

ATTORNEY GENERAL
OF THE STATE OF WASHINGTON

MANUFACTURED HOUSING
DISPUTE RESOLUTION PROGRAM

In the Matter of the

**Complaint of Cinderella D'Andrea
Against Windsor Court.**

NOTICE OF NON-VIOLATION

RCW 59.30.040

MHDRP Complaint No. 465781

Following an investigation into the above-entitled matter pursuant to RCW 59.30.040, the Manufactured Housing Dispute Resolution Program of the Office of the Attorney General of Washington has found there to be NO VIOLATION of the Manufactured/Mobile Home Landlord-Tenant Act, RCW 59.20. If you disagree with this decision, your attention is directed to the section entitled APPEAL RIGHTS at the end of this Notice, which outlines the procedures under RCW 59.30.040 for filing an appeal.

This Notice does not limit the rights of any party to take other legal action.

I. INTRODUCTION

- 1.1 In the summer of 2015, Cinderella D'Andrea filed a complaint against Windsor Court with the Manufactured Housing Dispute Resolution Program (the Program). Ms. D'Andrea alleged that Windsor Court violated the Manufactured/Mobile Home Landlord-Tenant Act (MHLTA), RCW 59.20, in several respects including by increasing her rent without the proper notice. The Program contacted Windsor Court in an attempt to facilitate negotiations between the parties and resolve the dispute through an informal dispute resolution process. However, the parties were not able to negotiate a resolution to this matter and the Program concluded that an agreement could not be reached between the parties. Therefore, the Program conducted a formal investigation pursuant to RCW 59.30.040. As more fully set forth below, the Program concludes that Windsor Court did not violate the MHLTA.

II. FACTUAL BACKGROUND

- 2.1 Windsor Court is a mobile home park for purposes of RCW 59.20.030(10), and is located in Lakewood, Washington.
- 2.2 Ms. D'Andrea owns and resides in a manufactured/mobile home located on space rented from Windsor Court, and therefore is a tenant under RCW 59.20.030(18).
- 2.3 Windsor Court sent Ms. D'Andrea a letter dated March 27, 2013, informing her that her rent would increase from \$405.00 per month to \$430.00 per month beginning October 1, 2013.

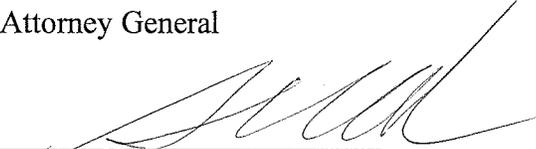
III. NON-VIOLATION

- 3.1 RCW 59.20.090(2) provides that "A landlord seeking to increase the rent upon expiration of the term of a rental agreement of any duration shall notify the tenant in writing three months prior to the effective date of any increase in rent."
- 3.2 Ms. D'Andrea was provided written notice of the rent increase approximately six months prior to the effective date of the rent increase. Windsor Court complied with the notice required by RCW 59.20.090(2).

Signed this 10th day of March, 2017.

MANUFACTURED HOUSING DISPUTE
RESOLUTION PROGRAM

ROBERT W. FERGUSON
Attorney General



SHANNON E. SMITH
Senior Counsel
Division Chief, Consumer Protection Division

APPEAL RIGHTS

Either party may appeal this Notice by requesting a hearing before an administrative law judge. If neither party appeals this Notice, the Notice of Non-Violation becomes a final order of the Attorney General and is not subject to review by any court or agency.

RCW 59.30.040 governs the parties' appeal rights. A copy of RCW 59.30.040 is attached. An appeal of this Notice requesting a hearing must be:

- In writing, stating the basis for the appeal and the specific remedy sought
- Signed by the appealing party
- Received by Manufactured Housing Dispute Resolution Program within fifteen (15) business days of the party's receipt of this notice
- Mailed or delivered to:
 - Attorney General's Office
 - Manufactured Housing Dispute Resolution Program
 - 800 Fifth Avenue, Suite 2000, TB-14
 - Seattle, WA 98104-3188

If a timely appeal is received, the Manufactured Housing Dispute Resolution Program (the Program) will coordinate with the Office of Administrative Hearings to schedule a hearing. In an appeal, you will bear the cost of your own legal expenses. An administrative law judge will hear and receive pertinent evidence and testimony and decide whether a violation of RCW 59.20 has occurred by a preponderance of the evidence. The administrative law judge's decision will constitute the final agency order of the Program. A final order may be appealed to superior court according to instructions included in a decision.

PROOF OF SERVICE

I certify that I served a copy of this document on all parties or their counsel of record on the date below as follows:

Certified and First-Class Mail

TO: Cinderella Helga D'Andrea
3314 96th Street S, #73
Lakewood, WA 98499

Windsor Court Mobile Estates
c/o Luke Kim
3314 96th Street S
Lakewood, WA 98499

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED this 10th day of March, 2017, at Seattle, Washington.


P. JOSEPH DROUIN
Legal Assistant