

## INSTRUCTIONS FOR FILING A VERIFIED COMPLAINT TO ENFORCE HOUSING CODE REGULATIONS AND SUMMONS TO APPEAR IN COURT

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**IMPORTANT NOTICE:** These instructions are not a substitute for the advice of a lawyer. Landlord and tenant law can be very complicated, and it is not possible to address every situation in these instructions. You are strongly encouraged to talk to a lawyer to help you protect your legal rights. You may also visit the Landlord Tenant Resource Center, Room 115, (9:15 a.m. – 12 p.m., Monday – Friday) for free legal information.

The Housing Conditions Court is a court of limited jurisdiction. Every case filed in the Housing Conditions Court is a “Verified Complaint to Enforce Housing Code Regulations.” A Verified Complaint to Enforce Housing Code Regulations is a request from the tenant that the court enter an order requiring the landlord to repair the tenant’s rental unit. If you seek additional relief from your landlord, such as monetary relief for the condition of the property, return of your security deposit, or personal injury, you must file those claims in the Civil Actions Branch or the Small Claims and Conciliation Branch.

### Filing Without the Assistance of an Attorney

An individual person may file a Verified Complaint in the Housing Conditions Court on his or her own behalf without the assistance of an attorney. In general, a person who is not an attorney may not file a case on behalf of another person or a business. Corporations and certain other businesses that are plaintiffs must be represented by an attorney at all times, including when the Complaint is filed.

If you wish to proceed without an attorney, the Clerk’s Office can answer basic questions about how to fill out Complaint and Summons forms, provide you with an instruction sheet describing how to serve the Complaint and Summons, and give you other basic information. The Clerk’s Office cannot give you legal advice. You are strongly encouraged to seek the advice of an attorney.

### Free Legal Information

The D.C. Bar’s Landlord Tenant Resource Center is open every day the Court is in session from 9:15 a.m. to 12:00 p.m., and staffed with lawyers trained in landlord and tenant law. If you do not have your own lawyer, the Resource Center may be able to answer your questions about filing a Complaint and Summons and other legal issues, free of charge. The Resource Center is located in Room 115, next to the metal detectors, near the entrance to D.C. Superior Court Building B, 510 4th Street, N.W. The Resource Center will help both landlords and tenants who do not have their own lawyers.

You may also seek assistance with filing a Complaint and Summons from the following organizations:

Neighborhood Legal Services	(202) 269-5100	Legal Counsel for the Elderly	(202) 434-2120
D.C. Law Students in Court	(202) 638-4798	Bread for the City	(202) 265-2400
The Legal Aid Society of D.C.	(202) 628-1161	D.C. Bar Legal Information Help Line	(202) 626-3499

### Filing Fees (Court Costs)

The cost for filing a Verified Complaint to Enforce Housing Code Regulations is \$15.00.

### Completing a Verified Complaint to Enforce Housing Code Regulations

You are *required* to use the Verified Complaint to Enforce Housing Code Regulations. It is important that you fill the Form out completely and accurately. Make sure that what you write on the Complaint can be read clearly on all of the copies in black ink. The following pages include step-by-step instructions for filling out the Complaint. If you are not certain how to complete the form, you should seek information from the Landlord Tenant Resource Center or legal advice from an attorney.

*Please see the **Instructions for Serving a Verified Complaint to Enforce Housing Code Regulations and Summons to Appear in Court** for information on how to complete service of process of your verified complaint.*

## **Completing the Summons to Appear in Court and Notice of Hearing**

In addition to serving the defendant/landlord with a Complaint, you are also *required* to serve the defendant/landlord with a completed Summons to Appear in Court and Notice of Hearing. If you do not serve a Summons along with your complaint the Court may dismiss your case. The Civil Action's Branch Clerk's Office will give you the Summons.

Fill out the case caption with the Plaintiff's name, address (no P.O boxes), and phone number and the Defendant's name, address, and phone number, if known. Leave the spaces for the case number and date of the initial hearing blank as the Clerk will provide you with that information.

*Please see the **Instructions for Serving a Verified Complaint to Enforce Housing Code Regulations and Summons to Appear in Court** for information on how to complete service of process of the summons.*

## Instructions for Completing the Verified Complaint to Enforce Housing Code Regulations

The Housing Conditions Court is a court of limited jurisdiction. If you are seeking an order from the Court requiring your landlord to repair your rental unit or the common areas of the rental property, you must use the Complaint discussed herein. If you are seeking monetary relief for housing code violations, the return of the security deposit, property damage due to housing code violations, or personal injury, you must file a separate complaint in the Civil Actions Branch or Small Claims Branch.

A sample Verified Complaint to Enforce Housing Code Regulations follows these instructions. **The numbered boxes on the attached “Sample Complaint” correspond to the instruction numbers below.**

1. Civil Action Case Number. Leave this area blank because the Clerk will assign a case number to you.
2. Type or very clearly print the Plaintiff’s name and complete address, including the ZIP code and telephone number. You may NOT list a post office box as the address. Use black ink.
3. Type or very clearly print the name and complete address of the Defendant, including the apartment number, suite, or lot and square number, quadrant (NE, NW, SE, or SW), and ZIP code. If you know it, you are required to include the defendant’s telephone number.
4. Print your name, address, and phone number. Place a check in one of the three boxes to explain whether you are (1) the Tenant, (2) an attorney authorized to verify the complaint, or (3) a person who is not the tenant of the property but has the right to demand that the Defendant make repairs to the rental unit. If you are not the tenant but are demanding repairs to the property you must explain why you are entitled to demand that the Defendant make repairs to the property.
5. In this section, you are swearing that you believe the landlord is responsible for maintaining the rental unit and you must list the address where the court will order repairs (which is likely the same as the plaintiff’s address).
6. In this section, you are swearing that the rental unit at issue currently contains housing code violations which are listed in the Housing Code Violations Addendum which is the second page of the Complaint. You must complete the Housing Code Violation Addendum in order for your complaint to proceed.
7. In this section, you must indicate if you believe the landlord is aware, or should be aware, of the violations listed in the Housing Code Violations Addendum. You may check any of the boxes that you believe apply to your situation. Be sure to provide the information requested depending on the box(es) you check (e.g. name of person you spoke to if you claim you told the landlord or his or her representatives about the housing code violations in your rental unit). Be as specific and accurate as possible when providing the requested information.
8. This section is **optional** and you are not required to check either box. However, allowing the landlord to access the property or indicating that the landlord may contact you via telephone to arrange a time and date for access to the property may accelerate completion of repairs to your rental unit.
9. The Notary Public or Clerk will complete this section after you sign the Complaint. The Complaint can be notarized at the Landlord and Tenant Clerk’s Office for no charge.
10. The person whose name appears in Section 4 must sign the Complaint in this space in the presence of a Notary Public or a Clerk working in the Landlord and Tenant Clerk’s Office.
11. This important note may apply to you. If you are not a lawyer in good standing in the District of Columbia you could be engaging in the unauthorized practice of law if you are representing or acting on behalf of another individual in the Civil Actions Branch for any purpose other than to request a continuance.
12. If you are represented by an attorney, he or she should complete this section, including his or her bar number and email address. If you are not represented by an attorney, you should complete this section with your information. If you are not an attorney, leave blank the areas requesting a Unified Bar No. and Email Address. If someone other than the plaintiff completed the verification of the Complaint, the plaintiff or the plaintiff’s attorney *must* sign the complaint in this Section.
13. Civil Action Case Number. Leave this area blank because the Clerk will assign a case number to you.

14. This is the Housing Code Violations Addendum. You **must** complete this page in order for your complaint to proceed. Check all that apply to your situation. Be as specific as possible when identifying the location (room or common areas) and/or nature of the problems with the rental unit.
15. If you have additional housing code violations which do not fit into the categories provided, list the violations and their location in the space provided.
16. If any of the problems listed in the Housing Code Violation Addendum constitute an emergency and pose an immediate threat to the health and safety of the occupants of the rental unit, you must file a motion for temporary restraining order along with this Complaint in order for the Court to immediately address your emergency conditions. The Clerk can assist you with the steps required to file a motion for temporary restraining order.