

ATTORNEY GENERAL  
OF THE STATE OF WASHINGTON

MANUFACTURED HOUSING  
DISPUTE RESOLUTION PROGRAM

**In the Matter of the**

**Complaints of Arthur Ingalls and Kathi Galvao Against Friendly Village of Redmond.**

**NOTICE OF NON-VIOLATION**

**RCW 59.30.040**

**MHDRP Complaint Nos. 470058  
and 466810**

**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, Arthur Ingalls and Kathi Galvao each filed a complaint against Friendly Village of Redmond (Friendly Village) with the Manufactured Housing Dispute Resolution Program (the Program). Mr. Ingalls and Ms. Galvao each alleged that Friendly Village violated the Manufactured/Mobile Home Landlord-Tenant Act (MHLTA), RCW 59.20, in several respects including the maintenance of roads within the manufactured/mobile home park. The Program contacted Friendly Village in an attempt to facilitate negotiations between the parties and resolve the disputes 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 Friendly Village did not violate the MHLTA.

## **II. CONSOLIDATION**

- 2.1 Because Mr. Ingalls and Ms. Galvao complained about the same issue, the Program consolidated the complaints into this single Notice. Each complainant has a separate right to appeal this Notice.

## **III. FACTUAL BACKGROUND**

- 3.1 Friendly Village is a mobile home park for purposes of RCW 59.20.030(10), and is located in Redmond, Washington.
- 3.2 Mr. Ingalls owns and resides in a manufactured/mobile home located on space rented from Friendly Village, and therefore is a tenant under RCW 59.20.030(18). Mr. Ingalls space number at Friendly Village is 102.
- 3.3 Ms. Galvao owns and resides in a manufactured/mobile home located on space rented from Friendly Village, and therefore is a tenant under RCW 59.20.030(18). Ms. Galvao's space number at Friendly Village is 174.
- 3.4 Mr. Ingalls and Ms. Galvao each complain that roots from large trees are causing damage to the streets in the park.
- 3.5 The roads in Friendly Village are asphalt. Along the edges of the asphalt is an approximately one foot wide strip of concrete. Mr. Ingalls and Ms. Galvao refer to this concrete portion of the road as a "sidewalk." The strip of concrete is flush with the asphalt (there is no change in elevation between the two).
- 3.6 Friendly Village is a wooded area with many mature evergreen trees throughout the park. Friendly Village was established between 1971-1973. Prior to use as a manufactured/mobile home park, the land was used for agriculture, specifically a turkey farm. The large evergreen trees throughout the park pre-date the existence of Friendly Village.
- 3.7 One of these large evergreen trees is located in Mr. Ingalls's front yard, between Mr. Ingalls home and the street. This tree has caused the concrete strip at the edge of the road to buckle and lift approximately six inches. A patch of asphalt has been applied to smooth and cover the separation of pavement caused by the root.
- 3.8 The concrete strip at the edge of the road has also buckled in front of space 177. The buckle in the concrete strip lifts approximately six inches from the ground.
- 3.9 Friendly Village resurfaced the roads in the summer of 2012. The roads are generally in good condition.

3.10 Ms. Galvao's complaint to the Program also alleged that the clubhouse was inaccessible to mobility impaired tenants. However, no evidence shows that the clubhouse is physically inaccessible to tenants.

#### IV. NON-VIOLATIONS

4.1 RCW 59.20.130(9) requires landlords to "[m]aintain roads within the mobile home park in good condition."

4.2 Friendly Village is currently meeting its obligation to maintain the roads in good condition pursuant to the statute.

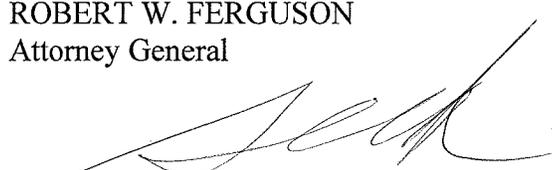
4.3 RCW 59.20.130(1) requires landlords to "[c]omply with codes, statutes, ordinances, and administrative rules applicable to the mobile home park."

4.4 The evidence does not establish a violation of the law regarding the accessibility of the clubhouse.

Signed this 10th day of March, 2017.

#### MANUFACTURED HOUSING DISPUTE RESOLUTION PROGRAM

ROBERT W. FERGUSON  
Attorney General



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SHANNON E. SMITH  
Senior Counsel  
Chief, Consumer Protection Division

## APPEAL RIGHTS

Any 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 you own legal expenses. An administrative law judge will hear and receive pertinent evidence and testimony and decide whether a violation of chapter 59.20 RCW 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 Regular US Mail

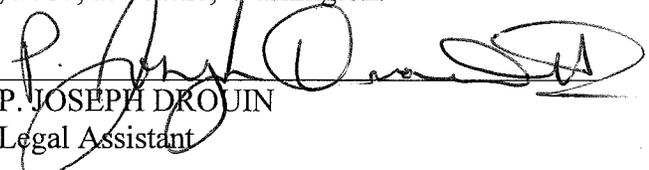
TO: Arthur Ingalls  
18425 NE 95<sup>th</sup> St., #9  
Redmond, WA 98052

Kathi Galvao  
18425 NE 95th St., 174  
Redmond, WA 98052

Friendly Village  
c/o Mathew J. Marcus  
PO Box 2258  
Olympia, WA 98507

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

DATED this 10<sup>th</sup> day of March, 2017, at Seattle, Washington.

  
P. JOSEPH DROJIN  
Legal Assistant