

January 6, 2026

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**
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REPORT AND DECISION

SUBJECT: Regional Animal Services of King County file no. **V25017738-A25004548**

MICHELLE AND TROY BEST
Animal Services Enforcement Appeal

Activity no.: A25-004548

Appellant: **Michelle Best**
[REDACTED]
Enumclaw, WA 98022
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
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Overview

1. After hearing the witnesses' testimony and observing their demeanor, studying the exhibits admitted into evidence, and considering the parties' arguments and the relevant law, the Best's appeal is denied.

Procedural Background

2. On September 25, 2025, John Crow filed an online complaint with Regional Animal Services of King County (Animal Services) for an incident on September 25. Ex. D3. On October 10, 2025, Animal Services issued Notice of Violation V25017738-A25004548 to Michelle Best for her dog, Merlin, making excessive noise second violation. Ex. D5. Michelle and Troy Best filed a timely appeal on October 27. Ex. D11.
3. We went to hearing on December 30. Participating in the hearing were: Sgt. Chelsea Eykel representing Animal Services, complainant John Crow, and their witness Jackie Crow, appellants Michelle and Troy Best.

Appeal Issues

Per the Notice of Hearing, the issues identified for consideration on appeal are as follows:

4. In the Best's October 25, 2025, appeal statement, they dispute that the excessive barking recorded by the complainant is attributable to their dog, Merlin.
5. The issue on appeal is whether the October 10, 2025, violation for Merlin's "Excessive Noise 2nd Violation" (KCC 11.04.230.K) and the associated \$100 penalty are supported by a preponderance of the evidence and appropriate under the facts of this case.

Factual Findings

Weighing all the evidence, the hearing examiner finds the following facts by a preponderance of the evidence:

6. The Bests own one dog named Merlin.¹ The Bests live in a rural community and their neighbors across the street are the Crows. The Crows have filed three complaints in 2025 regarding excessive barking coming from the Best property (April 13, August 4, and September 25). Exs. D7, D8, D9. The violation at issue in this case is related to the September 25 incident.
7. The Bests are aware of the neighbors concerns with Merlin's barking. Crow Testimony. Animal Services issued a warning for the noise complaint on April 13th, and a first violation for the "excessive barking" on August 4th. The August 4th violation was not appealed and was paid. Eykel Testimony.
8. Mr. Crow testified that they have been dealing with barking for "six-plus years" and know the dog by its bark. He indicated that he gets home from work at approximately 12:45am, Merlin gets let out shortly thereafter, and then will bark for long periods of time in the middle of the night. Mr. Crow Testimony.

¹ Another dog attributed to the Bests was their son's dog and has not lived with them since January 2025. All complaints relevant to this case were after January 2025, and therefore Merlin is the only dog relevant to the Best's appeal.

9. Mrs. Crow testified that Merlin is left outside unattended for hours during the day and barks consistently during the daytime. At night he is let out consistently between 1-2 am and then there is “incessant barking.” She distinguished Merlin’s barking from an alert bark of shorter duration, which she hears occasionally from the adjacent neighbor’s property. She indicated Merlin’s barking is a different quality, and it as “consistent, ongoing, and frustrating.” Mrs. Crow Testimony.
10. The Crows provided an audio clip of Merlin barking on September 25, between 1:30-2:30am. Ex. D8. The Crows have been impacted by the barking by loss of sleep, keeping their windows closed during summer months, limiting time outside, and using a sleep machine to muffle the sound of the barking. Crow Testimony.
11. The Bests feel that Merlin has been misidentified as the wrongdoer as there are “an untold” number of dogs in the surrounding areas. Ex. D11-001. The Bests believe that when he does bark, they are immediately responsive to Merlin. The Best’s appeal statement indicates that "over the last year there has been one person awake in our household throughout most of the night and there has never been an incident where Merlin was allowed to bark for more than a minute without being addressed." Ex. D11.

Conclusions of Law

12. The hearing examiner has jurisdiction pursuant to KCC 20.22.040.
13. Animal Services bears the burden of proving by a preponderance of evidence both the violation and the appropriateness of the remedy it has imposed. KCC 20.22.080.G; .210.B. We do not grant substantial weight or otherwise accord deference to agency determinations. Exam. R. XV.F.3.
14. Excessive Noise is defined as noise made by a domesticated animal "to an unreasonable degree, in such a manner as to disturb a person or neighborhood." KCC 11.04.230.K. There was not any legitimate dispute that the nature of the barking on September 25 went on for at least an hour and would be characterized as excessive.
15. The Best’s appeal is based on their position that Merlin was misidentified as the barker because there are numerous dogs in the area and they do not let Merlin bark outside “for more than a minute.” Ex. D11. This position is not supported by the evidence. Mr. Crow testified that he “knows the dog by its bark,” is certain of where it is coming from, and that it was the Best’s dog barking on September 25, 2025. The Crows’ testimony is credible and consistent with the previous complaints they submitted related to Merlin’s barking. Exs. D7, D9.
16. The Best’s position that they address any excessive barking by Merlin immediately is inconsistent with the history in this case: namely the prior warning in April and unappealed “excessive noise” violation in August 2025. Ex. D2-002.
17. The Best’s characterization of Merlin’s barking as a “deterrent” or alert for potential theft is not supported by testimony and evidence that establishes the quality of Merlin’s

barking as “four or five barks with a pause” and then repeating in that manner again and again. Eykel Testimony; Crow Testimony. This is not “alert” barking and, even if it were, would not be allowed under the code if were deemed “excessive.” Here there is no dispute that the barking itself was unreasonable, caused a significant disturbance to the Crows, and qualifies as “excessive” under KCC 11.04.230.K.

18. A preponderance of the evidence supports Animal Services issuance of a violation to the Bests for Merlin’s excessive noise on September 25. The associated monetary penalty is appropriate based on the prior warning and violation for the same behavior.

DECISION:

1. The Best’s appeal is DENIED.

ORDERED January 6, 2026.

A handwritten signature in black ink, appearing to read 'Devon Shannon', written over a horizontal line.

Devon Shannon
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 in accordance with Ch. 7.16 RCW. It is the responsibility of the party seeking to appeal the examiner’s decision to determine and meet the legal requirements for filing an appeal.

**MINUTES OF THE DECEMBER 30, 2025, HEARING IN THE APPEAL OF
MICHELLE AND TROY BEST, REGIONAL ANIMAL SERVICES OF
KING COUNTY FILE NO. V25017738-A25004548**

Devon Shannon was the Hearing Examiner in this matter. 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
Exhibit no. D2	RASKC investigation report no. A25004548
Exhibit no. D3	Online Complaint form of September 25, 2025, incident by John Crow, dated September 25, 2025
Exhibit no. D4	Video recording of late night/early morning barking
Exhibit no. D5	Notice of violation no. V25017738-A25004548, issued October 10, 2025
Exhibit no. D6	RASKC investigation report no. A25001602
Exhibit no. D7	Online Complaint form of April 13, 2025, incident by John Crow, dated April 13, 2025
Exhibit no. D8	RASKC investigation report no. A25003554
Exhibit no. D9	Online Complaint form of August 4, 2025, incident by John Crow, dated August 4, 2025
Exhibit no. D10	Notice of violation no. V250017488-A25003554, issued August 9, 2025
Exhibit no. D11	Appeal, received October 27, 2025
Exhibit no. D12	Map of subject area

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CERTIFICATE OF SERVICE

SUBJECT: Regional Animal Services of King County file no. **V25017738-A25004548**

MICHELLE AND TROY BEST
Animal Services Enforcement Appeal

I, Lauren Olson, 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, through Quadient-Impress, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED January 6, 2026.



Lauren Olson
Legislative Secretary

Best, Michelle (Troy)

Hardcopy

Crow, John/Jackie

Hardcopy

Eykel, Chelsea

Regional Animal Services of King County