

**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE ON HOUSING AND EXECUTIVE ADMINISTRATION  
COMMITTEE REPORT**

1350 Pennsylvania Avenue, N.W., Suite 116, Washington, D.C. 20004

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**TO:** All Councilmembers

**FROM:** Councilmember Anita Bonds *ABM*  
Chairperson, Committee on Housing and Executive Administration

**DATE:** March 29, 2022

**SUBJECT:** Report on PR 24-581, the “Rental Housing Commission Adam Hunter Confirmation Resolution of 2022”

The Committee on Housing and Executive Administration, to which PR 24-581, the “Rental Housing Commission Adam Hunter Confirmation Resolution of 2022” was referred, reports **favorably** on this nomination and recommends its approval by the Council of the District of Columbia.

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**I. PURPOSE AND EFFECT**

The purpose of PR 24-581 is to confirm the appointment of Adam Hunter as a member of the Rental Housing Commission, to serve for a term to end July 18, 2025.

## A. Background

PR 24-581, the “Rental Housing Commission Adam Hunter Confirmation Resolution of 2022”, was introduced on February 7, 2022 by Chairman Mendelson, at the request of the Mayor. On February 15, 2022 the resolution was referred to the Committee on Housing and Executive Administration. On March 23, 2022, the Committee held a public roundtable on the resolution.

The Rental Housing Commission is a three-member, independent quasi-judicial body. The Commission holds appellate hearings on appeals from the Rent Administrator and the Office of Administrative Hearings regarding disputes concerning the District’s rent control laws. The Commission is an independent agency within the executive branch of the District government.

The three Commissioners are appointed by the Mayor with the advice and consent of the Council.<sup>1</sup> Subject to the advice and consent of the Council, one of the commissioners is designated Chairman of the Commission, and each Commissioner must be a member in good standing of the District of Columbia Bar.

The Commission has three statutory functions designed to preserve and increase the supply of quality affordable rental housing for the residents of the District.<sup>2</sup> These duties include the responsibility to:

1. Issue, amend, and rescind regulations that are promulgated for enforcement of the Rental Housing Act of 1985;<sup>3</sup>
2. Decide appeals filed based upon decisions of the Rent Administrator, including appeals under the Rental Accommodations Act of 1975, the Rental Housing Act of 1977, and the Rental Housing Act of 1980; and
3. Certify and publish the annual adjustment of general applicability to rents, which is based upon annual changes to the Consumer Price Index (CPI-W) for the greater Washington, D.C. area.

*Table 1. Current Membership of the Rental Housing Commission*

Name	Position	Date of Confirmation	Expiration of Term
Vacant	Chairperson	TBD	TBD
Lisa M. Gregory	Member	December 15, 2020	July 18, 2023
Adam Hunter	Member	April 5, 2022	July 18, 2025

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<sup>1</sup> D.C. Code § 42-3502.01 (a)(1).

<sup>2</sup> D.C. Code § 42-3502.02.

<sup>3</sup> D.C. Law 6-10, D.C. Official Code § 42-3501.01 *et seq.*

## **B. Nominee's Qualifications**

Mr. Adam Hunter is a managing partner and trial attorney for Hunter & Johnson, PLLC, a boutique litigation firm that is largely dedicated to representing District of Columbia residents in criminal cases through the Criminal Justice Act. Mr. Hunter has been in this position since January of 2012. In his current role, he is successfully managing a litigation law practice, providing end-to-end case management from initial appearance to preparation of pleadings, case investigations, witness interviews, drafting complaints and motions, settlement negotiations, mediation, supervise firm associate and support staff and oral advocacy before the court. Mr. Hunter is also concurrently serving as an Adjunct Professor and Coach at Howard University School of Law teaching trial advocacy to second- and third-year law students.

Prior to forming a litigation firm, Mr. Hunter was Of Counsel at Harden & Pinckney, PLLC, from February 2010 to December 2011. In this position, Mr. Hunter assisted managing partners in preparing for hearings and trials in D.C. Superior Court by reviewing reports, legal issues and physical evidence surrounding the case, identifying and interviewing witnesses and preparing trial notes. He has analyzed trial transcripts and assisted trial counsel in developing case strategy for retrial of a felony case.

Mr. Adam Hunter received his J.D. and his Bachelor of Arts degree in Economics and Political Science from Howard University. Mr. Hunter is a Ward 7 resident.

## **C. Committee Recommendation**

For the reasons explained above, the Committee recommends approval of PR 24-581.

## **II. LEGISLATIVE CHRONOLOGY**

February 7, 2022	PR 24-581 is introduced by Chairman Mendelson at the request of the Mayor.
February 15, 2022	PR 24-581 is referred to the Committee on Housing and Executive Administration.
February 18, 2022	Notice of Intent to Act on PR 24-581 is published in the <i>District of Columbia Register</i> .
March 21, 2022	Notice of Roundtable Hearing Published in the District of Columbia Register
March 23, 2022	The Committee on Housing and Executive Administration holds a public roundtable on PR 24-581.
March 29, 2022	The Committee on Housing and Executive Administration marks up PR 24-581.

### III.POSITION OF THE EXECUTIVE

Mr. Adam Hunter is the Mayor's nominee for the member of the Rental Housing Commission.

### IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee on Housing and Executive Administration did not receive testimony or comments from any Advisory Neighborhood Commission on PR 24-581.

### V. SUMMARY OF TESTIMONY

The Committee on Housing and Executive Administration held a public roundtable on PR 24-581 on March 23, 2022. The testimony summarized below is from that hearing and reflects opinions based upon the introduced version. A copy of the witness list is attached to this report, the video recording of the hearings ((available online at [http://oct.dc.gov/services/on\\_demand\\_video/channel\\_13.asp](http://oct.dc.gov/services/on_demand_video/channel_13.asp)) is incorporated by reference. A copy of the submitted testimony is part of the hearing record and is available through the Office of the Secretary.

The following witnesses testified on the resolution:

**Brandi Harden, Public Witness,** testified her unequivocal support for the appointment of Adam Hunter to the DC Rental Housing Commission. Ms. Harden is a 27-year DC resident and member of the DC Bar. Ms. Harden has known Mr. Hunter since 2006 and met him while serving as a coach and professor at Howard University School of Law trial advocacy moot court team. Adam was the first Team Captain selected for this team, a position that is reserved for the team member who has the most extraordinary skills and leads other team members with integrity. She testified to Mr. Hunter's dedicated legal ideals of Charles Hamilton Houston and Justice Thurgood Marshall. Ms. Harden spoke of how Mr. Hunter is well respected by the bench and members of the bar and expressed her confidence in Mr. Hunter's capability to approaching every case with an open mind and the ability to rigorously evaluate cases to render fair and reasonable decisions.

**Stephanie Johnson, Public Witness,** testified her full support of Mr. Hunter's appointment to the Rental Housing Commission. Ms. Johnson has known Mr. Hunter for approximately 17 years where they first met as classmates in the same section at Howard University. Since then, Mr. Johnson and Mr. Hunter have been team partners, co-counsels, business partners, colleagues, and friends at various points of their lives. Ms. Johnson testified to Mr. Hunter's reliability, professionalism, and legal acumen that she has chosen to work with him for such a long period of time. She spoke to his long-standing working knowledge of the unique landlord and tenant laws of the District of Columbia due to their experience as student attorneys at the DC law students in court legal clinic, now known as Rising for Justice, the oldest landlord and tenant legal clinic in

the District. Ms. Johnson also spoke to Mr. Hunter possessing the temperament and skills necessary to be a fair judge: he is deliberate, compassionate, and able to analyze legal issues holistically.

**Adam Hunter, Nominee**, testified about his professional career as a trial attorney and noted his main practice areas of civil litigation and criminal defense. Mr. Hunter spoke about both his Bachelor and law degrees being from Howard University and noted that he is currently barred in the District of Columbia as well as an active member of both the state of New Jersey and New York bars. Mr. Hunter also talked about his current work as an adjunct professor of trial advocacy at Howard University School of Law, where he serves as the Coach of the trial advocacy moot court team.

Mr. Hunter laid out his technical qualifications to be considered as a member of the Rental Housing Commission as a DC attorney in good standing with the DC Bar, admitting to practice law before the District of Columbia Court of Appeals, a Ward 7 resident and neither a housing provider nor tenant. He also spoke of his professional experience in tenant matters, which started during his third year in law school representing DC residents at landlord tenant court via the legal clinic called DC law students in court (now known as Rising for Justice). Mr. Hunter described Rising for Justice as a 50-year-old organization funded as a consortium of all DC law schools to dispense valuable and free legal services to DC residents. Mr. Hunter spoke of his ability to represent and advise DC residents facing evictions and litigating housing violations against landlords and advising tenants of their rights during their initial hearings. He also noted his successes and ability to work out settlements with landlords to hold them responsible for their housing code violations. Mr. Hunter also mentioned his professional history of litigating hardship petitions and tenant petitions on behalf of landlords before the Office of Administrative Hearings, with most of his clients being individual owners with less than four units.

## **VI. IMPACT ON EXISTING LAW**

PR 24-581 does not amend existing law.

## **VII. FISCAL IMPACT**

Pursuant to section 4(a) of the General Legislative Procedures Act of 1975 (D.C. Official Code §1-301.47a(c)), the requirement of a fiscal impact statement does not apply for confirmation resolutions.

## **VIII. SECTION-BY-SECTION ANALYSIS**

Section 1	States the short title of PR 24-581.
Section 2	Confirms the appointment of Mr. Adam Hunter as a member of the Rental Housing Commission.
Section 3	Requires that a copy of the resolution, upon adoption, be transmitted to the nominee and to the Office of the Mayor.

Section 4        Provides the effective date.

## **IX. COMMITTEE ACTION**

On March 29, 2022, the Committee on Housing and Executive Administration held an additional meeting to consider and mark up PR 24-581. The meeting was called to order at 4:04 p.m. A quorum was present, which included Chairperson Bonds and Councilmembers Brooke Pinto and Elissa Silverman. Chairperson Bonds provided an opening statement summarizing the provisions of the proposed resolution. Chairperson Bonds moved for approval of PR 24-581 and opened the floor for discussion.

Chairperson Bonds then moved for approval of the Committee Print and Report for PR 24-581, with leave for staff to make technical and conforming amendments.

### **Committee members voted as follows:**

Committee members voting in favor:	Chairperson Bonds and Councilmembers Brooke Pinto and Elissa Silverman
Committee members voting against:	
Committee members voting present:	
Committee members absent:	Councilmembers Robert C. White, Jr. and Kenyan McDuffie

The meeting was adjourned at 4:10 p.m.

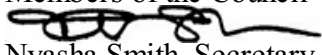
## **X. ATTACHMENTS**

- A. PR 24-581 as Introduced
- B. Secretary's Memo
- C. Public Roundtable Notice
- D. Testimony of Nominee
- E. Agenda and Witness List
- F. Public Testimony
- G. Legal sufficiency determination
- H. Committee Print for PR 24-581

**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**1350 Pennsylvania Avenue, N.W.**  
**Washington D.C. 20004**

Memorandum

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To : Members of the Council  
From :  Nyasha Smith, Secretary to the Council  
Date : Friday, February 11, 2022  
Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Monday, February 07, 2022. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Rental Housing Commission Adam Hunter Confirmation Resolution of 2022",  
PR24-0581

INTRODUCED BY: Chairman Mendelson, at the request of Mayor

The Chairman is referring this legislation to the Committee on Housing and Executive Administration. This resolution will be deemed disapproved on Wednesday, May 25, 2022 without Council action.

Attachment  
cc: General Counsel  
Budget Director  
Legislative Services

**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE ON HOUSING AND EXECUTIVE ADMINISTRATION  
PUBLIC ROUNDTABLE**  
1350 Pennsylvania Avenue, NW, Washington, DC 20004

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**COUNCILMEMBER ANITA BONDS, CHAIRPERSON  
COMMITTEE ON HOUSING AND EXECUTIVE ADMINISTRATION**

**ANNOUNCES A PUBLIC ROUNDTABLE**

on the matter of

**PR24-0581 – Rental Housing Commission Adam Hunter Confirmation Resolution of 2022**

*on*

Wednesday, March 23, 2022, at 2:00 PM. Via Zoom

On Wednesday, March 23, 2022, Councilmember Anita Bonds will hold a public roundtable to discuss PR24-0581, the “Rental Housing Commission Adam Hunter Confirmation Resolution of 2022.”

PR24-0581 would appoint Adam Hunter as a member of the District of Columbia Rental Housing Commission, replacing Rupa Puttagunta, for the remainder of a term ending July 18, 2022, and for a new term to end July 18, 2025.

Persons who wish to testify are requested to email the Committee at [housing@dccouncil.us](mailto:housing@dccouncil.us) or telephone the Committee at (202) 724-8198, at least 24 hours before the roundtable and provide their name, address, telephone number, email address, organizational affiliation and title. Each witness will receive an individual Zoom invitation for the roundtable in a separate e-mail. Witnesses are encouraged to submit an electronic version of their testimony to [housing@dccouncil.us](mailto:housing@dccouncil.us). Oral testimony will be limited to 5 minutes for those testifying on behalf of an organization and 3 minutes for those testifying on behalf of themselves.

All Councilmembers will receive an individual Zoom invitation for the roundtable in a separate email. If a Councilmember does not have a separate link, please contact Sophia Marcus at [smarcus@dccouncil.us](mailto:smarcus@dccouncil.us).

The roundtable will be livestreamed on the Committee’s YouTube Channel: <https://www.youtube.com/channel/UCgy5EojaMYGtwicWSfg9NeA/featured>.

Witnesses who anticipate needing language interpretation or require sign language interpretation are encouraged to inform the Committee of the need as soon as possible. The Committee will



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**COMMITTEE ON HOUSING AND EXECUTIVE ADMINISTRATION**  
**PUBLIC ROUNDTABLE**  
1350 Pennsylvania Avenue, NW, Washington, DC 20004

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make every effort to fulfill timely requests, however requests received less than two business days prior to the roundtable may not be fulfilled and alternatives may be offered.

If someone is unable to testify at the public roundtable, written statements are encouraged and will be made a part of the official record. Written statements should be submitted to the Committee on Housing and Executive Administration, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Suite 116, Washington, D.C. 20004 or by email at [housing@dccouncil.us](mailto:housing@dccouncil.us). The record will close at 5:00 p.m. on Friday, March 25, 2022.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
District of Columbia Housing Authority**



**Public Roundtable on**

**PR24-0518, the “Rental Housing Commission Adam Hunter Confirmation  
Resolution of 2022”**

**Testimony of**

**Adam Hunter**

**Before the  
Committee on Housing & Executive Administration  
Council of the District of Columbia  
The Honorable Anita Bonds, Chairperson**

March 23, 2022

2:00 P.M.

Virtual Meeting Platform  
The John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004

**Testimony of Adam Hunter  
For  
Appointment to the Rental Housing Commission  
Before the  
Committee on Housing and Executive Administration Anita Bonds, Chair**

Good afternoon Councilmembers, my name is Adam Hunter, I am proud to appear before the Committee as a nominee to the Rental Housing Commission.

First, I would like to thank Mayor Bowser for this opportunity to serve this City. I also would like to thank this Committee and Chairperson Bonds for holding this hearing. I want to share with this Committee my background, qualifications and interest to serve as a member of the Rental Housing Commission. Public service is not foreign to me or my family. Both of my parents are retired government state employees. They have instilled in me the appreciation of service to community, the importance of government, and a strong work ethic. I am the proud son of both James and Karen Hunter.

Throughout my legal career, there have been four women that have been instrumental in my professional development as an attorney. It began first with my judicial clerkship with the Honorable Lorraine Pullen J.S.C. in Middlesex County, New Jersey. After clerking, I worked with my former professor and mentors Brandi Harden and Heather Pinckney at Harden & Pinckney, PLLC. Lastly, Stephanie Johnson my law school classmate and my law partner for the last 11 years at Hunter & Johnson based here in the District of Columbia. For all that they have done for me, the greatest title and accolade I can share with them all is friend.

**Professional Background**

I have spent the majority of my professional career as a trial attorney. My main practice areas are civil litigation and criminal defense. I am a proud graduate of both Howard University where I received my Bachelor of Arts in Economics and Political Science (*cum laude*) and Howard University School of Law. I am currently barred in the District of Columbia and an inactive member in both states of New Jersey and New York. During law school, I taught constitutional law at both Eastern Senior High School and the Youth Services Center.

Currently, I am in my third year as an adjunct professor of trial advocacy at Howard University School of Law. In that capacity I serve as the coach of its Huver I. Brown Trial Advocacy Moot Court Team. This advance-level class focuses on teaching second and third year law students trial skills. For the past 11 years I have been a board member of Rising For Justice (Formerly D.C. Law Students in Court). Rising For Justice is legal services organization that represents indigent D.C. residents in both civil and criminal matters.

## **Landlord and Tenant Litigation**

I want to also address with this Committee my qualifications and experiences that make me well suited to serve as a member of the Rental Housing Commission. I meet the technical qualifications as I am a DC barred attorney in good standing, admitted to practice law before the District of Columbia Court of Appeals. I am a proud Ward 7 resident for the last 3 years. I am neither a housing provider nor a tenant.

I also have the professional experience required of the position. I have over thirteen (13) years of landlord and tenant experience. I began my work on tenant matters during my third year in law school where I represented D.C. residents in landlord and tenant court through the legal clinic D.C. Law Students in Court (now Rising for Justice). Rising For Justice is a fifty-year-old organization founded as a consortium of all the D.C. law schools to dispense valuable and free legal services to D.C. residents. As a member of the civil clinic, I represented and advised D.C. residents facing evictions. I litigated housing violations with landlords and advised tenants of their rights during their initial hearings. I was successful in working out settlements with landlords and holding them responsible for their housing code violations on behalf of D.C. residents.

In private practice, I have represented both landlords and tenants. In that capacity I advised clients on landlord and tenant laws and regulations, properly registering rental properties with District agencies, drafting and reviewing leases, and advising clients on court procedures and processes. On behalf of tenants, I have litigated hardship and tenant petitions. On the landlord side, I represented and settled DCRA matters on behalf of landlords before the Office of Administrative Hearings. The majority of my landlord clients are individual owners with less than 4 rental units.

I am also a ten-year member of the Criminal Justice Act Panel where I have represented D.C. residents in both misdemeanor and felony matters. In civil litigation practice, I represent both businesses and individuals with civil claims. I have successfully litigated breach of contract claims, general tort matters, and preliminary injunctions motions in the District of Columbia.

## **Judicial Philosophy**

My litigation experience representing both landlords and tenants has given me a strong foundation to be a fair and observant judicial officer. All jurists must commit not only to upholding the Constitution, but to valuing the process where all perspectives are heard, evaluated, and respected. Jurists have an obligation to challenge each side on the facts, legal basis, and reasoning. They also have the duty to look at past legal precedent, the facts that are presented on the record, other persuasive authorities, and the arguments from the parties when ruling on a particular case. This jurisdiction strongly favors matters being heard and decided on their merits and not just disposed of on mere procedural grounds. I would like to continue in that practice where parties will receive a fair hearing on the facts of their case and receive legal and just decisions that fairly enforce the housing regulations. When drafting written decisions, I will strive to use language and phrases that the average District resident will be able to understand

and follow so that they may know, understand, and value how their government is ruling on their case.

This concludes my testimony and I appreciate this opportunity to share a summary of my education, training, and skills. Again, I thank you for your consideration and I am available to answer any questions.

**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE ON HOUSING AND EXECUTIVE ADMINISTRATION  
PUBLIC ROUNDTABLE**  
1350 Pennsylvania Avenue, NW, Washington, DC 20004

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**COUNCILMEMBER ANITA BONDS, CHAIRPERSON  
COMMITTEE ON HOUSING AND EXECUTIVE ADMINISTRATION**

**PUBLIC ROUNDTABLE**

on the matter of

**PR24-0581 – Rental Housing Commission Adam Hunter Confirmation Resolution of 2022**

*on*

Wednesday, March 23, 2022 at 3:00 PM

Via Zoom

<https://dccouncil-us.zoom.us/j/99406166640?pwd=MIQrZUt3WnNVZkZPbjIxdWdSQTZWdz09>

YouTube (<https://www.youtube.com/channel/UCgy5EojaMYGtwicWSfg9NeA>)

**I. CALL TO ORDER**

**II. OPENING REMARKS**

**III. PUBLIC WITNESS**

1. Brandi Harden *Public Witness*
2. Stephanie Johnson *Public Witness*

**III. GOVERNMENT WITNESS**

1. Adam Hunter *Nominee*

**IV. ADJOURNMENT**

# HARDEN | PINCKNEY

MARKET SQUARE  
400 7<sup>TH</sup> STREET, N.W. #604  
WASHINGTON, D.C. 20004  
(202) 621-8268

March 22, 2022

Councilmember Anita Bonds, Chairperson  
Committee on Housing and Executive Administration  
Council for the District of Columbia  
1300 Pennsylvania Ave. N.W.  
Washington, D.C. 20004

Dear Councilmember Bonds:

As a D.C. resident 27 years, business owner, and a member of the D.C. Bar, I am here today to express my unequivocal support for the appointment of Adam Hunter to the D.C. Housing Rental Commission.

I met Adam in 2006 while serving as the Coach and professor of the Howard University School of Law Trial Advocacy Moot Court Team. In my first academic year, Adam quickly set himself apart from the other members of the team. The honor of ‘captain’ is reserved for the team member who has extraordinary skills and leads other team members with integrity. Adam was the first team captain that I selected. After Adam’s judicial clerkship, we offered him employment with Harden|Pinckney where I am the managing partner.

Adam is dedicated to the legal ideals of Dean Charles Hamilton Houston and Justice Thurgood Marshall. It is, therefore, not a coincidence that 16 years later Adam Hunter has returned to his alma mater, coaching the same team at Howard University School of Law, that he once led as a student. He is truly remarkable.

Adam Hunter is eminently qualified for this position. He has one of the brightest legal minds that I have encountered. He is well respected by the bench, the community, and members of the bar. I am confident that Adam will approach every case with an open mind and will rigorously evaluate cases to render fair and reasoned decisions. I have also seen Adam work with clients as part of the Criminal Justice Panel at D.C. Superior Court. He has shown to be compassionate and understanding legal counsel to individuals who cannot afford legal representation. I have personally been with Adam while visiting clients at the D.C. Jail and working through complex legal issues so his clients could understand the gravity of their case.

Adam’s integrity, dedication, legal acumen, and commitment to the citizens of the District of Columbia will be an invaluable addition to the D.C. Housing Commission. I am honored to be before the Commission today to provide my unambiguous support for Adam Hunter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brandi Harden', written in a cursive style.

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Brandi Harden

Managing Partner

Harden | Pinckney, PLLC

400 7th Street Suite 604

Washington, D.C. 20004

bharden@hardenpinckney.com



**Testimony of Stephanie L. Johnson in Support of  
Proposed Resolution 24-0581  
*The District of Columbia's Rental Housing Commission Adam Hunter Confirmation  
Resolution of 2022***

I offer my testimony of my full support of Mr. Adam Hunter's appointment as an Administrative Law Judge for the District of Columbia's Rental Housing Commission. I have known Mr. Hunter for approximately seventeen (17) years. We met as classmates, in the same section, at Howard University School of Law. Since that time, he has been a team partner, co-counsel, business partner, colleague and a dear friend at various points during the seventeen (17) years. It is due to his reliability, professionalism and legal acumen that I have continually chosen to work with him at nearly every phase of my legal career.

I am also elated to be before this committee today to testify not just because he is good friend, because he is the best suited for this position. Mr. Hunter possesses the qualities necessary that make a good Administrative Law Judge. He has a long-standing working knowledge of the landlord and tenant laws of the District of Columbia, which are unique from many other jurisdictions. Mr. Hunter and I were student attorneys in the D.C. Law Students in Court legal clinic, now known as Rising for Justice; which is the oldest landlord and tenant legal clinic in the District. During our year in that clinic, Mr. Hunter excelled by offering his clients zealous and effective representation that allowed them to remain in their homes; and in one instance, resulted in his client receiving a significant abatement for living in housing conditions that violated the District's warranty of implied habitability in residential rental housing. Mr. Hunter and I would go onto to open our own law firm in the District of Columbia, with a practice area in Landlord and Tenant law. Mr. Hunter was always willing to be lead counsel on our landlord and tenant cases. As such, he handled the majority of our landlord and tenant cases that often resulted in favorable results for our clients.

Furthermore, Mr. Hunter possesses the temperament and skills necessary to be a fair judge. He is deliberate, compassionate and able to analyze legal issues holistically. While he has never held a position as a judge, he has proven his ability to utilize the aforementioned characteristics when judging. For example, Mr. Hunter has taught and coached the Trial Advocacy team at the Howard University School of Law for the past three (3) years. In that position, I have personally witnessed him judge students who are trying out for the team and judged them during competition preparation. He always takes his time to provide commentary for his students that is useful, further helps their understanding of the legal issues and that boosts their confidence and self-esteem. Mr. Hunter's dedication to his team while handling his own caseload of our firm's clients and his clients appointed to him through the Criminal Justice Act Panel in the Superior Court of the District of Columbia, is indicative of his tremendous work ethic.

Lastly, Mr. Hunter has shown a consistent and vehement dedication to this city and its residents. Mr. Hunter attended Howard University for both his undergraduate degree and his law degree. He has been a resident of the District of Columbia for over twenty (20) years, living in both the Northwest and Southeast quadrants of the city. As a student at Howard University, he often volunteered for philanthropic efforts in the city and he taught students at Eastern High School

Constitutional law and oral advocacy skills through the Marshall Brennan Constitutional Literacy Project. Moreover, Mr. Hunter zealously has represented the indigent people of the District charged with crimes to ensure they are treated justly in the criminal legal system. Thus, his dedication to this city and its progress is long-standing and indisputable.

The Rental Housing Commission would be fortunate and should be honored to have such an exceptional individual working on behalf of all of us to ensure the integrity of the District's officials and government. I thank this committee for allowing me to share my thoughts about Mr. Adam Hunter with you.

**Council of the District of Columbia  
Committee on Housing & Executive Administration  
The Honorable Anita Bonds, Chairperson**

**on the matter of PR24-0581 – Rental Housing Commission Adam Hunter  
Confirmation Resolution of 2022**

**Testimony of  
Claudia McKoin, Esq.**

I would like to support the nomination of Adam Hunter as a Commissioner on the Rental Housing Commission (RHC). Adam has the background and experience to serve in this position. His current law practice involves representing both landlords and tenants in cases. He has represented small businesses in contractual real estate transactions, and has drafted residential and commercial leases. He has also represented both tenants and landlords in disputes and evictions. He advises clients on landlord and tenant laws and regulations, registered rental properties with the District Government and assisted with the review of leases. He has represented and settled Department of Consumer and Regulatory Affairs matters before the Office of Administration Hearings (OAH). On behalf of tenants he has litigated hardship petitions and tenant petitions.

He started his work on landlord/tenant issues while in law school representing tenants through the DC Law Students in Court legal clinic (now Rising for Justice). At that time he got experience helping tenants facing evictions, litigated housing violations and advised tenants of their rights. He also gained experience working out settlements with landlords.

His work has involved performing complex discovery, writing and reviewing discovery requests, conducting discovery related litigations. He performs case management that involves preparation of pleadings, case investigations, witness interviews, drafting complaints and conducting settlement negotiations.

In addition, Adam teaches trial advocacy at Howard University School of Law. He coached the trial team at the Regional Championship in the National Trial Competition in 2020 and the quarterfinals in the Capitol City Challenge also in 2020. In 2021 his team reached the semifinals of the Regional National Trial Competition.

Having served as a Commissioner on the (RHC) I know of the nature of the work and the skills required. Mr. Hunter's work in his law practice has given him the knowledge to serve in this position. His experience representing both tenants and landlords in various proceedings has given him exposure to the issues and needs of both parties. This is important in considering the cases that come on appeal to the Commission. It is important to provide fair and equitable

treatment for both parties. A Commissioner must be balanced in adjudicating the interest of landlords and tenants. Again, his experience representing both types of clients has prepared him to have this balance. He has also had experience working with the OAH. The cases that the Commission hears are appeals of decisions by OAH. Understanding their process will be valuable to Mr. Hunter as a Commissioner. His familiarity with drafting and reviewing motions, conducting case investigations, drafting complaints, motions and settlement negotiations will also assist him in this position. He must review case files from OAH, some of them very large. He has to determine what information he will need to obtain in the hearing the Commission will conduct in order to determine his ruling in the cases that come before him. In addition, he is already familiar with DC's landlord and tenant laws and regulations. This is key to performing in the role of Commissioner because the rulings made by the RHC must be based on the laws and regulations of the District as well as the facts.

Therefore, based on his experience and the skills he has displayed during his legal career, I wholeheartedly support Mr. Adam Hunter's nomination to the RHC.

**Government of the District of Columbia**



**Office of the Tenant Advocate**

Testimony of

**Johanna Shreve**

Chief Tenant Advocate

**Public Hearing on:**

**PR24-0581, the “Rental Housing Commission Adam Hunter  
Confirmation Resolution of 2022”**

Committee on Housing and Executive Administration  
The Honorable Anita Bonds, Chairperson  
Council of the District of Columbia

on

Wednesday, March 23rd, 2022  
2:00 p.m.  
Via Virtual Platform

## **Introduction**

Thank you, Chairperson Bonds and members of the Committee on Housing and Executive Administration, for this opportunity to submit written testimony regarding Proposed Resolution 24-581, the "Rental Housing Commission Adam Hunter Confirmation Resolution of 2022."

As the Director of an independent agency within the executive branch, it is my policy neither to endorse nor oppose a Mayoral nominee, unless warranted by extreme circumstances. Given the immeasurable impact that the Rental Housing Commission (RHC) has on the District's rental housing community, however, I do believe it is important that the OTA help inform the Council's and the community's deliberations regarding any such nominee. Accordingly, for any such confirmation hearing, the OTA provides written testimony (1) underscoring the critical role of the RHC; (2) setting forth the statutory and other criteria for evaluating a nominee; (3) if applicable, providing a rough assessment of an incumbent's even-handedness to date in terms of tenant and housing provider wins and losses (keeping in mind that raw statistics alone do not tell the whole story); and (4) posing questions to the Committee that the OTA believes should be explored with any individual who is nominated to serve on the RHC.

## **The Commission's Role**

Under section 202 of the Rental Housing Act of 1985, the specific duties of the RHC are to:

1. Issue, amend, and rescind rules and procedures for the administration of the Act;
2. Decide appeals brought to it from the decisions of the Rent

Administrator and the D.C. Office of Administrative Hearings; and

3. Certify and publish:

- a. The annual adjustment of general applicability, based on the Consumer Price Index, which is the maximum standard annual rent increase for a rent-controlled apartment;
- b. The most recent annual social security cost-of-living adjustment (SS COLA);
- c. The maximum annual rent adjustment that may be imposed on a unit occupied by an elderly tenant or tenant with a disability.
- d. The qualifying income for an elderly tenant or tenant with a disability to be exempt from an adjustment in the rent charged pursuant to a housing provider petition.<sup>1</sup>

To merely reiterate the RHC's statutory functions, however, is to vastly understate its vital importance to the rental housing community's well-being, and indeed to the District's affordable rental housing stock. Unlike the D.C. Office of Administrative Hearings, from which rental housing decisions are appealed to the RHC – and unlike the D.C. Court of Appeals, to which RHC decisions may be appealed – the RHC has jurisdiction over no cases other than rental housing cases.

Thus, the RHC has developed singular institutional knowledge and expertise, which is necessary to ensure that case decisions are consistent with each other and with the remedial purposes of the Act. The significance of such a body cannot be overstated, particularly given the many complexities and nuances of the Rental Housing Act of 1985. Indeed, it is our understanding that between 1985 and 2020 the D.C. Court of Appeals affirmed at least 92 to 95 percent of

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<sup>1</sup> D.C. Official Code § 42-3502.02.

cases on appeal from the RHC, and has not reversed an RHC decision in any case filed since 2013. This level of judicial deference is a testament to the RHC's importance in terms of setting precedent that will have a lasting impact, both on the community and on the utility and vitality of the Act itself.

I note that in 2017 the Council enacted Committee legislation that the OTA had long advocated for – the "Rental Housing Commission Independence Clarification Amendment Act of 2017".<sup>2</sup> This legislation clarified that the RHC is an independent adjudicative agency within the executive branch of the District government, and accordingly is not subject to the administrative control of any Mayor.

### **Statutory qualifications**

Section 202 of the Act also sets forth the minimal qualifications that any prospective Rental Housing Commissioner must have. The nominee must be a resident of the District, must be admitted to practice law before the District of Columbia Court of Appeals, and may be neither a housing provider nor a tenant.<sup>3</sup>

In 2010, the OTA worked with the relevant Council committee on legislation – the "Rental Housing Commission Reform Amendment Act of 2010"<sup>4</sup> – to stagger the terms of the three Commissioners. The purpose of staggering terms was to help avoid a reoccurrence of what happened in 2010 – multiple simultaneous vacancies resulting in a lack of quorum to do the RHC's business. Among other things, it provides for the composition and duties of the RHC and specifies that the RHC is comprised of 3 members appointed by the Mayor for a 3-year term, subject to removal for good cause only.

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<sup>2</sup> Law 22-200; D.C. Code § 42-3502.01, effective February 22, 2019.

<sup>3</sup> D.C. Official Code § 42-3502.02

<sup>4</sup> Law 18-863; D.C. Code § 42-3502.01, effective March 11, 2011.



The same legislation also enhanced the criteria that a candidate must meet in order to serve on the RHC. Accordingly, a member of the RHC “shall possess skills and experience relevant to the following”:

1. Litigation, preferably including both appellate practice demonstrated by written work product and exposure to the concerns of pro se litigants;
2. Administrative law, preferably in an area of complex regulation; or
3. Housing law, preferably in the area of rental housing and rent control or "rent stabilization."

**Other considerations**

To facilitate the Committee's consideration of the additional criteria and the candidate's overall fitness for the position, the OTA submits the following questions to the Committee for purposes of this (and future) confirmation hearing:

1. What areas of legal experience and expertise would the candidate bring to the RHC? Does the candidate have a background in public interest law or government affairs?
2. Does the candidate's legal experience and expertise include housing or rental housing law? Does the candidate have experience with or knowledge of the Rental Housing Act in particular?
3. Does the candidate have working knowledge of the District's rent control system? Is the candidate aware of the 2006 reform of the Act which abolished the rent ceiling system for calculating rent

- increases? Is the candidate aware that rent ceilings remain applicable only to those cases arising from events occurring prior to August 4, 2006, and initially filed prior to August 4, 2009?
4. Is the candidate aware of Law 22-248, the “Rent Charged Definition Clarification Amendment Act of 2018”?<sup>5</sup> Does the candidate understand the impact of this legislation on the law?
  5. How familiar is the candidate with the key changes made in the RHC’s overhaul of the relevant D.C.M.R. Title 14 regulations, effective December 31, 2021?
  6. Absent rental housing and rent control expertise, does the candidate have experience and expertise in another area of law involving complex regulations or a complex regulatory regime?
  7. To what extent does the candidate have appellate litigation experience either with judicial or administrative bodies?
  8. Does the candidate have a solid understanding of administrative law? For example, can the candidate cite key differences between the rules of evidence in a judicial setting versus those that pertain under the Administrative Procedure Act?
  9. Does the candidate have an appreciation for the statutory findings and purposes of the Rental Housing Act, and the fact that the Act is remedial legislation intended to alleviate the chronic problem of affordability within the District’s rental housing market? How would the candidate assess the significance of the Act's remedial nature?

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<sup>5</sup> Effective March 13, 2019; D.C. Code § 42-3501.03(29A), § 42-3502.08(f), § 42-3502.22a.

10. Is the candidate aware of the D.C. Court of Appeals' pronouncement that the tenant who has filed a tenant petition in effect acts as a "private attorney general" with respect to enforcement of the Rental Housing Act?<sup>6</sup> How would the candidate assess the significance of this pronouncement in terms of the RHC's review of cases?
11. Is the candidate familiar with the standard set forth in the "Goodman" case<sup>7</sup> regarding procedural or technical errors committed by a *pro se* litigant (i.e., the need in relevant circumstances to relax the procedural or technical rules so long as this does not result in unfairness to the other party)?
12. Is the candidate aware of the "plain error" standard for review of issues not specifically raised in a notice of appeal?
13. Is the candidate aware that under 14 D.C.M.R. § 3808 the RHC may initiate *sua sponte* a review of an OAH or Rent Administrator final order within thirty (30) days after the deadline for party-initiated appeals has expired? Would the candidate take a proactive approach to the RHC's *sua sponte* review authority?

## **Conclusion**

Thank you, Chairperson Bonds and the Committee, for your continued leadership on matters of concern to District of Columbia renters. Please do not hesitate to contact me if I can be of any further assistance.

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<sup>6</sup> See *Ungar v. DC RHC*, 535 A.2d 887, 892; *Hampton Courts Tenants' Ass'n*, 573 A.2d at 12, 13; *Tenants of 500 23rd Street, N.W. v. DC RHC*, 617 A.2d 486, 488.

<sup>7</sup> *Goodman v. RHC*, 573 A.2d 1293 (1990).



**OFFICE OF THE GENERAL COUNSEL**

Council of the District of Columbia  
1350 Pennsylvania Avenue NW, Suite 4  
Washington, DC 20004  
(202) 724-8026

**MEMORANDUM**

**TO: Councilmember Anita Bonds**

**FROM: Nicole L. Streeter, General Counsel *NLS***

**DATE: March 28, 2022**

**RE: Legal Sufficiency Determination for PR24-581, the  
Rental Housing Commission Adam Hunter  
Confirmation Resolution of 2022**

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The measure is legally and technically sufficient for Council consideration.

This measure would confirm Adam Hunter as a member of the Rental Housing Commission,<sup>1</sup> to replace Rupa Puttagunta, for the remainder of an unexpired term to end July 18, 2022, and for a new term to end July 18, 2025.

I am available if you have any questions.

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<sup>1</sup> established by section 201 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.01)

1 COMMITTEE PRINT  
2 COMMITTEE ON HOUSING AND EXECUTIVE ADMINISTRATION  
3 MARCH 29, 2022  
4 PR 24-0581  
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8 A PROPOSED RESOLUTION  
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11 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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16 To confirm the appointment of Mr. Adam Hunter to the Rental Housing Commission.  
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18 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
19 resolution may be cited as the “Rental Housing Commission Adam Hunter Confirmation  
20 Resolution of 2022”.  
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22 Sec. 2. The Council of the District of Columbia confirms the appointment of:  
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24 Mr. Adam Hunter  
25 R Street, SE  
26 Washington, DC 20020  
27 (Ward 7)  
28

29 as a member of the Rental Housing Commission, established by section 201 of the Rental  
30 Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.01),  
31 replacing Rupa Puttagunta, for the remainder of a term to end July 18, 2022, and for a new term  
32 to end July 18, 2025.

33 Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution,  
34 upon its adoption, to the nominee and to the Office of the Mayor.

35 Sec. 4. This resolution shall take effect immediately.