

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Employment Services
Labor Standards Bureau

Office of Hearings and Adjudication
COMPENSATION REVIEW BOARD



(202) 671-1394-Voice
(202) 673-6402 - Fax

CRB No. 03-54

TERESITA BANTUG,

Claimant – Petitioner,

v.

CUSTODIAN OF THE SPECIAL FUND, D. C. DEPARTMENT OF EMPLOYMENT SERVICES,

Respondent.

Appeal from an Order of Alonzo Patterson, Custodian of the Special Fund,
Dismissing Application for Special Fund Relief
Special Fund No. 428, OWC No. 517770

Mark L. Schaffer, Esquire, for the Petitioner

Office of the Attorney General of the District of Columbia, for the Respondent¹

Before E. COOPER BROWN, *Chief Administrative Appeals Judge*, LINDA F. JORY and FLOYD LEWIS, *Administrative Appeals Judges*.

LINDA F. JORY, *Administrative Appeals Judge*, on behalf of the Review Panel:

ORDER OF DISMISSAL

JURISDICTION

Jurisdiction is conferred upon the Compensation Review Board pursuant to D.C. Official Code § 32-1521.01 and 32-1522 (2004), 7 DCMR § 230 (1994), and the Department of Employment Services Director's Directive, Administrative Policy Issuance 05-01 (February 5, 2005).²

¹ The legal interests of the Special Fund are deemed to be represented by the Office of the Attorney General (OAG). *See Cindy McGee v. The Custodian of the Special Fund*, CRB No. 03-052, Special Fund No. 441, OWC No. 517770 (July 17, 2006). That office has been served with the notices and orders issued by CRB in this matter, However, OAG has not filed any response to the appeal.

² Pursuant to Administrative Policy Issuance No. 05-01, dated February 5, 2005, the Director of the Department of Employment Services realigned the Office of Hearings and Adjudication to include, *inter alia*, establishment of the Compensation Review Board (CRB) in implementation of the District of Columbia Fiscal Year 2005 Budget Support Act of 20024, Title J, the Workers' Compensation Administrative Reform and Anti-Fraud Amendment Act of 2004, sec. 1102 (Oct. 1, 1994) *codified at* D. C. Code Ann. §§ 32-1521.01, 32-1522 (2005). In accordance with

Pursuant to 7 DCMR § 230.04, the authority of the Compensation Review Board extends over appeals from compensation orders including final decisions or orders granting or denying benefits by the Administrative Hearings Division (AHD) or the Office of Workers' Compensation (OWC) under the public and private sector Acts as well as final decisions of the Custodian of the Special Fund. *See Cindy McGee v. The Custodian of the Special Fund*, CRB No. 03-052, Special Fund No. 441, OWC No. 517770 (July 17, 2006).

BACKGROUND

On April 24, 2003, the Claimant/Petitioner (Petitioner), through counsel, filed an Application for Review appealing the April 10, 2003 Order issued by the Custodian of the Special Fund in this matter, which dismissed Petitioner's Petition for Special Fund Relief. On July 17, 2006, a Notice of Assignment to CRB Review Panel was issued to the parties. Counsel for Petitioner contacted the CRB on July 18, 2006, advising that payment has been made by the Special Fund thereby rendering the Application for Review moot.

ORDER

Accordingly, it is hereby ordered that Petitioner's Application for Review be DISMISSED.

FOR THE COMPENSATION REVIEW BOARD:

LINDA F. JORY
Administrative Appeals Judge

July 26, 2006

DATE

the Director's Policy Issuance, the CRB replaces the Office of the Director in providing administrative appellate review and disposition of workers' and disability compensation claims arising under the D.C. Workers' Compensation Act of 1979, as amended, D.C. Code Ann. §§ 32-1501 to 32-1545 (2005) and the D.C. Government Comprehensive Merit Personnel Act of 1978, as amended, D.C. Official Code §§ 1-623.1 to 1.643.7 (2005), including responsibility for administrative appeals filed prior to October 1, 2004, the effective date of the D.C. Workers' Compensation Administrative Reform and Anti-Fraud Amendment Act of 2004.