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

In the Matter of: Maria Maldonado, Complainant, v. AAA Mobile Home Park, Respondent.	NOTICE OF NONVIOLATION VOLUNTARY COMPLIANCE RCW 59.30.040 MHDRP Complaint No. 332930

During the investigation into the above-entitled matter pursuant to RCW 59.30.040, the Program Manager of the Manufactured Housing Dispute Resolution Program of the Office of the Attorney General of Washington found there to be a potential VIOLATION of the Manufactured/Mobile Home Landlord-Tenant Act, RCW 59.20. However, during the course of the investigation the Respondent VOLUNTARILY COMPLIED with RCW 59.20. As a result, compliance with RCW 59.20 has been achieved. If you are aggrieved by the Program Manager's 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 obtaining review of this decision by an administrative law judge.

I. BACKGROUND AND INVESTIGATION

1. The Complainant, Maria Maldonado, filed a complaint under RCW 59.30.040 with the Washington State Attorney General's Manufactured Housing Dispute Resolution Program (MHDRP) against her landlord, AAA Mobile Home Park (AAA), alleging violations of the Manufactured/Mobile Home Landlord-Tenant Act (MHLTA), RCW 59.20. AAA is a mobile home park for purposes of RCW 59.20.030(10), and is located in Moses Lake, Washington. Julie Chung is the owner of AAA. At the time she filed her complaint with the MHLTA, Ms. Maldonado resided at AAA.

2. In his complaint Ms. Maldonado alleged that AAA overcharged her for utilities, in violation RCW 50.20.070(6). Ms. Chung admitted that she overcharged

tenants for electrical usage by charging them 50 cents per kw/hr instead of the Grant County Public Utility District rate of .4724 cents per kw/hr.

3. After contacting the parties and attempting to resolve the disputes through the informal dispute resolution process, the MHDRP conducted a formal investigation pursuant to RCW 59.30.040(3) and found that AAA was in violation of the MHLTA. However, AAA agreed to comply with RCW 59.20.070 and an agreement was reached between the parties.

4. Ms. Chung agreed to install individual electrical meters on Ms. Maldonado's rented lot and on the rented lots of all park tenants. The MHDRP has verified Ms. Chung's claims with the Grant County Public Utility District and confirmed that Ms. Chung made a substantial investment of funds in order to have the meters installed. Park tenants report that their electrical bills now appear normal.

II. CONCLUSIONS

1. The MHLTA regulates and determines the legal rights, remedies, and obligations arising from a rental agreement between a mobile home lot tenant and a mobile home park landlord. RCW 59.20.040. Any party aggrieved by a violation of RCW 59.20 party has the right to file a complaint with the MHDRP of the Attorney General's Office. RCW 59.30.040 (1). After receiving the complaint, the Attorney General's Office shall initiate the dispute resolution program by investigating alleged violations at its discretion and, if appropriate, facilitate negotiation between the parties. RCW 59.30.040(3). If after an investigation the MHDRP determines an agreement cannot be negotiated between the parties, the MHDRP will make a written determination on whether a violation of the MHLTA has occurred. RCW 59.30.040(5)-(6).

2. Here, following an investigation into the above-referenced complaint, the parties have reached an agreement. AAA has agreed to install individual electric meters on Ms. Maldonado's rented lot and on the rented lots of all park tenants. This corrective action will alleviate Ms. Maldonado's concerns and prevent future violations of RCW 50.20.070(6). Accordingly, the MHDRP has concluded that AAA has not violated RCW 59.20.070(6), as she has voluntarily complied with the law. No penalties shall be imposed at this time on either party.

III. ORDER

Now, based on the foregoing, it is therefore ORDERED that this **NOTICE OF NONVIOLATION/VOLUNTARY COMPLIANCE** be issued and served upon all parties in this matter pursuant to RCW 59.30.040.

Signed this 26 **day of** May, **2010**

Manufactured Housing Dispute Resolution Program

ROBERT M. MCKENNA
Attorney General

CATHIE CALDWELL
Program Manager

A copy of this Notice has been mailed to the following parties:

Maria Maldonado — Complainant

[redacted]

AAA Mobile Home Park — Respondent
Attn: Julie Chung

[redacted]

The Office of the Attorney General of Washington prohibits the use of its name to promote any business practice or service.

APPEAL OF THIS NOTICE

You may appeal this Notice by requesting a hearing before an administrative law judge. RCW 59.30.040. Any appeal must be made within fifteen (15) days of receipt of this Notice and sent to the following address:

Attorney General of Washington
Manufactured Housing Dispute Resolution Program
800 Fifth Avenue Suite 2000
Seattle, WA 98104-3188

Your appeal must be submitted in writing and must be signed. The administrative law judge has authority to receive evidence and testimony in order to decide whether the evidence supports the MHDRP's decision by a preponderance of the evidence.

If you do not submit a signed, written appeal within fifteen (15) days of receiving this Notice, this Notice will become final and binding on all parties. For more information on your rights and responsibilities with regard to this Notice, consult RCW 59.30.