

May 5, 2022

**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 nos. **V21012761, V21012762 and V21012763**

MIHALY HAMARA
Animal Services Enforcement Appeal

Activity no.: A21006247

Appellant: **Mihaly Hamara**
[REDACTED]
Woodinville, WA 98072
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

1. During our March 30 pre-hearing conference with the parties, we scheduled the hearing for May 3 for V21012763. We then emailed and mailed our Prehearing Order and Notice of Remote Hearing on April 4. We received no communication in response that the date and time had become inconvenient for Mr. Hamara. Yet while Animal Services'

representative and both complainants joined Tuesday's hearing, Mr. Hamara did not. Nor did we receive any contact Tuesday, Wednesday or today (Thursday) from Mr. Hamara about some snafu that prevented his participation.

2. Mr. Hamara's failure to appear constitutes abandonment of his appeal. Accordingly, we DISMISS his appeal.
3. It seemed an uphill fight for Mr. Hamara even if he had appeared. Buddy was declared vicious and ordered contained in February 2021 (V21011681), which became final once the March 2021 appeal deadline for challenging that designation and confinement order expired. And then, because Mr. Hamara did not timely appeal V22012761, it became a fixed fact that, on December 13, 2021, Buddy was an unlicensed altered pet that trespassed onto Ashley Farrington's property, performed a vicious act, and (by virtue of his February 2021 viciousness designation) was a vicious animal at large. And, because Mr. Hamara did not timely appeal V22012762, it became a fixed fact that the following day Buddy was an unlicensed altered pet that trespassed onto Aaron Miller's property, performed a vicious act, and (by virtue of his February 2021 viciousness designation) was a vicious animal at large. But, had Mr. Hamara participated in Tuesday's hearing, Animal Services would still have the burden to prove removal was warranted in V22012763. However, Mr. Hamara waived that right.
4. We can, however, extend the deadline to re-home Buddy from the two days listed in the code and removal order to two weeks.
5. By **May 19, 2022**, Mr. Hamara shall microchip Buddy (if not microchipped already) and then either:
 - A. Find a potential new owner outside of unincorporated King County and outside the cities that contract with Animal Services,¹ disclose to that person that Buddy was ordered removed as a threat to public safety, have that person agree to take Buddy on, actually get Buddy out, and provide Animal Services both proof that this new owner lives outside unincorporated King County and those contract cities and the new owner's contact information, or

¹ In addition to unincorporated King County, the contract cites where the same legal standard applies are currently:

A. Beaux Arts Village	B. Bellevue	C. Black Diamond
D. Carnation	E. Clyde Hill	F. Covington
G. Duvall	H. Enumclaw	I. Issaquah
J. Kenmore	K. Kent	L. Lake Forest Park
M. Maple Valley	N. Mercer Island	O. Newcastle
P. North Bend	Q. Redmond	R. Sammamish
S. SeaTac	T. Shoreline	U. Snoqualmie
V. Tukwila	W. Woodinville	X. Yarrow Point

- B. Move with Buddy outside of unincorporated King County and those contract cities and then not bring him back; or
 - C. Surrender Buddy to Animal Services, who will then rehome him.
6. If Mr. Hamara successfully meets A., B., or C., and thereafter does not allow Buddy to return to King County or one of those contract cities, the \$1,000 penalty attached to the removal order is waived. If not, the \$1000 penalty is reinstated and Animal Services may impound Buddy as an unredeemable animal.

DATED May 5, 2022.



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 *June 6, 2022*. 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

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CERTIFICATE OF SERVICE

SUBJECT: Regional Animal Services of King County file nos. **V21012761, V21012762 and V21012763**

MIHALY HAMARA

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 May 5, 2022.



Jessica Oscoy
Office Manager

Eykel, Chelsea

Regional Animal Services of King County

Hamara, Mihaly

Hardcopy

Lankston, Sherry

Hardcopy

Miller, Aaron

Hardcopy