



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

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## NOTICE OF NONVIOLATION

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**Date:** May 6, 2009

**Complainant:** Vanessa Ruelas  
[REDACTED]

**Respondent:** Hunter's Walk, LLC  
Attn: Dean Pollman  
[REDACTED]

**RE:** Complaint # 335003 – Vanessa Ruelas

**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 59.20.135(1)*

The Complainant, Vanessa Ruelas, complained that Hunter's Walk, LLC (Respondent) attempted to transfer responsibility of maintenance for a permanent structure to her in violation of RCW 59.20.135. After an investigation, the MHDRP has determined that Hunter's Walk has not violated RCW 59.20.135.

The MHLTA prevents landlords from transferring the responsibility for maintenance of permanent structures to a tenant of a mobile home park. However, only amenities not built or affixed by the tenant are permanent structures. If a tenant builds or affixes a structure, it is not considered a permanent structure under RCW 59.20.135.

Here, Ms. Ruelas clearly purchased the shed as a "Retailer Installed Option" upon a refinance in 2004. Additionally, the shed has been included in an appraisal of her home in 2005.

Therefore there is a preponderance of evidence indicating that Ms. Ruelas purchased the shed as part of a park package when she originally bought the home in 2001. As such, it was built or affixed by her and is not the responsibility of the Park.

**Appeal of this Notice**

You may appeal this Notice by requesting a hearing before an Administrative Law Judge (ALJ). 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 6 day of May, 2009

**Manufactured Housing Dispute Resolution Program**

**ROBERT M. MCKENNA**  
Attorney General

  
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Cathie Caldwell  
Program Manager