entre las 9:00 a.m. yel Juez ya sea antes que as de haberle hecho la en fallo en rebeldía contra esta de la contra esta de	usted haya recibido este en calidad de oficial o Columbia, tiene usted Contestación. Tiene que nombre y dirección del iarle al demandante una cicina 5000, sito en 500 y las 12:00 del mediodía de usted le entregue al trega al demandante. Si usted para que se haga

IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍA RETENÉRSELE SUS INGRESOS, O PODRÍA TOMÁRSELE SUS BIENES PERSONALES O BIENES RAÍCES Y SER VENDIDOS PARA PAGAR EL FALLO. SI USTED PRETENDE OPONERSE A ESTA ACCIÓN, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.

Veuillez appeler au (202) 879-4828 pour une traduction

Để có một bài dịch, hãy gọi (202) 879-4828

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Si desea conversar con un abogado y le parece que no puede pagarle a uno, llame pronto a una de nuestras oficinas del Legal Aid Society (202-628-1161) o el Neighborhood Legal Services (202-279-5100) para pedir ayuda o venga a la Oficina 5000 del 500 Indiana Avenue, N.W., para informarse sobre otros lugares donde puede pedirayuda al respecto.

> Vea al dorso el original en inglés See reverse side for English original



#### 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

Vs.
KING HOUSING, INC. et al

C.A. No. 2022 CA 000186 B

#### **INITIAL ORDER AND ADDENDUM**

# Pursuant to D.C. Code § 11-906 and District of Columbia Superior Court Rule of Civil Procedure ("Super. Ct. Civ. R.") 40-I, it is hereby ORDERED as follows:

- (1) This case is assigned to the judge and calendar designated below. All future filings in this case shall bear the calendar number and the judge's name beneath the case number in the caption.
- (2) Within 60 days of the filing of the complaint, plaintiff must file proof of service on each defendant of copies of (a) the summons, (b) the complaint, and (c) this Initial Order and Addendum. The court will dismiss the claims against any defendant for whom such proof of service has not been filed by this deadline, unless the court extended the time for service under Rule 4(m).
- (3) Within 21 days of service (unless otherwise provided in Rule 12), each defendant must respond to the complaint by filing an answer or other responsive pleading. The court may enter a default and a default judgment against any defendant who does not meet this deadline, unless the court extended the deadline under Rule 55(a).
- (4) At the time stated below, all counsel and unrepresented parties shall participate in a remote hearing to establish a schedule and discuss the possibilities of settlement. Counsel shall discuss with their clients <u>before</u> the hearing whether the clients are agreeable to binding or non-binding arbitration. This order is the only notice that parties and counsel will receive concerning this hearing.
- (5) If the date or time is inconvenient for any party or counsel, the Civil Actions Branch may continue the Conference <u>once</u>, with the consent of all parties, to either of the two succeeding Fridays. To reschedule the hearing, a party or lawyer may call the Branch at (202) 879-1133. Any such request must be made at least seven business days before the scheduled date.

No other continuance of the conference will be granted except upon motion for good cause shown.

(6) Parties are responsible for obtaining and complying with all requirements of the General Order for Civil cases, each judge's Supplement to the General Order and the General Mediation Order. Copies of these orders are available in the Courtroom and on the Court's website <a href="http://www.dccourts.gov/">http://www.dccourts.gov/</a>.

Chief Judge Anita M. Josey-Herring

Case Assigned to: Judge ROBERT R RIGSBY

Date: January 18, 2022

Initial Conference: REMOTE HEARING - DO NOT COME TO COURTHOUSE SEE REMOTE HEARING INSTRUCTIONS ATTACHED TO INITIAL ORDER

10:00 am, Friday, April 15, 2022

Location: Courtroom 320

500 Indiana Avenue N.W. WASHINGTON, DC 20001

### ADDENDUM TO INITIAL ORDER AFFECTING ALL MEDICAL MALPRACTICE CASES

D.C. Code § 16-2821, which part of the Medical Malpractice Proceedings Act of 2006, provides, "[a]fter action is filed in the court against a healthcare provider alleging medical malpractice, the court shall require the parties to enter into mediation, without discovery or, if all parties agree[,] with only limited discovery that will not interfere with the completion of mediation within 30 days of the Initial Scheduling and Settlement Conference ('ISSC'"), prior to any further litigation in an effort to reach a settlement agreement. The early mediation schedule shall be included in the Scheduling Order following the ISSC. Unless all parties agree, the stay of discovery shall not be more than 30 days after the ISSC."

To ensure compliance with this legislation, on or before the date of the ISSC, the Court will notify all attorneys and *pro se* parties of the date and time of the early mediation session and the name of the assigned mediator. Information about the early mediation date also is available over the internet at https://www:dccourts.gov/pa/. To facilitate this process, all counsel and *pro se* parties in every medical malpractice case are required to confer, jointly complete and sign an EARLY MEDIATION FORM, which must be filed no later than ten (10) calendar days prior to the ISSC. D.C. Code § 16-2825 Two separate Early Mediation Forms are available. Both forms may be obtained at www.dccourts.gov/medmalmediation. One form is to be used for early mediation with a mediator from the multi-door medical malpractice mediator roster; the second form is to be used for early mediation with a private mediator. Plaintiff's counsel is responsible for eFiling the form and is required to e-mail a courtesy copy to earlymedmal@dcsc.gov. Unrepresented plaintiffs who elect not to eFile must either mail the form to the Multi-Door Dispute Resolution Office at, Suite 2900, 410 E Street, N.W., Washington, DC 20001, or deliver if in person if the Office is open for in-person visits.

A roster of medical malpractice mediators available through the Court's Multi-Door Dispute Resolution Division, with biographical information about each mediator, can be found at www.dccourts.gov/medmalmediation/mediatorprofiles. All individuals on the roster are judges or lawyers with at least 10 years of significant experience in medical malpractice litigation. D.C. Code § 16-2823(a). If the parties cannot agree on a mediator, the Court will appoint one. D.C. Code § 16-2823(b).

The following people are required by D.C. Code § 16-2824 to attend personally the Early Mediation Conference: (1) all parties; (2) for parties that are not individuals, a representative with settlement authority; (3) in cases involving an insurance company, a representative of the company with settlement authority; and (4) attorneys representing each party with primary responsibility for the case.

No later than ten (10) days after the early mediation session has terminated, Plaintiff must eFile with the Court a report prepared by the mediator, including a private mediator, regarding: (1) attendance; (2) whether a settlement was reached; or, (3) if a settlement was not reached, any agreements to narrow the scope of the dispute, limit discovery, facilitate future settlement, hold another mediation session, or otherwise reduce the cost and time of trial preparation. D.C. Code§ 16-2826. Any Plaintiff who is unrepresented may mail the form to the Civil Actions Branch at [address] or deliver it in person if the Branch is open for in-person visits. The forms to be used for early mediation reports are available at www.dccourts.gov/medmalmediation.

Chief Judge Anita M. Josey-Herring

#### **Civil Remote Hearing Instructions for Participants**

The following instructions are for participants who are scheduled to have cases heard before a Civil Judge in a **Remote Courtroom** 

#### Option1: (AUDIO ONLY/Dial-in by Phone):

Toll 1 (844) 992-4762 or (202) 860-2110, enter the Meeting ID from the attachment followed by #, press again to enter session.

Please call in no sooner than 5 minutes before your scheduled hearing time. Once you have joined
the session, please place your phone on mute until directed otherwise. If you should happen to get
disconnected from the call, please call back in using the phone number and access number
provided and the courtroom clerk will mute your call until the appropriate time.

If you select **Option 2** or **Option 3** use the **Audio Alternative** 

#### Option 2: (LAPTOP/ DESKTOP USERS 1):

Open Web Browser in Google Chrome and copy and paste following address from the next page: https://dccourts.webex.com/meet/XXXXXXXXX

#### Option 3: (LAPTOP/ DESKTOP USERS 2):

Open Web Browser in Google Chrome and copy and paste following address <a href="https://dccourts.webex.com">https://dccourts.webex.com</a> Select **Join**, enter the Meeting ID from the next page

**AUDIO ALTERNATIVE:** Instead of automatically using **USE COMPUTER FOR AUDIO**, select **CALL-IN** and follow the **CALL-IN** prompt window. Use a cell phone or desk phone. You will be heard clearer if you **do not** place your phone on SPEAKER. It is very important that you enter the **ACCESS ID** # so that your audio is matched with your video.



#### Option 4: (Ipad/SMART PHONE/TABLET):

- Go to App Store, Download WebEx App (Cisco WebEx Meetings)
- Sign into the App with your Name and Email Address
- Select Join Meeting
- Enter address from the next page: https://dccourts.webex.com/meet/XXXXXXXXXX
- Click join and make sure your microphone is muted and your video is unmuted (if you need to be
- seen). If you only need to speak and do not need to be seen, use the audio only option.
- When you are ready click "Join Meeting". If the host has not yet started the meeting, you will be placed in the lobby until the meeting begins.

For Technical Questions or issues Call: (202) 879-1928, Option #2

#### Superior Court of the District of Columbia Public Access for Remote Court Hearings (Effective August 24, 2020)

The current telephone numbers for all remote hearings are: 202-860-2110 (local) or 844-992-4726 (toll free). After dialing the number, enter the WebEx Meeting ID as shown below for the courtroom. Please click a WebEx Direct URL link below to join the hearing online.

Audio and video recording; taking pictures of remote hearings; and sharing the live or recorded remote hearing by rebroadcasting, live-streaming or otherwise are not allowed

Division	Courtroom	7.	Public Access via WebEx		
	Scheduled in Courtroom	WebEx Direct URL	WebEx Meeting ID		
Auditor	206	Auditor Master	https://dccourts.webex.com/meet/ctbaudmaster	129 648 5606	
Master		Hearings			
	100	Civil 2 Scheduling	https://dccourts.webex.com/meet/ctb100	129 846 4145	
		Conferences; Status,			
		Motion and Evidentiary			
		Hearings including			
Civil		Bench Trials			
	205	Foreclosure Matters	https://dccourts.webex.com/meet/ctb205	129 814 7399	
	212	Civil 2 Scheduling	https://dccourts.webex.com/meet/ctb212	129 440 9070	
	212	Conferences; Status,	,	123 440 3070	
		Motion and Evidentiary			
		Hearings including			
		Bench Trials			
	214	Title 47 Tax Liens; and	https://dccourts.webex.com/meet/ctb214	129 942 2620	
		Foreclosure Hearings			
	219	Civil 2 Scheduling	https://dccourts.webex.com/meet/ctb219	129 315 2924	
		Conferences; Status,			
		Motion and Evidentiary			
		Hearings including			
		Bench Trials			
	221	Civil 1 Scheduling	https://dccourts.webex.com/meet/ctb221	129 493 5162	
		Conferences; Status,			
		Motion and Evidentiary			
		Hearings including			
		Bench Trials			
	318	Civil 2 Scheduling	https://dccourts.webex.com/meet/ctb318	129 801 7169	
		Conferences; Status,			
	320	Motion and Evidentiary	https://dccourts.webex.com/meet/ctb320	129 226 9879	
		Hearings including			
-		Bench Trials			

400	Judge in Chambers	https://dccourts.webex.com/meet/ctb400	129 339 7379
	Matters including		
	Temporary Restraining		
	Orders, Preliminary		
	Injunctions and Name		
	Changes		
415	Civil 2 Scheduling	https://dccourts.webex.com/meet/ctb415	129 314 3475
516	Conferences; Status,	https://dccourts.webex.com/meet/ctb516	129 776 4396
517	Motion and Evidentiary Hearings including	https://dccourts.webex.com/meet/ctb517	129 911 6415
518	Bench Trials	https://dccourts.webex.com/meet/ctb518	129 685 3445
519		https://dccourts.webex.com/meet/ctb519	129 705 0412
JM-4		https://dccourts.webex.com/meet/ctbjm4	129 797 7557
A-47	Housing Conditions	https://dccourts.webex.com/meet/ctba47	129 906 2065
5.50	Matters	https://dccourts.webex.com/meet/ctbb52	400 700 4400
B-52	Debt Collection and Landlord and Tenant Trials	https://dccourts.webex.com/meet/ctbb52	129 793 4102
B-53	Landlord and Tenant Matters including Lease	https://dccourts.webex.com/meet/ctbb53	129 913 3728
	Violation Hearings and		
	Post Judgment Motions		
B-109	Landlord and Tenant Matters	https://dccourts.webex.com/meet/ctbb109	129 127 9276
B-119	Small Claims Hearings and Trials	https://dccourts.webex.com/meet/ctbb119	129 230 4882