

June 12, 2020

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

King County Courthouse
516 Third Avenue Room 1200
Seattle, Washington 98104
Telephone (206) 477-0860
hearingexaminer@kingcounty.gov
www.kingcounty.gov/independent/hearing-examiner

ORDER OF DISMISSAL

SUBJECT: Regional Animal Services of King County file no. **V20010469**

DMITRIY TISLENOK

Animal Services Enforcement Appeal

Activity no.: A20010944

Appellant: **Dmitriy Tislenok**

[REDACTED]
Auburn, WA 98092

Telephone: [REDACTED]

Email: [REDACTED]

King County: Regional Animal Services of King County
represented by Chelsea Eykel
Regional Animal Services of King County
21615 64th Avenue S
Kent, WA 98032
Telephone: (206) 263-5968
Email: raskcappeals@kingcounty.gov

Our July 10 hearing will address the Tislenoks' appeal in V20010584. That case involves a timely appeal of a violation notice Animal Services served on April 12. All the items in our June 5 notice related to V20010584, including prehearing deadlines, remain in effect.

However, in our June 5 notice, we neglected to address V20010469. That was the Tislenoks' appeal of a violation notice Animal Services served on March 12. The violation notice itself noted that "an appeal must be received by Regional Animal Services of King County by April 06, 2020." The code requires that appeal statements "must be received by [Animal Services] within twenty-four days of the date of issuance of the decision by [Animal Services]." KCC

20.22.080.B. Animal Services moved to dismiss the Tislenoks' appeal, and we held a motion hearing on May 28.

The Tislenoks did not get their V20010469 appeal statement to the post office until May 5, and it was not received by Animal Services until May 7, over a month after the appeal window closed. Where “a person fails to timely deliver the appeal statement...the office of the hearing examiner does not have jurisdiction to consider the appeal and the decision of [Animal Services] becomes final and unreviewable.” KCC 20.22.080.F. The examiner must dismiss an untimely appeal. KCC 20.22.090.A.

We thus DISMISS the Tislenoks' appeal in V20010469, confirming those violations and their \$1050 penalty. Today's order of dismissal does *not* change V20010584.

DATED June 12, 2020.



David Spohr
Hearing Examiner

NOTICE OF RIGHT TO APPEAL

King County Code 20.22.040 directs the Examiner to make the County's final decision for this type of case. This decision shall be final and conclusive unless appealed to superior court by *July 13, 2020*. Either party may appeal this decision by applying for a writ of review in superior court in accordance with chapter 7.16 RCW.

DS/JO

June 12, 2020

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

King County Courthouse
516 Third Avenue Room 1200
Seattle, Washington 98104
Telephone (206) 477-0860
hearingexaminer@kingcounty.gov
www.kingcounty.gov/independent/hearing-examiner

CERTIFICATE OF SERVICE

SUBJECT: Regional Animal Services of King County file no. **V20010469**

DMITRIY TISLENOK

Animal Services Enforcement Appeal

I, Jessica Oscoy, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **ORDER OF DISMISSAL** to those listed on the attached page as follows:

EMAILED to all County staff listed as parties/interested persons and parties with e-mail addresses on record.

placed with the United States Postal Service, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED June 12, 2020.



Jessica Oscoy
Legislative Secretary

Eykel, Chelsea

Regional Animal Services of King County

Sloan/Naff, Laurie/Dan

Hardcopy

Tislenok, Dmitriy

Hardcopy