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THE STATE OF WASHINGTON  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE OFFICE OF THE ATTORNEY GENERAL  
MANUFACTURED HOUSING DISPUTE RESOLUTION PROGRAM

In Re Complaint of:

Melody Hooper,

Appellant.

Docket No. 2009-AGO-0002

MHDRP Complaint No. 311767

ORDER OF DISMISSAL BY DEFAULT  
ON APPELLANT'S FAILURE TO  
APPEAR

On March 06, 2009, the Manufactured Housing Dispute Resolution Program (MHDRP) issued a Notice of Nonviolation to Coach Country Corral MHP and Complainant Melody Hooper regarding Complaint No. 311767.

The Complainant appealed the Notice of Nonviolation and requested an administrative hearing.

The matter was scheduled for a prehearing conference at 9:45 a.m. on Thursday, April 30, 2009 by telephone, pursuant to due and proper notice to all interested parties. The parties were instructed to call in for the hearing ten (10) minutes prior to the start time [local and toll free numbers were provided]. The parties were told that after they called in, they would be called back at the number provided to begin the conference. Under the **Failure to Appear** heading, the parties were advised:

**Parties who fail to attend or participate in a hearing or other stage of an adjudicative proceeding may be held in default in accordance with chapter 34.05 RCW, RCW 34.05.440.**

The Appellant, Melody Hooper, failed to appear and failed to make any request for postponement. The MHDRP appeared and was represented by Jake Bernstein, Assistant Attorney General. Also present from the MHDRP were Cathie Caldwell, program manager,

and Mary Harper, legal assistant. Carol Mitchell and Coach Country Corral were represented by attorney B. Tony Branson.

A Motion for Dismissal due to the Appellant's failure to appear was made. The record established that the Appellant did in fact receive the Notice of Prehearing Conference. The Motion for Dismissal was granted.

**Now Therefore it is ORDERED that the Appellant Melody Hooper is in DEFAULT** pursuant to RCW 34.05.440 and the appeal is hereby **DISMISSED**. The Notice of Nonviolation issued on March 06, 2009 regarding Complaint No. 311767 issued by the Manufactured Housing Dispute Resolution Program remains in full force and effect.

**Dated and mailed** this 1<sup>st</sup> day of May, 2009 at Olympia, Washington.



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Elmer Canfield  
Administrative Law Judge  
Office of Administrative Hearings  
Post Office Box 9046  
Olympia WA 98507-9046

## **NOTICE TO PARTIES**

### **Appeal of Order**

This order constitutes the final agency order and may be appealed to Superior Court, RCW 59.30.040(9)(c). An aggrieved party has thirty (30) days within which to file a petition for review with Superior Court pursuant to RCW 34.05.542(2) of the Administrative Procedure Act, Chapter 34.05 RCW. A copy of the petition shall also be served on all other parties. The decision of the Superior Court is subject only to discretionary review pursuant to Rule 2.3 of the Rules of Appellate Procedure.

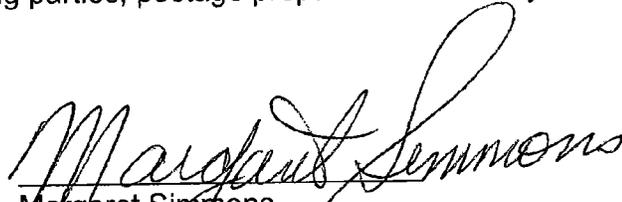
### **Petition to Vacate**

This order becomes final unless within seven (7) days from the date this order is mailed a Petition to Vacate the Order of Dismissal by Default is filed with the Office of

Administrative Hearings at the address listed above, stating the grounds relied upon, pursuant to RCW 34.05.440(3). A copy shall also be served on all other parties, RCW 34.05.437(3).

**Certificate of Service**

I assert that true and exact copies of the Order of Dismissal by Default on Appellant's Failure to Appear were mailed to the following parties, postage prepaid on the 1<sup>st</sup> day of May, 2009 at Olympia, Washington.

  
Margaret Simmons  
Legal Secretary

Carol Mitchell  
Coach Country Corral MHP



Melody Hooper



Cathie Caldwell  
Program Manager  
Manufactured Housing Dispute  
Resolution Program  
800 - 5<sup>th</sup> Ave., Suite 2000  
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B. Tony Branson  
Attorney at Law

