

**INSTRUCTIONS FOR SERVICE OF PROCESS OF THE
VERIFIED COMPLAINT TO ENFORCE HOUSING CODE REGULATIONS AND
SUMMONS TO APPEAR IN COURT AND NOTICE OF HEARING**

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.

In order for the Housing Conditions Court to consider your claim for repairs, you must first properly serve on the Defendant the Verified Complaint to Enforce Housing Code Regulations and Summons to Appear in Court and Notice of Hearing. If you do not properly complete service of the Complaint and Summons the Court will not be able to address your claims and may dismiss your case.

Service of process may be very difficult and complicated. You are strongly encouraged to seek legal information from an attorney or through one of the organizations listed below. 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.

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 service of the 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 service of a Complaint and Summons from the following organizations:

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| 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 |

Timing of Service

You should attempt to complete service of process as soon as practicable once the Complaint and Summons are filed with the Clerk’s Office. Due to the expedited nature of the Housing Conditions Calendar you must serve the Defendant at least eight (8) calendar days prior to date of the initial hearing for your case. However, the judge sitting on the Housing Conditions Calendar may extend the time for service of process at his or her discretion.

Affidavit of Service

Once service of process is completed you must file with the Civil Actions Branch Clerk’s Office either an affidavit of service of process or acknowledgment of service of process at least three (3) calendar days prior to the date of the initial hearing in your case. However, the judge sitting on the Housing Conditions Calendar may extend the time for filing the affidavit of service of process at his or her discretion.

The Civil Actions Branch Clerk’s Office can provide you with an affidavit of service for you or your process server to complete upon request.

Acceptable Methods of Service

Service of the Complaint and Summons must be completed according to the requirements of Rule 4 of the Superior Court Rules of Civil Procedure. You can find a copy of Rule 4 on the Court's website at http://www.dccourts.gov/dccourts/docs/SUPERIOR_COURT_RULES_OF_CIVIL_PROCEDURE_090707.pdf.

I. Service of Process Upon an Individual

- a. By any person who is not a party to the lawsuit and is at least 18 years old by delivering a copy of the Complaint and Summons to the Defendant personally
- b. By any person who is not a party to the lawsuit and is at least 18 years old by leaving a copy of the Complaint and Summons at the Defendant's house or residence with a person of suitable age and discretion residing in the Defendant's house or residence.
- c. By any person who is not a party to the lawsuit and is at least 18 years old by delivering a copy of the Complaint and Summons to an agent authorized by appointment or by law to receive service of process for the Defendant.
- d. By mailing a copy of the Complaint and Summons to the Defendant by registered or certified mail, return receipt requested.
- e. By mailing a copy of the Complaint and Summons by first-class mail, postage prepaid, to the Defendant, together with two copies of a Notice and Acknowledgment – Form 1-A and a return envelope, postage prepaid, addressed to the sender.

II. Service Upon Corporations and Associations

- a. By any person who is not a party to the lawsuit and is at least 18 years old by delivering a copy of the Complaint and Summons to an officer or a managing or general agent of the Defendant corporation or business entity, or any other agent authorized by appointment or by law to receive service of process. **See below for additional information regarding registered agents for corporations and other business entities.**
- b. By mailing a copy of the Complaint and Summons by registered or certified mail, return receipt requested to an officer or a managing or general agent of the Defendant corporation or business entity, or any other agent authorized by appointment or by law to receive service of process. **See below for additional information regarding registered agents for corporations and other business entities.**
- c. By mailing a copy of the Complaint and Summons by first-class mail, postage prepaid, together with two copies of a Notice and Acknowledgment – Form 1-A and a return envelope, postage prepaid, addressed to the sender to an officer or a managing or general agent of the Defendant corporation or business entity, or any other agent authorized by appointment or by law to receive service of process. **See below for additional information regarding registered agents for corporations and other business entities.**
- d. By delivering two copies of the Complaint and Summons to the Superintendent of Corporations at the District of Columbia Department of Consumer and Regulatory Affairs after a diligent effort has been made to serve the Defendant and investigation has revealed that (1) the attempt to serve the registered agent on record is unsuccessful (mail returned, etc.), (2) the organization's status is revoked, (3) the registered agent has resigned and no new agent was appointed, or (4) the company is not registered but operating within the District of Columbia. **See below for additional information regarding the Superintendent of Corporations.**

III. Service Upon the District of Columbia, an Officer or Agency, or Other Government Entities

- a. By any person who is not a party to the lawsuit and is at least 18 years old by delivering a copy of the Complaint and Summons to the Mayor of the District of Columbia (or designee) and the Corporation Counsel of the District of Columbia (or designee). The Mayor and Corporation Counsel may each designate an employee for receipt of service of process by filing a written notice with the Clerk of the Court.

- b. By mailing a copy of the Complaint and Summons by registered or certified mail, return receipt requested to the Mayor of the District of Columbia (or designee) and the Corporation Counsel of the District of Columbia (or designee). The Mayor and Corporation Counsel may each designate an employee for receipt of service of process by filing a written notice with the Clerk of the Court.

Registered Agents for Corporations and the Superintendent of Corporations

A corporation or other business entity (LLC, LLP, partnership, etc) conducting business in the District of Columbia should have a registered agent who is responsible for accepting service of process for the Defendant. If the Defendant has a registered agent on record, that agent should be served with the Complaint and Summons.

A database of registered agents is maintained by the Department of Consumer and Regulatory Affairs (DCRA). You can search for registered agents online at <http://mblr.dc.gov/corp/lookup/index.asp>. You may also contact DCRA at (202) 442-4400 or www.dkra.dc.gov.

If a corporation or business entity (LLC, LLP, partnership, etc.) conducting business in the District of Columbia fails to maintain a registered agent or the corporation is not registered with DCRA, then you may complete service of process by serving the Superintendent of Corporations. The Superintendent of Corporations will accept service of process if a diligent effort has been made to serve the Defendant and investigation has revealed that (1) the attempt to serve the registered agent on record is unsuccessful (mail returned, etc.), (2) the organization's status is revoked, (3) the registered agent has resigned and no new agent was appointed, or (4) the company is not registered but operating within the District of Columbia. Contact DCRA at (202) 442-4400 or visit <http://dcra.dc.gov/dcra/cwp/view,a,1343,q,644416.asp> for more information about the process for serving the Superintendent of Corporations.