

ATTORNEY GENERAL  
OF THE STATE OF WASHINGTON

MANUFACTURED HOUSING  
DISPUTE RESOLUTION PROGRAM

In the Matter of the

Complaint of Donna Skechak Against  
Valleybrook Mobile Home Park.

NOTICE OF NON-VIOLATION

RCW 59.30.040

MHDRP Complaint No. 414615

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 On August 15, 2012, Donna Skechak filed a complaint against Valleybrook Mobile Home Park (Valleybrook) with the Manufactured Housing Dispute Resolution Program (MHDRP). Skechak alleged that Valleybrook violated the Manufactured/Mobile Home Landlord-Tenant Act (MHLTA), RCW 59.20, by failing to properly address a rodent problem in the park. The MHDRP contacted respondent in an attempt to facilitate negotiations between the parties and resolve the dispute through an informal dispute resolution process. However, the parties were not able to negotiate a resolution to this matter and the MHDRP concluded that an agreement could not be reached between the parties. Therefore, the MHDRP conducted a formal investigation pursuant to RCW

59.30.040. As more fully set forth below, the MHDRP determines that respondent has not violated RCW 59.30.130(5).

## **II. FACTUAL BACKGROUND**

- 2.1 Valleybrook is a mobile home park for purposes of RCW 59.20.030(10), and is located in Tacoma, Washington.
- 2.2 Skechak owns and resides in a manufactured/mobile home located on space rented from Valleybrook, and therefore is a tenant under RCW 59.20.030(18).
- 2.3 Skechak has found evidence of rats in her shed and car and has previously seen rats running around the park lots and in the street. Several years ago, rats enlarged holes in her floor and gnawed on cabinets, baseboard, and door trim. Skechak has placed traps and caught four rats. Skechak has also hired pest control.
- 2.4 A repairman came to Skechak's home and fixed/closed 18 holes and cleaned out about 50 spots in the home's undercarriage insulation
- 2.5 Other park residents have seen rats and have had problems with rats gnawing on cabinets, baseboards, and wiring.
- 2.6 Across the street from Skechak's home, outside of Valleybrook, there was previously an abandoned home that had sustained flood damage. However, the building has been removed and the lot is now vacant. Several residents opined that the rats originally came from this abandoned home.
- 2.7 Valleybrook is located one block from a river and is surrounded by brush and woods.
- 2.8 The common areas in Valleybrook include the streets and street-end-turnarounds and a small closed building.
- 2.9 The MHDRP investigator visited Valleybrook on three different occasions. On each occasion the investigator looked for, but failed to find, evidence of rats in the park's common areas.

## **III. NON-VIOLATIONS**

- 3.1 RCW 59.20.130(5), provides that a landlord shall:

Exterminate or make a reasonable effort to exterminate rodents, vermin, or other pests dangerous to the health and safety of the tenant whenever infestation exists on the common premises or whenever infestation occurs in

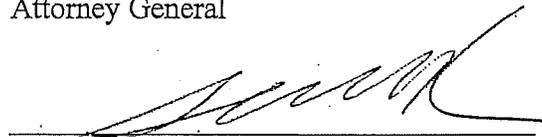
the interior of a mobile home, manufactured home, or park model as a result of infestation existing on the common premises

The evidence here does not establish that there is an infestation of rodents on the common premises of Valleybrook. Therefore, Valleybrook is not in violation of RCW 59.20.130(5).

Signed this 31<sup>st</sup> day of May, 2013.

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

Either 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, MHDRP will coordinate with the Office of Administrative Hearings to schedule a hearing. In an appeal you will bear the cost of your 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 MHDRP. A final order may be appealed to superior court according to instructions included 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

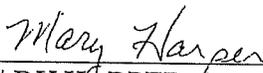
TO:

Valleybrook Village Mobile Home Park  
c/o Reeder Management  
PO Box 99250  
Lakewood, WA 98499

Donna Lee Skechak  
2811 30<sup>th</sup> Ave CTE #20  
Tacoma, WA 98443

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

DATED this 31 day of May, 2013, at Seattle, Washington.

  
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MARY HARPER  
Legal Assistant II