

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Civil Division**

<p>DISTRICT OF COLUMBIA,</p> <p style="text-align:center">Plaintiff,</p> <p style="text-align:center">v.</p> <p>ARNIDA B. LAMONT,</p> <p style="text-align:center">Defendant.</p>	<p>Case No. 2018 CA 005153 B</p>
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JUDGMENT AND INJUNCTIVE ORDER

This case arises from a complaint filed by Plaintiff District of Columbia (“District”) alleging that Defendant Arnida Lamont (“Defendant”) committed unlawful trade practices in violation of the Consumer Protection and Procedures Act (“CPPA”). On July 19, 2018, the District filed the instant litigation under the Consumer Protection Procedures Act due to an unlawful eviction commenced by Defendant against her tenant Karen Rochelle Harrison. In addition to the Complaint, on July 19, 2018 the District also filed a Motion for a Temporary Restraining Order (“TRO”) to stop the Defendant from resuming any illegal eviction activities against the tenant. After a hearing on July 20, 2018, the Court granted the TRO, ordering the Defendant to: 1) provide full access to the residence, 2) provide a set of keys to the current lock, 3) to cease and desist from removing any items from the residence for ten days, and 4) to operate the residence in compliance with all applicable laws and regulations of the District of Columbia. On October 19, 2018, at the initial scheduling conference, the Court entered a default against the Defendant for failure to answer or appear. The Court scheduled an *Ex Parte* proof hearing for December 12, 2018.

Based upon the record in this case, as well as the evidence submitted at the *Ex Parte* proof hearing, it is

THEREFORE, ORDERED as follows:

I. FINDINGS OF FACTS AND CONCLUSIONS OF LAW

1. This Court has jurisdiction over this matter.
2. The Court incorporates its findings of fact during the July 20, 2018 hearing on the District's Motion for a Temporary Restraining Order.
3. Based on the record, Defendant, who is the owner and landlord of 1503 W Street SE, located in Washington, D.C. is a merchant as defined under the CPPA because she leases 1503 W Street SE as rental housing. Her tenant, Karen Rochelle Harrison, is a consumer.
4. Defendant violated the CPPA on three (3) separate occasions when she commenced an illegal self-help eviction against her tenant in violation of District of Columbia law. The latter two (2) instances were also in violation of the Court's TRO prohibiting such conduct.
5. Based on the record and Defendant's past conduct, the Court finds there is some cognizable danger that the Defendant will violate the CPPA in the future by illegally evicting tenants.
6. Based on these findings of facts and conclusions of law, the Court finds that permanent injunctive relief, restitution, civil penalties, and payment of costs are appropriate as authorized under § 28-3909 of the CPPA.
7. Also based on these findings of fact and conclusions of law, the Court finds that the Defendant is in contempt of Court by violating the Court's July 20, 2018 TRO.

II. DEFINITIONS

For the purpose of this Judgment and Order, the following definitions apply:

- A. “**Consumer**” shall include the definition contained in D.C. Code § 28-3901(a)(2) and for purposes of this Judgment and Order shall refer to any resident of the District of Columbia or individual who purchases or is offered for purchase any good or service, including any tenant of Defendant.
- B. “**Merchant**” shall include the definition contained in D.C. Code § 28-3901(a)(2) and for purposes of this Judgment and Order shall mean a person or entity who in the ordinary course of business does or would sell, lease (to), either directly or indirectly, consumer goods or services.
- C. “**Trade Practice**” shall include the definition contained in D.C. Code § 28-3901(a)(2) and for purposes of this Judgment and Order shall mean any act which does or would create, alter, make available, or provide, directly or indirectly, offer for or effectuate, a sale or lease of consumer goods or services;
- D. “**Good**” shall include the definition contained in D.C. Code § 28-3901(a)(2) and for purposes of this Judgment and Order shall mean any tangible item, including real estate, sold or leased.

III. APPLICATION

- A. The provisions of this Judgment and Order shall apply to Defendant, and her officers, employees, agents, successors, assignees, affiliates, entities, and all other persons acting in concert with Defendant now and in the future.

IV. INJUNCTION

IT IS FURTHER ORDERED that:

- A. The Defendant shall not commit any unlawful trade practices that violate the CPPA.
- B. Defendant shall not violate any law of the District of Columbia in connection with evicting any consumer from any residential unit.
- C. Defendant shall not do any of the following actions in connection with any residential unit without fully complying with all applicable District of Columbia law: (1) remove any consumer's items or property; (2) enter any residential unit without giving required notice; or (3) change locks or otherwise deny access.

V. MONETARY JUDGMENT

IT IS FURTHER ORDERED that:

- A. Defendants shall pay restitution in the amount of \$22,740 in favor of Karen Rochelle Harrison consistent with instructions provided by the District.
- B. Defendants shall pay to the District the sum of \$22,740 as a civil penalty pursuant to D.C. Code §28-3909(b).
- E. A monetary Judgment is entered against Defendant Arnida B. Lamont in the total amount of \$45,480.

SO ORDERED THIS ___ day of December 2018.

Michael L. Rankin
Associate Judge
Superior Court of the District of Columbia