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ATTORNEY GENERAL OF WASHINGTON

• Consumer Protection Division •
800 Fifth Avenue #2000 • Seattle, WA 98104-3188

Manufactured Housing Communities Dispute Resolution Program
1-866-924-6458

NOTICE OF NONVIOLATION

January 9, 2012

By Certified Mail

To:

Paul and Debra Puckett
[REDACTED]

Little Mountain Estates
Attn: Janet Brown, Property Manager
[REDACTED]

RE: Complaint: 393793 – Paul and Debra Puckett

Pursuant to RCW 59.30.040, the Manufactured Housing Communities Dispute Resolution Program (MHCDRP) has found there to be no violation of the Manufactured/Mobile Home Landlord-Tenant Act (MHLTA) with regard to the above referenced complaint.

Explanation

The Complainants, Paul and Debra Puckett, submitted a request for dispute resolution with Little Mountain Estates. Negotiations between the parties were not successful in reaching a resolution. The request for dispute resolution alleged the following violations:

1. *RCW 59.20.020 - Rights and remedies — Obligation of Good Faith Required*

This issue is whether Little Mountain Estates acted in other than good faith in its dealings with Paul and Debra Puckett.

After completing an investigation, the MHCDRP finds no basis to determine that Little Mountain Estates has violated an imposed obligation of good faith in its performance or enforcement of a landlord's duty related to this matter.

2. *RCW 59.20.130 (6)—Failure to Maintain Utilities*

The second issue in dispute is whether Little Mountain Estates failed to bear the cost of repair/replacement of the sewer connection (side sewer) between the main sewer line and the Puckett's manufactured home in violation of the MHLTA.

After completing an investigation, the MHCDRP has determined that Little Mountain Estates is not responsible for maintaining or repairing a tenant's side sewer. The sewer connection (side sewer) between the Puckett's home and the main sewer was installed by the original tenant and is therefore, a tenant responsibility to maintain and repair. Little Mountain Estates has not violated the Manufactured/Mobile Home Landlord-Tenant Act (MHLTA) by refusing to bear the cost of replacing the side sewer.

Appeal of this Notice

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

An appeal of this Notice requesting a hearing must be:

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

If a timely appeal is received, MHCDRP will coordinate with the Office of Administrative Hearings to schedule a hearing. The respondent and complainant shall each bear the cost of his or her own legal expenses. An administrative law judge will hear and receive pertinent evidence and testimony and decide whether a violation of the MHTLA has occurred by a preponderance of the evidence. The administrative law judge's decision will constitute the final agency order of MHCDRP. A final order may be appealed to superior court according to instructions included a decision.

Signed this 9th day of January, 2012

ROBERT M. MCKENNA
Attorney General



Paul N. Corning
Program Manager
Manufactured Housing Communities
Dispute Resolution Program