



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 VIOLATION**

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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 a VIOLATION of the Manufactured/Mobile Home Landlord-Tenant Act (MHLTA) with regard to the above referenced complaint. This notice is based upon the results of an investigation pursuant to RCW 59.30.040(3) and the information gathered to date.**

**Explanation of Violation**

(1) RCW 59.20.130(2), (3), (4)-Failure to maintain common premises

Introduction

The Complainant, Ms. Vanessa Ruelas, complained that Hunter's Walk, LLC (Park) has failed to maintain a security gate located at the Park's entrance and that the gate has fallen into disrepair. The Complainant filed a request for dispute resolution with the Manufactured Housing Dispute Resolution Program (MHDRP) on February 24, 2009. The MHDRP has now conducted an investigation and provides the following Summary of Investigation and Explanation of Violation.

Summary of Investigation

1. Parties

- a. The Complainant is a tenant in the Hunter's Walk Mobile Home Park located in Centralia, Washington.
  - b. The Complainant owns her manufactured home and has rented [REDACTED] during all times relevant to this Notice.
  - c. Mr. Dean Pollman is the owner of Hunter's Walk, LLC.
2. Lease Agreement
- a. Ms. Ruelas purchased a mobile home on March 15, 2001.
  - b. On May 29, 2001, Ms. Ruclas signed a Rental Agreement with Coffee Creek Mobile Home Park, now doing business as Hunter's Walk, and moved into the park.
  - c. Ms. Ruelas refinanced her home in 2004 after the Park became known as Hunter's Walk.
3. Security Gate
- a. On December 11, 2002, Coffee Creek (now Hunter's Walk) sent a letter to tenants indicating that rent was increasing in part to cover the costs of a newly installed security gate.
  - b. Hunter's Walk advertised itself as a gated community at various points in 2004.
  - c. On April 28, 2009, MHDRP Investigator Richard LaMonica conducted a site visit and visual inspection of the security gate, and obtained photographic evidence showing the gate to be in disrepair.
  - d. The gate's security keypad kiosk has been knocked over and not repaired.
  - e. The gate does not open or close and remains in the open position.
4. Landlord Response
- a. Mr. Pollman stated that he would remove the gate and keypad kiosk.

#### Explanation of Violation

The Attorney General hereby finds as follows:

1. Violation (1)
  - a. RCW 59.20.130(2) requires landlords to maintain the common premises of a manufactured housing community or mobile home park.
  - b. RCW 59.20.130(3) requires landlords to keep any shared or common premises reasonably clean, sanitary, and safe from defects to reduce the hazards of fire or accident.
  - c. RCW 59.20.130(4) requires landlords to keep all common premises of the mobile home park not in the possession of tenants free from potentially injurious or unsightly objects and condition.
  - d. The security gate at Hunter's Walk, LLC's main entrance has not been maintained, is a potential source of accident or injury, and is an unsightly object.
  - e. Hunter's Walk, LLC is in violation of RCW 59.20.130(2), (3), and (4).

#### Corrective Action Required

Pursuant to RCW 59.30.040(5)(a), Hunter's Walk, LLC shall make all necessary repairs to the security gate to make it fully operational. Alternately, Hunter's Walk, LLC may remove the security gate entirely, but nothing in this Notice shall be construed to limit any person's rights, including any and all causes of action, against Hunter's Walk, LLC with regard to the

removal of the security gate. The security gate shall be repaired or removed entirely within **15 business days** of receipt of this Notice of Violation unless a request for hearing is received by this office as indicated below.

**Failure to Take Corrective Action**

Pursuant to RCW 59.30.040(6), if corrective action is not taken in accordance with the above paragraph, the Park shall be subject to a fine of **\$100 per day** for the first 15 days, and **\$250 per day** thereafter. Additionally, the attorney general will issue an order requiring the park to take the necessary steps to ensure compliance with this Notice of Violation.

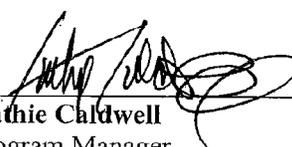
**Appeal of this Notice**

You may appeal this Notice, and any fines or orders resulting from it, by requesting a hearing before an Administrative Law Judge (ALJ). Such a request **must** be made **in writing** to this office within **15 business 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. Upon receipt of your request, this office will 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 in accordance with 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