# OFFICE OF THE HEARING EXAMINER KING COUNTY, WASHINGTON

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#### REPORT AND DECISION

SUBJECT: Regional Animal Services of King County file no. **V20010584** 

## **DMITRIY AND KATRINA TISLENOK**

Animal Services Enforcement Appeal

Activity no.: A20010944

Appellants: Dmitriy and Katrina Tislenok

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King County: Regional Animal Services of King County

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#### FINDINGS AND CONCLUSIONS:

#### Overview

1. This is the most involved appeal of a Regional Animal Services of King County (Animal Services) violation notice we can recall. The focus is on whether some or all of the 17 Dmitriy and Katrina Tislenok dogs cited in Animal Services' violation notice bark to an unreasonable degree and disturb their neighbors. That is complicated enough. However, we decide the current noise dispute in the context of related zoning and licensing violations. After hearing the witnesses' testimony, studying the exhibits admitted into

evidence, and considering the parties' arguments and the relevant law, we sustain the noise violation for five dogs and overturn it for the other twelve.

# **Background**

- 2. By definition, a place where four or more adult dogs are kept, whether or not for compensation, is a "kennel." Kennels are further broken down into "hobby kennels" (noncommercial kennels licensed by Animal Services) and commercial kennels (licensed by the Seattle-King County Department of Public Health). KCC 11.04.010.A & .020.M; Health Code 8.03.020.A, .040.G. The Tislenoks operate a commercial kennel, which they have been attempting to legalize, thus far without success.
- 3. The zoning code sets limits on how many small animals can be kept on a property (which varies according to parcel size), with additional restrictions (like parcel size and setbacks) for commercial kennels. KCC 21A.30.020.B.1 & .F. Last September, the Department of Local Services (Local Services) cited the Tislenoks for several land use violations. In addition to constructing or remodeling structures without a permit, and clearing and grading, Local Services declared that the Tislenoks were operating a commercial dog kennel on a residential property that did not meet the zoning requirements. Local Services ordered the Tislenoks to cease operations by October 25, 2019. Ex. D11.
- 4. Mr. Tislenok applied for a variance on the subject property, which Local Services denied. It is not clear from our record whether the variance denial occurred before or after Local Services served its September 2019 order. More recently, the Tislenoks have been attempting to legalize a commercial kennel on a new, larger property.
- 5. Although our record contains only an unsigned and undated letter, in November 2019 Public Health apparently advised the Tislenoks that, with Local Services determining that the subject property does not meet the zoning requirements for a commercial kennel, Public Health was dropping the Tislenoks' commercial kennel license application. Public Health wrote that with the Tislenoks continuing to engage in commercial kennel operations without the required business approval, Public Health might be issuing a violation notice. Ex. D12.
- 6. At some point, Animal Services served its own violation notice on the Tislenoks. We have not seen the first violation; it was not appealed, and there was testimony in passing that it related to pet licensing, not barking. In March 2020, Animal Services served a second violation notice, V20010469, this one related to barking. The Tislenoks appealed, but belatedly, and we dismissed that appeal as time-barred.
- 7. In April 2020, Animal Services served the current violation notice on the Tislenoks. Ex. D5. It named 17 dogs belonging to the Tislenoks as violators, 4 dogs on their third violation and 13 dogs on their second violation. Ex. D5. Dmitriy Tislenok appealed, noting that his dogs are locked up at night and have dog silencers, that he lets them out

<sup>&</sup>lt;sup>1</sup> KCC 11.04.020.O. Pet shops, defined places that *acquire* live animals to sell or rent, are treated differently. *Id.* and KCC 11.04.020.T.

at 5 or 6 AM before he goes to work, that other neighbors have dogs that bark, and that there are other triggers for his dogs, such as deer walking in the vicinity. Ex. D13. We went to hearing on July 10.

# Hearing

- 8. The complainants, Laurie Sloan and Dan Naff, live to the southeast of the Tislenoks. Their properties touch at the corner.
- 9. Ms. Sloan testified that barking from multiple dogs has been going on for years. The problem has grown over time, with more and more dogs barking day and night. She hears it all the time, even with the windows and doors closed. She began logging periods where she hears barking. She submitted those covering the current period. Exs. D3, D7-D9.
- 10. She described the neighborhood as having many dogs that occasionally bark, but nothing like the Tislenok dogs. Prior to the Tislenoks' improvements (described below), she used to be able to actually see the Tislenok dogs, to match her visual observation with the barking she was hearing. She has also gotten up in the middle of the night to verify where the noise was coming from, and there is no question the barking that bothers her is coming from the Tislenok property. Other neighborhood dogs bark, but their owners stop them in relatively short order. Conversely, the Tislenok dogs create an "unbelievable" volume and durations that can last for hours on end.
- 11. Ms. Sloan acknowledged that the Tislenoks have added some pens and cubes, and more recently roofs. These have blocked her view and helped somewhat by muffling the sound. There is less barking and the barking, while still loud, is not of the "unbelievable" volume it had been.
- 12. Ms. Sloan emphasized there are five or so Tislenok dogs that bark the most frequently, "around the clock." When we asked later in the hearing specifically about nighttime barking, she noted that there were five or six dogs barking loudly and for hours. Other dogs bark when it is feeding time and on other occasions, but not as constantly. The dogs used to wake her up or keep her from getting to sleep almost nightly, but in the last few months it has been quieter at night, before resuming at 6 AM.
- 13. Ms. Sloan stated she is not able to open the windows at night, because she cannot sleep. She is unable to relax and has to use sleep aids. She has used audiobooks, which help distract her from the noise. When asked about the April 7 entry on her log sheet, she noted that the dogs kept her up all that night. Ex. D7.
- 14. Mr. Naff described the situation as irritating and frustrating. He understands that dogs bark, but when it goes on for extended periods, various times each day, it is disturbing. The barking may stop for five minutes, and he thinks an episode is over, but then it ramps back up. He wants to be out in his yard in the evening and enjoy country quiet, instead of just having barking dogs.

- 15. The noise impacts him mostly during the day and in the evening when he is outside. He hears the noise through his window at night and as early as 5 or 6 AM, if he is getting up. It can be difficult to fall asleep. He keeps his window shut when he would like to have them open.
- 16. As to the source of the noise, he has walked outside and identified the sound as coming from the Tislenok property. And he can hear the Tislenok dogs jumping against the metal pens, so he knows where the majority of the noise is coming from. While he occasionally hears random barks, when he hears multiple dogs bark and it rises to a specific volume, he can walk to his fence and clarify where the volume is coming from. He can also see when the Tislenok dogs get excited and jump higher than the fence. His audio recordings, exhibit 10, were taken outside in his yard.
- 17. While neighbors Matt Coder and Brian Warne were listed on Animal Services' witness list, they did not participate in our hearing.
- 18. Dmitriy Tislenok testified that he has attempted to put into place various suggestions from Animal Services and Public Health for reconfiguring kennel operations. After he filed for a commercial license, Public Health came onto his property three times and told him steps to take (such as tile floors, hot and cold water, air conditioning, and proper drainage), which he implemented. He also filed a variance request with Local Services (related to the zoning), but that was denied.
- 19. Mr. Tislenok has found a ten-acre property that meets the zoning requirements, and they are pursuing a commercial license for that property. Once they get the license, they will move their kennel operations there. They have been installing improvements on the new property to meet Public Health's requirements, before submitting another Public Health application and requesting another inspection. The process has been taking longer because of Covid. He expects to be able to complete the move this calendar year. He has no other place to take his 23 adult dogs (plus puppies) in the interim.
- 20. As to the noise itself, Mr. Tislenok explained that they are taking all measures to minimize the noise. They have used ultrasound bark collars, which sometimes work and sometimes do not. He locks his dogs in at night, and then lets them out at seven or eight in the morning. He cannot keep them locked up 24 hours a day, as that would be unhealthy. When the dogs run out to play, they bark, but not for hours and hours. If certain of his dogs have a conflict (which leads to barking), he separates them. Initially they had only a shed, but since then they have installed multiple kennels, and then added roofs to those kennels, to minimize the noise. The kennels used to be chain-link, but the dogs could see each other and bark in response; he has since installed solid visual barriers.
- 21. Mr. Tislenok pointed out that while Mr. Naff and Ms. Sloan (whose property only touches at the corner) have complained, his abutting neighbors to the east and west have not complained. Ex. D14. He questioned whether the barking was from his dogs. He submitted a map depicting other neighbors with dogs, and a video showing other neighboring dogs barking. Exs. A3 and A2.

22. Katrina Tislenok adopted her husband's testimony.

# Legal Standard

- 23. Our substantive inquiry is whether some or all of the Tislenoks' dogs qualify as an "animal that howls, yelps, whines, barks or makes other oral noises to an unreasonable degree, in such a manner as to disturb a person or neighborhood." KCC 11.04.230.J. We noted in our prehearing order that, as second violation notice listed February 25 as the trigger date, our focus in the appeal of the third violation notice would be on noise occurring after that date.
- 24. In deciding noise cases, we draw a distinction between nighttime barking and daytime barking, construing section 230.J consistently with the general County noise code, KCC chapter 12.86, especially since these were jointly amended by Ordinance 18000 in 2015. The noise code lists numerous sounds exempt from noise code limitations between 7 AM (9 AM on weekends) and 10 PM. KCC 12.86.510. In that same ordinance, the Council amended the law to explicitly add that, "The hour of the day at which the sound occurs may be a factor in determining reasonableness." Ord. 18000 at § 72 (codified at KCC 12.86.410.A.). Although decibels are not determinative, from 10 PM to 7 AM (9 AM on weekends) the maximum permissible sound levels are reduced by ten decibels. KCC 12.86.120.A. Ten decibels may not seem like much; however, reducing the decibel level by 10 dBs *halves* the perceived loudness. <a href="http://www.siue.edu/~gengel/ece476WebStuff/SPL.pdf">http://www.siue.edu/~gengel/ece476WebStuff/SPL.pdf</a>.
- Even absent the noise code's daytime/nighttime delineation, we would still draw that distinction. That the timing of noise matters significantly is not controversial, nor new. For example, in one pre-Civil War noise case, the court stated that, "The peace of Sunday may be disturbed by acts which, on other days, cannot be complained of." *Commonwealth v. Jendell*, 2 Grant 506, 509 (Pa. 1859). Replace "Sunday" with "3 AM" and "on other days" with "at 3 PM," and that proposition remains true 160 years later. One's right to make nighttime noise "must be limited by the right of the neighbors in the area to be free of disturbing noises during normal sleeping hours." *Altman v. Ryan*, 435 Pa. 401, 407, 257 A.2d 583, 605 (1969).
- 26. The noise code provides us with a bright line for what is too late or too early and what "normal sleeping hours" are. Instead of allowing a complainant's "subjective determination" to prevail,<sup>2</sup> or wildly swinging the hours according to the calendar,<sup>3</sup> the noise code essentially defines for King County what qualifies as "nighttime" noise: after 10 PM, and before 7 AM (9 AM on weekends). Thus, when we refer to "nighttime" or

<sup>&</sup>lt;sup>2</sup> Albeit in the criminal context (which raises heightened due process concerns) our Court has disallowed a statutory noise ordinance that did not include an objective "unreasonableness" standard and instead let any given complainant make a "subjective determination that a crime has been committed." *City of Spokane v. Fischer*, 110 Wn.2d 541, 544–45, 754 P.2d 1241, 1242 (1988). In contrast, KCC 11.04.230.J. covers only barking to "an unreasonable degree," and the noise code provides fixed, discernible hours.

<sup>&</sup>lt;sup>3</sup> We take judicial notice that in our area the sun sets by 4:20 p.m. around the winter solstice and rises by 5:10 a.m. around the summer solstice.

- "daytime" noise, it is a shorthand for whether the noise is in the 10 PM to 7 AM (9 AM on weekends) period, rather than a description of the sun's location.
- 27. We have consistently held that daytime barking must be much more significant than nighttime barking to qualify as "unreasonable." There is simply not the same rational expectation that daytime hours will be quiet. During the day lawnmowers whirr. Trucks back up and emit loud warning beeping. Children scream. Power tools create a cacophony. Waste collectors bang trash cans. Cars honk. And dogs bark. At some point, the quality and quantity of such daytime barking becomes legally unreasonable, but it is a high threshold.
- 28. This day/night distinction is especially true when it comes to how long (duration-wise) barking must occur for us to find it to an "unreasonable degree, in such a manner as to disturb a person or neighborhood." At night, if the barking is enough to repeatedly wake someone up from sleep, even quickly quieting the dog down after each episode is a bit like locking the barn door after the horse is gone—the damage for a given night is already done. Conversely, during the day, a dog barking for a few minutes during feeding time or while a driver drops off a delivery is decidedly different from a dog going off for an hour after the person has driven away or dinner has been delivered.
- 29. In analyzing whether noise truly "disturbs" (interferes with normal functioning, such as sleep) versus merely "annoys" (irritates), we have to guard against measuring conduct "by its effect on those who are inordinately timorous." Seattle v. Eze, 111 Wn.2d 22, 29–30, 759 P.2d 366 (1988). In looking at both "unreasonable" and "disturb," we review the steps an appellant took to control the noise and the steps a complainant took to mitigate the noise's impact, both internally (i.e. within their property) and externally (such as addressing the issue with their neighbor). See, e.g., State v. Acrey, 148 Wn.2d 738, 748-49, 64 P.3d 594 (2003) (whether something is "reasonable" often depends on "a balancing of the competing interests involved in light of all the surrounding facts and circumstances"). We have overturned violation notices even where we found the barking excessive and disturbing but also found a complainant equally unreasonable.
- 30. Procedurally, we do not grant substantial weight or otherwise accord deference to agency determinations. Exam. R. XV.F.3. For those matters or issues raised in an appeal statement, Animal Services bears "the burden of proving by a preponderance of the evidence both the violation and the appropriateness of the remedy it has imposed." KCC 20.22.080.G; .210.

#### <u>Analysis</u>

31. Noise cases are already our most complex animal enforcement appeals. While many disputes focus on a single incident (e.g., a dog attack that begins and ends in less than a minute), the noise inquiry encompasses barking over days and weeks or even months and years. And unlike other disputes where the legal standard is straightforward, the nuisance inquiry here is whether an animal barks "to an *unreasonable* degree, in such a manner as to *disturb* a person or neighborhood."

- 32. But past noise cases all involved a single dog or a small number of dogs. While it was complex to determine what qualified as "unreasonable" and what "disturbed," it was relatively straightforward to determine which if any appellant dog was (or few dogs were) creating the noise, before determining whether their barking met the code criteria. Here, Animal Services cited 17 out of the Tislenoks' 23 adult dogs.
- 33. And, as if that was not enough, what makes this appeal even more complex is the intersection between the various regulatory components—the different agencies involved and the somewhat overlapping zoning, licensing, and nuisance angles.
- Our initial thought on this last item was that because one is not allowed to have more than three dogs without some sort of license or permit, and because the dog numbers and commercial kennel use (for the current property) violate the zoning code and lack the necessary license, the barking is, as a matter of law, a "per se" nuisance. If so, then having an illegal number of animals and running an unlawful kennel meant the barking was, on that basis alone, a nuisance, without a need to balance other items. However, our initial hypothesis proved incorrect.
- 35. *Moore v. Steve's Outboard Service*, 182 Wn.2d 151, 339 P.3d 169 (2014), dealt with the intersection between, among other things, the noise a business produces and the business' lack of necessary permits. The appellate court did in fact determine that operating without the required permits was a nuisance per se. 182 Wn.2d at 154. However, our supreme court disagreed, holding that failing to obtain a permit did *not* transform a use of land—or the failure to obtain an operating license for a business—into a nuisance per se, unless the legislature has specifically so declared. *Id.* The Moore's complaint about noise (along with fumes and traffic) had to rise or fall on its own merits.
- 36. We return to the zoning and licensing issues when discussing future steps, below, but the fact the Tislenoks' 23 adult dogs are many multiples of the 3 adult dogs they are currently allowed to possess does not mean the barking is, as a matter of law, a nuisance.
- 37. Turning to the noise itself, we found credible the three witnesses that offered substantive testimony.
- 38. Ms. Sloan's barking logs are fairly detailed, and stark. The notes for March show a massive amount of barking, both at night and then for long durations during the day. Exs. D3, D7-9. Comparing the log notes for June to the March notes shows some improvement, though there is still plenty of nighttime barking, along with barking for long stretches during many days. Ms. Sloan's testimony, focusing on repeatedly being unable to get to sleep at night (even with the windows shut), and Mr. Naff's testimony, focusing more on the cacophony of barking that mars his outdoor use (plus repeated difficulties getting to the sleep through the barking) were solid.
- 39. In addition, Ms. Sloan and Mr. Naff effectively explained how they determined the bulk of the extended barking was coming from the Tislenoks—walking out and identifying the source, visual confirmation, the sound of dogs smacking against the metal pens which often accompanies the barking, etc. Other neighborhood dogs may bark, but with

- 23 adult dogs on a single parcel, the source of the overwhelming majority of the barking is more probable than not the Tislenok property.
- 40. On the other hand, Mr. Naff's nighttime descriptions were more limited than Ms. Sloan's. He noted that he hears the noise as early as 5 or 6 AM *if* he is getting up, which is different from being woken up *by* the barking. Audio files are often difficult to judge but contrasting the dog barking with the other ambient noise audible on the recording, the barking is not the wall of sound we might have anticipated. Ex. D10.
- 41. Although there were two complainants from surrounding properties, those complainants did not participate in our hearing. That is not dispositive; the standard is whether an animal barks or makes other oral noises to an unreasonable degree so as to "disturb a person or neighborhood." KCC 11.04.230.J (underscore added). But the lack of other neighbors treating the noise here as enough a priority to participate in a telephonic hearing seems relevant.
- 42. There is no site map showing exactly where the kennels are located vis-à-vis the Tislenok property lines, but the submitted map does appear to show the Sloan/Naff, Werne, and Coder homes as further away than the abutting neighbor to the east. Ex. D14. (The aerial view does not cover the neighbor to the west.) Again, we say "appear," because it is not clear where exactly on the property kennel operations are located, and there seem to be more noise-dampening trees between the Tislenoks and their neighbor to the east (with no depiction for the neighbor to the west).
- 43. Ms. Sloan and Mr. Naff had taken some countermeasures—closed windows, an audiobook—but they had not tried easy, relatively inexpensive options like white noise, earplugs, or noise-dampening curtains to mitigate some of the noise. And the Tislenoks have taken steps—at least some ultrasound bark collar use, locking the dogs in at night, separating dogs with a conflict, installing multiple structures and visual barriers—to minimize the barking.
- 44. In sum, Animal Services case was not as overwhelming as we might have thought, given the almost two dozen dogs involved. Still, while Ms. Sloan was candid that, with the Tislenoks' more recent efforts, the barking was not the "unbelievable" level it had been does not mean there is no nuisance violation. We find that at least some of the Tislenok dogs bark to an unreasonable degree, in such a manner as to disturb at least Ms. Sloan and Mr. Naff.
- 45. That leads to the next question of how *many* violations Animal Services has proven. Normally that is not a problem, as the owner has one, two, or maybe three dogs, and they either all participate, or it is fairly easy to disentangle which dog is responsible for what barking. Here, in contrast, Animal Services cited 17 dogs, by name, as violators. Ex. D5. The Tislenoks have, in the post-February 26 timeframe we are considering, had 23 adult dogs on the property.
- 46. On one level, is the complaint is too narrow—why not cite the other six dogs that add to the total noise?

- 47. On another level the complaint is overbroad. Other code-related noise violations are framed in terms of it being unlawful, under certain circumstances, for a person in possession of a property to permit or allow certain sound originating from the property to exceed certain decibels or to disturb or interfere with others. KCC 12.86.100; .400; .410. However, the code applicable to barking is framed not in terms of a person allowing unreasonable and disturbing barking to emit from their property, but whether an "animal...barks...to an unreasonable degree, in such a manner as to disturb." Yes, the sheer number of dogs more likely than not adds to the quantity of barking episodes, the duration of those episodes, and the total volume impacting. But ultimately the unlawfully high number of dogs and the unlicensed kennel are not elements KCC 11.04.230.J was drafted to tackle.
- 48. In determining how most faithfully to apply KCC 11.04.230.J here, we come back to Ms. Sloan's repeated descriptions of five or so dogs that bark the most frequently, untethered by an external stimulus like feeding time or being let out of an enclosure, and for the longest duration. We find that credible. We sustain five of the violations while overturning the other twelve. There is no non-arbitrary way to distinguish which five specific dogs are the consistent offenders, so we do not assign the violations to a named dog, or to the other six Tislenok dogs not listed in the violation notice.

# Forward-Looking

- 49. Animal Services noted difficulty seeing how one could keep that many dogs—on a property that fails to meet the zoning requirements—without creating an unreasonable noise impact in a residential setting; that seems plausible. The Tislenoks have taken some steps to reduce the noise, as Ms. Sloan acknowledged. Their most obvious next steps are not to let the dogs out before 7 AM, along with more consistent use of bark collars on at least the most persistent barkers. From Ms. Sloan and Mr. Naff's perspective, white noise, earplugs, and noise-dampening curtains can help to mitigate some of the noise.
- 50. Those are, of course, only stop-gap measures. The more comprehensive solution is that the Tislenoks need to move kennel operations to a larger parcel that meets the zoning requirements. As described above, the Tislenoks are attempting to bring a new property up to code to house their kennel operations. At hearing, Animal Services related conversations with representatives from other agencies; the gist was that establishing a kennel on that new property is possible, but not a sure thing. Even if ultimately successful, Mr. Tislenok does not expect it would happen before the end of the year.
- 51. In the interim, we do not know how Public Health treats the scenario of a currently illegal business, where the owner is working to come into compliance; if Public Health issues penalties, the calculus on whether it is financially beneficial to continue kennel operations until a new facility can be legally sited may change. Having entertained hundreds of land code enforcement appeals, we reflect that so long as a violator is making steady progress towards compliance, Local Services typically allows current operations to continue, even where current operations are negatively impacting neighbors. Those are reflections only, not pronouncements; we have no crystal ball.

# DECISION:

- 1. We GRANT the Tislenoks' appeal as to 12 of the violations listed in the April 12 notice, and DENY their appeal as to the remaining 5. We do not assign the violations to a particular animal.
- 2. We reduce the associated monetary penalty from \$2100 to \$500.

ORDERED August 14, 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 *September 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.

# MINUTES OF THE JULY 10, 2020, HEARING IN THE APPEAL OF DMITRIY TISLENOK, REGIONAL ANIMAL SERVICES OF KING COUNTY FILE NO. V20010584

David Spohr was the Hearing Examiner in this matter. Participating in the hearing were Chelsea Eykel, Andrei Medvedev (interpreter), Dan Naff, Laurie Sloan, and Dmitriy and Katrina Tislenok. A verbatim recording of the hearing is available in the Hearing Examiner's Office.

The following exhibits were offered by Animal Services and entered into the record:

| Exhibit no. D1  | Regional Animal Services of King County staff report to the Hearing |
|-----------------|---|
|                 | Examiner  |
| Exhibit no. D2  | RASKC noise complaint petition form, dated April 11, 2020           |
| Exhibit no. D3  | Log of dogs barking February 26 – March 31                          |
| Exhibit no. D4  | RASKC investigation report no. A2001094401                          |
| Exhibit no. D5  | Notice of violation no. V20010584, issued April 12, 2020            |
| Exhibit no. D6  | NVOC mailing/tracking history                                       |
| Exhibit no. D7  | Log of dogs barking April 1 – April 30                              |
| Exhibit no. D8  | Log of dogs barking May 1 – May 29                                  |
| Exhibit no. D9  | Log of dogs barking May 30 – June 25                                |
| Exhibit no. D10 | Video   |
| Exhibit no. D11 | RASKC Abatement order for ENFR180510                                |
| Exhibit no. D12 | Health and Environmental Investigator letter                        |
| Exhibit no. D13 | Appeal, received May 7, 2020  |
| Exhibit no. D14 | Map of subject area   |

The following exhibits were offered by Appellants and entered into the record:

| Exhibit no. A1 | Test screenshots, submitted July 10, 2020         |
|----------------|---|
| Exhibit no. A2 | Video of neighbors' dogs, submitted July 10, 2020 |
| Exhibit no. A3 | Map of subject area                               |

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# OFFICE OF THE HEARING EXAMINER KING COUNTY, WASHINGTON

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# **CERTIFICATE OF SERVICE**

SUBJECT: Regional Animal Services of King County file no. V20010584

## **DMITRIY AND KATRINA 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 **REPORT AND DECISION** 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 August 14, 2020.

Jessica Oscoy

Legislative Secretary

**Eykel, Chelsea**Regional Animal Services of King County

Sloan/Naff, Laurie/Dan Hardcopy

Tislenok, Dmitriy/Katrina Hardcopy