



Rob McKenna
ATTORNEY GENERAL OF WASHINGTON
800 Fifth Avenue #2000 • Seattle, WA 98104-3188

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

**NOTICE OF NONVIOLATION
-VOLUNTARY COMPLIANCE-**

Date: March 23, 2010
Complainant: Robert McKechnie
[REDACTED]
Respondent: Country Dale Mobile Home Park
c/o Doris Lawler
[REDACTED]

RE: Complaint # 351760 – Robert McKechnie

Pursuant to RCW 59.30.040, the Manufactured Housing Dispute Resolution Program has conducted an investigation and found there to be a violation of the Manufactured/Mobile Home Landlord-Tenant Act (MHLTA). However, during the course of the investigation, the Respondent **VOLUNTARILY COMPLIED** with the law. Therefore, currently there is no violation of the MHLTA with regard to the above referenced complaint, as compliance has already been achieved. This notice is based upon information gathered to date.

Explanation

(1) *RCW 59.20.135 – Transfer of Maintenance of Permanent Structures*

The Complainant, Robert McKechnie, complained that Country Dale Mobile Home Park had attempted to transfer the responsibility for maintenance of a storage shed to him in violation of RCW 59.20.135.

The MHLTA prohibits landlords from transferring responsibility for the maintenance of permanent structures to tenants. A permanent structure is defined as an amenity, not built or affixed by the tenant, to include carports, storage sheds, clubhouses, and similar structures.

Here, Country Dale Mobile Home Park, which initially refused to repair the shed claiming it was the responsibility of the tenant, has since made the necessary repairs to the mutual satisfaction of both parties. Therefore, no violation of RCW 59.20.135 currently exists.

Appeal of this Notice

You may appeal this Notice by requesting a hearing before an Administrative Law Judge (ALJ). Such a request ***must*** be made ***in writing*** to this office within ***15 days*** of your receipt of this notice, otherwise this decision is final. This request must be mailed to: Attorney General of Washington, Manufactured Housing Dispute Resolution Program, 800 Fifth Avenue Suite 2000, Seattle, WA 98104-3188. This office will then coordinate with the Office of Administrative Hearings to schedule a hearing. The ALJ is authorized by statute to hear and receive pertinent evidence and testimony, and decide, by a preponderance of the evidence, whether a violation of the MHTLA has occurred. The ALJ's decision will constitute the final order of the Attorney General and may be appealed to Superior Court via instructions to be included in the ALJ's decision.

Signed this 23 day of March, 2010

Manufactured Housing Dispute Resolution Program

ROBERT M. MCKENNA
Attorney General



Cathie Caldwell
Program Manager