A day in the life of a landlord-tenant attorney

Practice in some of DC’s highest-volume courts
Courts of Practice

- Landlord-Tenant Branch, DC Superior Ct.
- Housing Conditions Calendar, Civil Branch
- Office of Administrative Hearings
- Small Claims, Civil
Limited Jurisdictions:

- Landlord-Tenant Branch
  - Landlords can get possession
  - Tenants: defenses, limited counterclaims
- Housing Conditions Calendar
  - Tenants only can sue
  - Repairs only, no money
- Office of Administrative Hearings:
  - Tenants--Rent Control and reduction
Landlord-Tenant Court: Summary Practice

- Only landlords/owners may sue
- Timelines are short
- Service can be by posting and mailing
- No written answer necessary, but must appear for initial date
- No discovery of right
- Has its own rules, many civil rules apply
- No e-filing yet—filing on foot
Landlord-Tenant Court: High volume, Few trials

- Over 35,000 cases filed in 2013
- Down from over 40,000 in 2009
- Only about 110 went to trial
- Court allows 275 cases to be filed per return day

**Cases filed**
- Default: 0%
- Dismissed: 68%
- Settled: 12%
- Tried: 20%
Landlord-Tenant Practice interaction with other cases

- Inherited property occupied by tenants or family members
- Guardianships
  - Tenants with issues
  - wards with tenants or with people living in the property
- Real Estate- Sale of Property occupied by tenants or others
A day in Landlord-Tenant Court: organizing casework

- Initial returns—all cases have a court date
- Court calls cases twice
  - When? No one can say
    - If volume lawyer on the other side, cases will be called when s/he is done talking to all tenants,
  - Use the time to talk about settling
    - Space available to meet
    - Preprinted forms for settlement agreements and consent judgments
- Motions in second courtroom
- Choosing a regular day
- Lunch breaks optional—every week is different
Housing Conditions

- Tenants only may bring actions
- Hearings on Mondays only
- Repairs only, no money claims
- Facilitating repairs, not litigating issues
- Role of an attorney for a landlord
Litigating at OAH

- Administrative Hearings
- Streamlined Rules and Procedures
- Time to Decision/Obtaining Judgments
- The Appeal Process
- Attorneys fees
Landlord-Tenant clients

- Management companies—large property
  - Volume practice
- Small Landlords and owners—smaller properties and individuals
- Commercial Landlords and Tenants
- Residential Tenants
Resources: How do I...?

Finding the law:
- Rental Housing Act
- 14 DCMR
- OAH rules/cases
- Pro se guides
- DC Bar Landlord-Tenant Training

Resources available:
- Office of Tenant Advocate
- Landlord-Tenant Resource Center
- Other pro-bono resources for tenants