

December 11, 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. **V20011204 & V20011205**

STEPHEN ALLENBAUGH
Animal Services Enforcement Appeal

Activity no.: A20013918 & A20013920

Appellant: **Stephen Allenbaugh**



King County: Regional Animal Services of King County
represented by **Tim Anderson**
Regional Animal Services of King County
21615 64th Avenue S
Kent, WA 98032
Telephone: (206) 263-5939
Email: tim.anderson@kingcounty.gov

Shortly before our December 1 hearing was scheduled to begin, Mr. Allenbaugh emailed, requesting a reschedule due to his landline being out and having poor cell reception where he was. Though it was not clear why he could not drive to a place with better cell coverage, nonetheless we agreed to reschedule the hearing to December 9.

In our December 2 notice, we wrote that:

Mr. Allenbaugh should, now, create a backup plan (such as a place to drive to with decent cell reception) in case his landline does not get repaired in time for him to call in at:

11:00 a.m. on Wednesday, December 9, 2020.

To connect to the proceeding, each participant must call in, via **1 + (206) 263-8114** Conference ID: **5804817#**, promptly at 11:00 a.m.

We received no communication from Mr. Allenbaugh that there were any problems related to the rescheduled hearing. At our appointed time on December 9, Animal Services and its witness promptly phoned in. After waiting ten minutes, Mr. Allenbaugh had still not called in. Nor did he call our office in the last two days.

Mr. Allenbaugh's failure to appear constitutes abandonment of his appeal. His appeal is therefore DISMISSED.

However, as stated in Animal Services' report, Sasha's running at large and trespass onto the Sloss property occurred the same day, and actually a little before, her trespass onto the Loch property. Those should be first offenses, not second offenses.

Finally, there is no indication that Sasha has been licensed, meaning not only the \$250 penalty stands, but future fines could issue if Sasha remains unlicensed. That is not in anyone's interest. Thus, if Sasha is licensed by December 31, 2020, we will reduce the licensing penalty significantly.

The appeal is accordingly DISMISSED, and Animal Services' violation notices, order to confine Sasha, and penalties remain in effect EXCEPT:

- For V20011204, if Sasha is duly licensed with Animal Services the \$250 unlicensed/unaltered penalty for Sasha by **December 31, 2020**, the licensing penalty is reduced to \$75, dropping the total V20011204 penalty from \$850 to \$675.
- For V20011205, Sasha's running at large and trespass violation are each first offenses at \$50 a pop, not at \$100 each. Thus the total penalty due in V20011205 is \$300, not \$400.

DATED December 11, 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 *January 11, 2021*. 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

SUBJECT: Regional Animal Services of King County file no. **V20011204 & V20011205**

STEPHEN ALLENBAUGH
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 December 11, 2020.



Lauren Olson
Legislative Secretary

Allenbaugh, Stephen

Hardcopy

Anderson, Tim

Regional Animal Services of King County

Loch, Dan

Hardcopy

Sloss, Jenna

Hardcopy