

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**  
LANDLORD AND TENANT BRANCH  
510 4<sup>th</sup> STREET, N.W., Building B, Room 110  
Washington, D.C. 20001 Telephone (202) 879-4879

\_\_\_\_\_  
Plaintiff/Landlord

v.

L&T No. \_\_\_\_\_

\_\_\_\_\_  
Defendant/Tenant

**APPLICATION FOR TEMPORARY RESTRAINING ORDER**

I ask the Court for a Temporary Restraining Order enjoining Plaintiff/Landlord to do the following:

1. Check all that apply:
  - (a) Restore me access to the premises located at \_\_\_\_\_.
  - (b) Restore essential services that Plaintiff/Landlord is obligated to provide (specify): \_\_\_\_\_.
  - (c) Correct serious housing code violations that prevent me from using or enjoying the premises. The violation(s) include (specify): \_\_\_\_\_.
  - (d) Other (specify): \_\_\_\_\_.
2. Not interfere with my right to possession, use or enjoyment of the premises, barring further order of the Court.
3. The Court should issue a Temporary Restraining Order because:
  - (a) Check all that apply:
    - (i) I am likely to win on the merits of my case at trial because Plaintiff/Landlord wrongfully evicted me. Plaintiff/Landlord evicted me without suing me for possession of real estate in Landlord-Tenant Court, without serving me with a Complaint for Possession of Real Estate and/or Writ of Restitution, and/or without the U.S. Marshals being present during the eviction. *Mendes v Johnson*, 389 A.2d 781 (D.C. 1978).
    - (ii) I am likely to win on the merits of my case at trial because Plaintiff/Landlord stopped providing essential services that Plaintiff/Landlord is obligated to provide. *Javins v. First Nat'l Realty Corp.*, 428 F.2d 1071, 1072-73, 138 U.S. App. D.C. 369,

370-71 (D.C. Cir. 1970), cert. denied, 400 U.S. 925, 91 S.Ct. 186, 27 L.Ed.2d 185 (1970).

- (iii) I am likely to win on the merits of my case at trial because Plaintiff/Landlord failed to correct serious housing code violations that prevent me from using or enjoying the premises. *Javins v. First Nat'l Realty Corp.*, 428 F.2d 1071, 1072-73, 138 U.S. App. D.C. 369, 370-71 (D.C. Cir. 1970), cert. denied, 400 U.S. 925, 91 S.Ct. 186, 27 L.Ed.2d 185 (1970).
- (iv) I am likely to win on the merits of my case at trial because (specify): \_\_\_\_\_

(b) I will suffer irreparable harm if my Application is denied because (Check all that apply):

- (i) I have been actually or constructively evicted from the premises.
- (ii) Other (specify): \_\_\_\_\_

(c) If my Application is denied, I will suffer more harm than Plaintiff/Landlord will suffer if my Application is granted.

(d) Granting my Application is in the public interest.

4. The Court has discretion to grant my Application under SCR-Civ. 65. I should not be required to post bond because I am only asking the Court to order Landlord to do what the law requires.

**WHEREFORE**, Defendant/Tenant prays that this Court:

1. Grant my Application for a Temporary Restraining Order; and
2. Grant such other and further relief as the Court may deem proper.

\_\_\_\_\_  
Defendant/Tenant

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Date

**CERTIFICATE OF SERVICE**

**REQUIRED:** You must serve all other parties or their lawyers. If a party has a lawyer, you must serve the lawyer instead of the party.

I hereby certify that a copy of this Application was

(check one)  hand-delivered  mailed to

Plaintiff/Landlord or Plaintiff/Landlord's Lawyer on the following date:

\_\_\_\_\_, 20\_\_\_\_ at the following address: \_\_\_\_\_

\_\_\_\_\_.

\_\_\_\_\_  
Signature of person who hand-delivered or mailed a copy of the Application

**POINTS AND AUTHORITIES IN SUPPORT OF MY  
APPLICATION FOR TEMPORARY RESTRAINING ORDER**

1. *Mendes v. Johnson*, 389 A.2d 781 (D.C. 1978).
2. *Javins v. First Nat'l Realty Corp.*, 428 F.2d 1071, 1072-73, 138 U.S. App. D.C. 369, 370-71 (D.C. Cir. 1970), cert. denied, 400 U.S. 925, 91 S.Ct. 186, 27 L.Ed.2d 185 (1970).
3. SCR-Civ. 65.
4. D.C. Mun. Regs. Tit. 14, §301.1 (1991).

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Plaintiff/Landlord

v.

L&T No. \_\_\_\_\_

\_\_\_\_\_  
Defendant/Tenant

**ORDER**

Having considered Defendant/Tenant's Application for Temporary Restraining Order, the Court hereby makes the following findings of fact: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Having considered Defendant/Tenant's Application for Temporary Restraining Order, the Court hereby makes the following conclusions of law: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

It is hereby ORDERED that:

- This Temporary Restraining Order issue, without cost to Defendant/Tenant, pending a hearing on Defendant/Tenant's Motion for Preliminary Injunction. The Motion will be heard on \_\_\_\_\_, 201\_\_\_ at \_\_\_\_\_ AM/PM, at which time this Restraining Order will expire, barring further order from the Court.
- Plaintiff/Landlord is hereby ordered to restore Defendant/Tenant's access to the premises located at \_\_\_\_\_ immediately, and to refrain from any further acts which interfere with Defendant/Tenant's right to possession, use or enjoyment of the premises, barring further order of the Court.
- Plaintiff/Landlord is hereby ordered to restore essential services to the premises occupied by Defendant/Tenant located at \_\_\_\_\_ immediately, and to refrain from any further acts which interfere with Defendant/Tenant's right to possession, use or enjoyment of the premises, barring further order of the Court.
- Plaintiff/Landlord is hereby ordered to correct severe housing code violations to the premises occupied by Defendant/Tenant located at \_\_\_\_\_ immediately, and to refrain from any further acts which interfere with Defendant/Tenant's right to possession, use or enjoyment of the premises, barring further order of the Court.
- Plaintiff/Landlord is hereby ordered to (specify): \_\_\_\_\_  
\_\_\_\_\_.
- The D.C. Metropolitan Police Department shall escort Defendant/Tenant back in to the premises, if necessary.
- Defendant/Tenant shall not be required to post bond.

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time