

September 2, 2021

**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. **V21012085-A21002284**

SARAH BAER

Animal Services Enforcement Appeal

Activity no.: A21002284

Appellant: **Sarah Baer**

[REDACTED]
Kent, WA 98042

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: raskappeals@kingcounty.gov

We emailed and mailed on August 5 the notice for the September 1 hearing. We received no communication in response. Sarah Baer's failure to appear constitutes abandonment of the appeal. We dismiss her appeal.

However, part of Animal Services violation notice involved a penalty for a *second* unlicensed dog. Ms. Baer claims in her June 5 appeal statement that she does not have a second dog. Animal Services issued her the additional licensing violation on May 20 because, in her response to the investigating officer, Chris Miller, she claimed she had a second dog. The question is whether

she was lying in June or lying in May. We conclude she was lying in May and there never has been a second dog.

When Ofc. Miller visited the Baer apartment on May 20, he heard a dog barking inside the Baer apartment. Ex. D5 at 003, n.5. When he tried to speak to Ms. Baer in the parking lot, she claimed she had removed her dog from the apartment and it was staying at a relative's address. When he asked why he was hearing a small dog barking inside her apartment, she claimed to own a second dog. This is what prompted Ofc. Miller to cite her for having two unlicensed dogs.

It is possible that Ms. Baer is lying in her appeal, and she indeed has a second, unlicensed dog. However, the complainant only saw one Baer dog the day of the attack. And a person in the apartment identified Ms. Baer and "the dog" from a picture, not mentioning a second dog. Ex. D5 at 003, n.2.

We think the most likely series of events is that Ms. Baer lied to Ofc. Miller about her dog being gone from the apartment complex. When Ofc. Miller caught her in that lie and advised her that he could hear her dog barking from inside her apartment, she doubled down and lied again, falsely claiming that what Ofc. Miller heard was in fact her second dog. We find that, more likely than not, there never has been a second dog.

Before closing, we note that Ms. Baer's approach here, at every stage, was unsuccessful. First she left the scene of an attack without giving her contact information to the bite victims' families, a big no-no. She then lied to an officer, which is actually a crime in Washington State. She then failed to appear at the hearing we set for her. Had she been more proactive and forthright, we very likely would have reduced some of the penalty for the violations we sustain. As it is, we find the full penalty is warranted, except that there never was a second dog and thus no second licensing penalty. She might want to think about approaching future conflicts a little differently.

We DISMISS Ms. Baer's appeal, EXCEPT that we overturn the second licensing violation. Thus, the penalty Ms. Baer owes Animal Services is \$800, not \$1,050.

DATED September 2, 2021.



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 *October 4, 2021*. Either party may appeal this decision by applying for a writ of review in superior court in accordance with chapter 7.16 RCW.

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CERTIFICATE OF SERVICE

SUBJECT: Regional Animal Services of King County file no. **V21012085-A21002284**

SARAH BAER

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 September 2, 2021.



Lauren Olson
Legislative Secretary

_, Natasha

Baer, Sarah
Hardcopy

Eykel, Chelsea
Regional Animal Services of King County

Gore, Travis & Ozette
Hardcopy