



Legal Aid Society
OF THE DISTRICT OF COLUMBIA

MAKING JUSTICE REAL

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Contact:
Thuy-Tu Tran
Senior Development Associate
202-661-5975

LEGAL AID AND WILEY REIN LLP FILE CLASS ACTION LAWSUIT AGAINST LANDLORDS' LAW FIRM, ALLEGING PERSISTENT CONSUMER LAW ABUSES IN LANDLORD-TENANT FILINGS

WASHINGTON, D.C., December 4, 2014 – The Legal Aid Society of the District of Columbia (Legal Aid) and the law firm of Wiley Rein LLP announced today that they have filed a class action lawsuit in federal district court on behalf of four named individuals against a D.C.-based law firm that represents large residential property owners in landlord-tenant matters. The lawsuit alleges that The Raddatz Law Firm P.L.L.C. and its attorneys engage in the unlawful practice of filing complaints on behalf of landlords in D.C. Superior Court that contain false information with respect to the status of the tenants' federally-subsidized rental properties, in violation of the federal Fair Debt Collection Practices Act.

“The Fair Debt Collection Practices Act forbids lawyers in the business of debt collection from using misrepresentation or sharp litigation tactics to collect debts,” said Heather Latino, the Supervisor of Legal Aid’s Consumer Law Unit. “The Raddatz Law Firm is engaging in unlawful, abusive practices that can harm vulnerable consumers—in this case, their clients’ tenants.”

Named Plaintiffs Natasha Lipscomb, Kimberly McLaughlin, Margaret O’Brien, and Felicia Pate live in rent-subsidized units at Capitol Gateway, a mixed-finance rental property located in the District of Columbia consisting primarily of single-family townhomes. In November 2013, they were each served with an eviction complaint filed by attorneys from the Raddatz Firm on behalf of Capitol Gateway. On each of these complaints, the Raddatz Firm represented that their rent was not subsidized, even though it was. This misrepresentation is of critical importance, as tenants residing in subsidized rental properties can assert defenses to eviction that are not available to tenants residing in non-subsidized rental housing.

Legal Aid’s independent investigation into the practices of the Raddatz Firm revealed that the named Plaintiffs’ experiences are not unique: Out of approximately 218 landlord-tenant complaints since January 2012 that the firm has filed on behalf of three large residential properties where an overwhelming number of the units are subject to a subsidy of some kind, only four stated that the rent for the property in question was subsidized. While the named Plaintiffs were represented by Legal Aid lawyers and able to obtain favorable settlements in their cases, most tenants in Landlord-Tenant Court are not so fortunate. Roughly 90% to 95% of tenants do not have counsel, and must navigate the process largely on their own. For those unrepresented tenants, the false statements in these complaints could have disastrous consequences.

“I think it’s wrong for lawyers to lie under oath, just to collect a debt,” stated Plaintiff Kimberly McLaughlin. “We expect lawyers to tell the truth, not to lie.”

The lawsuit seeks to enjoin the Raddatz Firm and its attorneys from continuing to misrepresent the subsidy status of tenants’ rental housing in current and future cases in the Landlord and Tenant Branch of the D.C. Superior Court. It also seeks the award of statutory fees to the named Plaintiffs and members of the proposed class.

“Wiley Rein LLP is pleased to have the opportunity to collaborate with Legal Aid in bringing this important case,” said Theodore A. Howard, partner at Wiley Rein LLP who serves as the Plaintiffs’ co-counsel in the lawsuit. “If, as we anticipate, we are able to prove the allegations upon which the Complaint is based, we can bring to an end a clearly unlawful practice that has potentially serious consequences for low-income tenants residing in subsidized housing in the District, and hopefully discourage others in the defendants’ position from engaging in this kind of wrongful conduct in the future.”

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The **Legal Aid Society of the District of Columbia** was formed in 1932 to “provide legal aid and counsel to indigent persons in civil law matters and to encourage measures by which the law may better protect and serve their needs.” For more than 80 years, Legal Aid has been *making justice real* – in individual and systemic ways – for persons living in poverty in D.C. Since its founding, Legal Aid has served tens of thousands of the District’s neediest residents. Last year, more than 4,000 individuals came to Legal Aid for an initial interview during our open walk-in hours. Legal Aid currently serves individuals and families living in poverty in four priority areas – public benefits, consumer, family/domestic violence, and housing law. It also litigates appellate matters through its nationally-recognized Barbara McDowell Appellate Advocacy Project. To find out more about Legal Aid, please visit its website at www.legalaiddc.org.

Founded in 1983, **Wiley Rein LLP** counsels leaders in numerous industries nationwide and around the world. Recognized for excellence, integrity, and efficiency, the firm has more than 275 attorneys practicing in more than two dozen specialties of law and public policy. Its clients—from across the nation and around the world—include Fortune 500 corporations, trade associations, and individuals with significant business interests. To find out more about the firm’s capabilities, please visit the firm’s website at www.wileyrein.com.