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

SETTLEMENT AGREEMENT IN LIEU OF NOTICE OF VIOLATION

Date: May 5, 2009

Complainant: Charles Johnson
[REDACTED]

Respondent: Mountain Villa Estates MHC
Ocean Avenue Associates, LLC
c/o John Woodring
[REDACTED]

RE: Complaint # 308739 – Chuck Johnson

Pursuant to RCW 59.30.040, the Manufactured Housing Dispute Resolution Program has found there to be one or more VIOLATIONS of the Manufactured/Mobile Home Landlord-Tenant Act (MHLTA) with regard to the above referenced complaint. **HOWEVER**, in lieu of a Notice of Violation, the Complainant and Respondent hereby enter into the following Settlement Agreement.

I. Introduction

1.1 The Complainants, Chuck and Betty Johnson, originally filed a complaint with the Manufactured Housing Dispute Resolution Program (MHDRP) on January 9, 2008.

- 1.2 One aspect of this complaint, regarding the park rules, has been resolved through negotiation and was not the subject of this investigation.
- 1.3 After an investigation of the responsibility of maintenance of the shed, the MHDRP determined that sufficient evidence exists to issue a Notice of Violation as outlined below.
- 1.4 Both Complainant and Respondent understand that by signing this Settlement Agreement In Lieu of Notice of Violation that they waive their right to a hearing under RCW 59.30.040 at this time.
- 1.5 However, both Complainant and Respondent desire to expedite the resolution of this matter by means of this Settlement Agreement. In so doing, the parties do not intend this Settlement Agreement to have any effect, evidentiary or otherwise, in any other separate proceeding in which the Complainant and Respondent are a party except as otherwise directed below.

II. Settlement Terms

- 2.1 This settlement agreement is entered into between Charles and Betty Johnson and Mountain Villa Estates Manufactured Housing Community in lieu of a Notice of Violation being entered by the Manufactured Housing Dispute Resolution Program pursuant to RCW 59.30.040.
- 2.2 By entering into this Settlement Agreement, Respondent admits no violations or liability under the Manufactured/Mobile Home Landlord-Tenant Act, (RCW 59.20). Respondent further admits no violations or liability under the Manufactured/Mobile Home Landlord-Tenant Act to any other tenant in Mountain Villa Estates Mobile Home Community (Community) as a result of entering into this Settlement Agreement.

III. Actions Agreed Upon

- 3.1 The parties hereby settle this dispute and sign this Settlement Agreement in Lieu of Notice of Violation to indicate their agreement that the following actions shall be taken by Mountain Villa Estates MHC at the expense thereof within **30 days** of the MHDRP Manager's signing of this Agreement:
- (a) Mountain Villa Estates MHC will cause the necessary repairs to the shed located on the Johnsons' rented lot to be performed. These repairs include: fixing of the leaky ceiling, prevention of pooling of water on roof, and repair of rotted section of floor.
- 3.2 Complainant and Respondent acknowledge that Mountain Villa Estates MHC bears no responsibility for the additional carport (unattached to a shed) on Mr. Johnson's rented lot because a previous tenant constructed that carport.

3.3 This Settlement Agreement shall serve to resolve the matter in the Manufactured Housing Dispute Resolution Program unless the agreed upon actions are not taken within the indicated time.

IV. Compliance With This Agreement

4.1 If the parties fail to perform the agreed upon actions listed above within the allotted time, the MHDRP will issue an appropriate Notice of Violation. This Notice may be appealed pursuant to RCW 59.30.040.



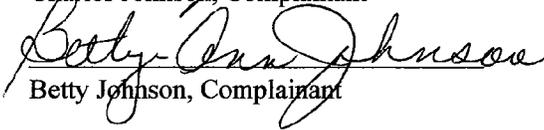
CORY SUKERT
Cal-Am Properties, Inc.

Date



Charles Johnson, Complainant

7/13/09
Date



Betty Johnson, Complainant

7/13/09
Date

Approved and Entered into MHDRP Files,



Cathie Caldwell, Program Manager

7/16/09
Date