

**District of Columbia
Court of Appeals**



No. 18-AA-364

SMITH PROPERTY HOLDINGS
VAN NESS, L.P.,

Petitioner,

v.

RH-TP-16-30,842

DISTRICT OF COLUMBIA
RENTAL HOUSING COMMISSION,

Respondent,

and

GABRIEL FINEMAN,

Intervenor.

BEFORE: Fisher and McLeese, Associate Judges, and Nebeker, Senior Judge.

ORDER

On consideration of the petition for review, intervenor's motion to dismiss the petition for review, and petitioner's opposition thereto, it is

ORDERED that intervenor's motion to dismiss is granted and the petition for review is hereby dismissed because no final order exists for this court to review. *See Warner v. District of Columbia Dep't of Emp't Servs.*, 587 A.2d 1091, 1093-94 (D.C. 1991) (explaining that this court has jurisdiction to review only agency orders or decisions that are final, and that agency orders remanding for further administrative proceedings are ordinarily not final); *see also Washington Hosp. Ctr. v. District of Columbia Dep't of Emp't Servs.*, 712 A.2d 1018, 1020 (D.C. 1998) (finding that this court lacked jurisdiction to review merits of petition seeking review of agency order remanding for further findings of fact and conclusions of law). Petitioner has failed to demonstrate that the proceedings on remand ordered by the agency in this case would be purely ministerial, as respondent's order remanded the case "for further proceedings consistent with [its] decision and order." Additionally, it is unclear what impact, if any, the intervenor's decision to vacate the subject property has on the underlying tenant petition and remand order. This dismissal is without prejudice

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to the filing of a new petition for review with this court after entry of a final order on remand.

PER CURIAM

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