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Scott G. Weber, Clerk, Clark Co.

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**STATE OF WASHINGTON
CLARK COUNTY SUPERIOR COURT**

TST, LLC dba OAKS MOBILE AND
RV COURT

Petitioner,

v.

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

Respondent.

NO. 19-2-00793-06

~~PROPOSED~~
ORDER CERTIFYING CASE FOR
DIRECT REVIEW UNDER
RCW 34.05.518

This matter having come before the Court on the Manufactured Housing Dispute Resolution Program's (Program) Application for Direct Review Under RCW 34.05.518, and the Court having reviewed the foregoing Application and supporting materials, any Response to the Application and any supporting materials, and the Program's reply and any supporting materials, and being familiar with the records and files herein; and the Court having heard arguments, enters its findings, conclusions, and order as follows:

FINDINGS OF FACT

1. On March 15, 2019, Petitioner TST, LLC dba Oaks Mobile and RV Court filed in this Court a Petition for Review of the Final Order Denying TST's Motion to Strike and Granting the

1 Program's Motion for Summary Judgment (Order), Office of Administrative Hearings, Docket
2 No. 09-2018-AGO-00025 (Feb. 15, 2019).

3 2. The Order is the final agency order of the Program, RCW 59.30.040(10).

4 3. Judicial review of the Order is limited to the agency record.

5 4. This case involves a fundamental and urgent issue that affects the future administrative
6 process of the Program and involves the public interest requiring a prompt determination.

7 5. Delay in obtaining a final and prompt determination of this issue would be detrimental
8 to the tenants involved, the Program and the public interest.

9 6. An appeal to the Court of Appeals would be likely regardless of the determination of
10 this Court.

11 7. Determination in the proceeding by the Court of Appeals would have significant
12 precedential value.

13 CONCLUSIONS OF LAW

14 1. This case is appropriate for certification for direct review by the Court of Appeals
15 under RCW 34.05.518(2) because it involves the final decision of an administrative agency in an
16 adjudicative proceeding, and because judicial review is limited to the record of the agency. *See*
17 *also*, RCW 34.05.518(1)

18 2. This case satisfies all of the criteria for direct review set forth in RCW 34.05.518(2)(a)-
19 (d).

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