



Rob McKenna
ATTORNEY GENERAL OF WASHINGTON
800 Fifth Avenue #2000 • Seattle, WA 98104-3188

Manufactured Housing Dispute Resolution Program
•Consumer Protection Division•
1-866-924-6458

NOTICE OF NONVIOLATION

Date: February 20, 2009

Complainant: Elizabeth Brochu
[REDACTED]

Respondent: Country Estates Mobile Home Park
Attn: Carole Rongey
[REDACTED]

RE: Complaint # 322703 – Elizabeth Brochu

Pursuant to RCW 59.30.040, the Manufactured Housing Dispute Resolution Program has found there to be **NO VIOLATION** of the Manufactured/Mobile Home Landlord-Tenant Act (MHLTA) with regard to the above referenced complaint. This notice is based upon information gathered to date.

Explanation

(1) *RCW 59.20.060(1)(j) – Boundaries of Lot*

The Complainant, Elizabeth Brochu, complained that Country Estates MHP (Respondent) failed to provide her with an adequate description of her rented lot in violation of RCW 59.20.060(1)(j). After an investigation, the MHDRP has determined that Country Estates has not violated RCW 59.20.060(1)(j).

The MHLTA provides that a lease agreement shall contain a “description of the boundaries of a mobile home space sufficient to inform the tenant of the exact location of the tenant’s space in relation to other tenants’ spaces.” Ms. Brochu has contended that the phrase “exact location” requires the park to provide the precise dimensions of her lot. However, the remainder of the clause clarifies that the landlord must only provide information relative to other spaces in the park. A landlord need not provide exact measurements, and in practice, most mobile home spaces are identified by number and presented with a simple map of the park. If a

tenant desires specific information, she is free to request markers or similar implements to clarify the boundaries.

Ms. Brochu requested information from her landlord concerning the exact lot boundaries because her original lease included a park map with precise measurements noted for each space. Ms. Brochu argued that this map constituted a plat. However, the question of whether the map is a plat is irrelevant according to the requirements of RCW 59.20.060(1)(j). Ms. Brochu felt that her space did not conform to the measurements provided to her in the original lease. Country Estates first provided a revised map, and eventually staked out the lot lines for her. Additionally, Country Estates also explained why the maps were inaccurate. Country Estates met its duties under the MHLTA with these actions and provided Ms. Brochu concrete information regarding the exact location of her lot in relation to other tenant's lots. Therefore, Country Estates did not violate RCW 59.20.060(1)(j).

(2) *RCW 59.20.130(1) – Comply with Codes, Statutes, Ordinances, and Admin Rules applicable to mobile home parks*

Ms. Brochu has also complained that, because the original map she received constituted a “plat” of the mobile home park, that Country Estates was in violation of multiple city or county codes. To investigate this matter, the MHDRP contacted both Chelan County and the City of College Place. Neither county nor city found that Country Estates had violated any of their codes or ordinances. Therefore, Country Estates has not violated RCW 59.20.130(1).

Appeal of this Notice

You may appeal this Notice by requesting a hearing before an Administrative Law Judge. Such a request **must** be made **in writing** to this office within **15 days** of your receipt of this notice, otherwise this decision is final. This request must be mailed to: Attorney General of Washington, Manufactured Housing Dispute Resolution Program, 800 Fifth Avenue Suite 2000, Seattle, WA 98104-3188. This office will then coordinate with the Office of Administrative Hearings to schedule a hearing. The ALJ is authorized by statute to hear and receive pertinent evidence and testimony, and decide, by a preponderance of the evidence, whether a violation of the MHTLA has occurred. The ALJ's decision will constitute the final order of the Attorney General and may be appealed to Superior Court via instructions to be included in the ALJ's decision.

Signed this 20 day of February, 2009

Manufactured Housing Dispute Resolution Program

ROBERT M. MCKENNA

Attorney General



Cathie Caldwell
Program Manager
206-389-2106