

October 30, 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. **V20011081-A20013137 & V20011089-A20013480**

TINA TRIPLET

Animal Services Enforcement Appeal

Activity no.: A20013137 & A20013480

Appellant: **Tina Triplet**

[REDACTED]
Seatac, WA 98198

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

For the October 28 telephonic hearing on Ms. Triplet's appeal, we mailed our notice on September 30. Having later obtained Ms. Triplet's email address, we emailed her a copy of that notice on October 6. We received no communication that the hearing date or time was unworkable.

The notice provided directions for how to dial in. At our 1 PM start time, Animal Services and its eyewitness called in. Ms. Triplet did not. She still had not called in by 1:10, at which point we announced we were dismissing her appeal, and we closed the proceeding. She has not contacted our office since. Her failure to appear constitutes abandonment of her appeal. We thus dismiss her appeal.

Dismissal means the two Animal Services notices of violations and orders to comply become final. However, we offer some commentary and an opportunity to significantly reduce the \$2550 in penalties.

There are \$750 in penalties for the three dogs unlicensed at the time of the violations—\$250 for Ivory in V20011081, as well as \$500 for Diamond and Shay in V20011089. Ms. Triplet stated in her appeal statement that she would have the dogs licensed by the date of our hearing. Investigation notes submitted along with exhibits show that in April Ms. Triplet received a verbal warning about her need to license her dogs. However, Ms. Triplet lost her only child within the year. We know that if we lost either of our children, we would be devastated and functioning at a significantly diminished capacity for an extended period. We offer not only our condolences, but an opportunity for her to greatly reduce the penalties. Even if Ms. Triplet did not license her dogs before our October 28 hearing, if she can license a dog(s) by **November 30**, the penalty for any duly licensed dog is reduced to \$50 per dog.

That leaves \$1800 in penalties for the other violations—\$500 for Ivory in V20011081, and \$1300 for Diamond and Shay in V20011089. The requirements (contained in the notices and orders) for keeping all three dogs in King County will obviously require some outlay. First, Ms. Triplet will need to vaccinate each dog for rabies, if they are not current on their rabies shots. Second, Ms. Triplet will need to microchip each dog and provide that microchip number to Animal Services. Third, the dogs are only allowed off the property using a leash (operated by a competent and capable person) extending no more than eight feet, with a collar or harness; that may require more expenditures.

Fourth and largest, Ivory, Diamond, and Shay are only allowed on the property outside the home if secured in a fenced area, with all passages padlocked to prevent accidental release. A tether can be an *additional* safety precaution *within* a securely fenced area, but a tether is no substitute. We did not take any testimony at our abbreviated hearing, but the exhibits submitted before the hearing discuss a fence with a gate in disrepair, a gap, a piece of wood holding the gate shut, and floppy panels. Ms. Triplet will need to install (or have installed) a more secure gate, including a padlock for when the dogs are left unattended. That will require some funds to accomplish, and may take some time. If she can accomplish this by **December 31**, those \$1800 in penalties will drop to \$250.

This is a great time to put some effort into meeting those four compliance requirements, because the consequences of failing to do so can be harsh. KCC 11.04.290.A.3 states that the

failure to comply with any of those requirements can constitute a misdemeanor and can result in a dog's removal from King County.

In sum, we DISMISS Ms. Triplet's appeal. However, we offer the POTENTIAL TO REDUCE the penalty significantly, provided the following deadlines are met:


For any of the three dogs Ms. Triplet licenses (if she has not already) with Animal Services by **November 30, 2020**, the \$250-per dog licensing penalty is reduced to \$50 per dog

For the other violations, if by **December 31, 2020**, Ms. Triplet:

- Vaccinates each dog for rabies, if they are not current on their rabies shots;
- Microchips each dog and provides that microchip number to Animal Services;
- Obtains (if she does not already have it) an eight-foot or shorter leash with a collar or harness; and
- Fixes the gate and fencing and provides this information to Animal Services,

the remaining \$1800 penalties will drop to \$250. Thus, if she accomplishes all the above, the penalties due will not be \$2550 but \$500.

DATED October 30, 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 *November 30, 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/lo

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CERTIFICATE OF SERVICE

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TINA TRIPLET
Animal Services Enforcement Appeal

I, Lauren Olson, 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 October 30, 2020.



Lauren Olson
Legislative Secretary

Abasute, Dee
Hardcopy

Eykel, Chelsea
Regional Animal Services of King County

Molmen, Rick
Hardcopy

Triplet, Tina
Hardcopy