

**BEFORE THE
COMMISSION OF LANDLORD TENANT AFFAIRS
FOR MONTGOMERY COUNTY, MARYLAND**

| | | |
|----------------------------|---|----------------|
| In the Matter of: | x | |
| | x | |
| Nyasa Broadus | x | |
| | x | |
| Complainant | x | |
| | x | |
| v. | x | Case No. 30581 |
| | x | |
| Andy Zheng and Kevin Zheng | x | |
| | x | |
| Respondents | x | |

Rental Facility: 10119 Brock Drive, Silver Spring, MD 20903 (Rental License No. 50483)

BACKGROUND

On December 26, 2008, Nyasa Broadus (the "Complainant"), tenant at 10119 Brock Drive, Silver Spring, MD (the "Property"), a licensed single family rental facility in Montgomery County, Maryland, filed a formal complaint with the Office of Landlord-Tenant Affairs within the Department of Housing and Community Affairs (the "Department"), in which the Complainant alleged that Andy and Kevin Zheng (the "Respondents"), owners of the Property, failed to provide her with a promised 5-bedroom house which has substantially reduced the value of her tenancy.

After determining that the complaint was not susceptible to conciliation, the Department duly referred this case to the Commission on Landlord-Tenant Affairs (the "Commission") for its review, and on April 7, 2009, the Commission voted to accept jurisdiction of this case, and scheduled a public hearing originally scheduled for May 20, 2009, at 6:30 PM. Due to a scheduling conflict, the Commission rescheduled the hearing for July 15, 2009, at 6:30 PM.

The record reflects that both the Complainant and the Respondents were given proper notice of the rescheduled hearing date and time (See pages 46-48 of Commission's Exhibit No. 1). Present at the hearing were Respondents Andy Zheng and Kevin Zheng. Complainant, Nyasa Broadus, failed to appear as of 7:07 P.M. on July 15, 2009.

ORDER

In view of the foregoing, it is the ruling of the Commission that based on Complainant Nyasa Broadus' failure to appear at the rescheduled public hearing on July 15, 2009, after being properly notified by the Department and by the Commission, and her failure to bring forward her case-in-chief, this 5th day of August, 2009, Case No. 30581 is hereby DISMISSED with prejudice.

The foregoing decision was concurred in unanimously by Commissioner Matthew Moore, Commissioner Jon Cook and Commissioner Denise Hawkins, Panel Chairperson.

Any party aggrieved by the action of the Commission may file an administrative appeal to the Circuit Court of Montgomery County, Maryland, within (30) days from the date of this Order, pursuant to the Maryland Rules governing administrative appeals.

Denise Hawkins, Panel Chair
Commission on Landlord-Tenant Affairs