

January 28, 2026

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**
Telephone (206) 477-0860
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www.kingcounty.gov/independent/hearing-examiner

REPORT AND DECISION

SUBJECT: Regional Animal Services of King County file no. **V25017845-A25005152**

DOUG HARTLEY

Animal Services Enforcement Appeal

Activity no.: A25-005152

Appellant: **Doug Hartley**

[REDACTED]
Renton, WA 98058

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

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, we grant Mr. Hartley's appeal in part, and deny the appeal in part.

Procedural Background

2. On November 3, 2025, Amber Burgh filed an online complaint with Regional Animal Services of King County (Animal Services) for an incident on November 3. Ex. D3. On November 7, Animal Services issued Notice of Violation V25017845-A25005152 to Doug Hartley for his dog, Remy, running at large and menacing. Ex. D4. Doug Hartley filed a timely appeal on November 25. Ex. D5.
3. We went to hearing on January 13, 2026. Participating in the hearing were: Sgt. Chelsea Eykel representing Animal Services, and appellant Doug Hartley.

Appeal Issues

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

4. Whether the November 3, 2025, violation for Remy “Running at Large 1st Offense” (KCC 11.04.230.O) and the associated \$50 penalty are supported by a preponderance of the evidence and appropriate under the facts of this case.
5. Whether the November 3, 2025, violation for Remy “Menacing - 1st Offense” (KCC 11.04.230.E) and the associated \$50 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. On November 3, Ms. Burgh and her boyfriend were walking her dog on-leash down 132nd Pl SE. They observed a dog in an adjacent yard not on a leash or being supervised. This dog was later identified as Mr. Hartley's dog, Remy.
7. Ms. Burgh had her dog sit while Remy approached. Remy got closer and then began to bark aggressively at Ms. Burgh's dog. Mr. Hartley testified that although he did not see the incident, he heard multiple dogs barking, indicating that Ms. Burgh's dog may have also been barking. Ms. Burgh removed her dog from the situation and her boyfriend was able to intimidate Remy enough to scare him away.
8. Mr. Hartley's testimony was credible and honest. He acknowledged that Remy was "at large" on November 3, and explained the temporary fence situation that existed at the time of the incident. Hartley Testimony. He indicated that the fence had now been completed and did not pose a risk for Remy escaping. *Id.*
9. Mr. Hartley indicated that he had not seen the interaction between the two dogs and, by the time he got to the front door and opened it, Remy was pressed against the door and ran inside, clearly intimidated by whatever had just transpired. Hartley Testimony. Mr.

Hartley refuted Ms. Burgh's complaint statement that he was "clearly aware of what happened and wanted to wait until we had passed to get [Remy]." Ex. D3.

10. Mr. Hartley acknowledged that it is uncomfortable to have an unknown, unattended dog approach you on the street, and he apologized for the incident. He believed, however, that Ms. Burgh's characterization that Remy "lunged at [her] dog's neck" seemed likely to be an exaggeration. Hartley Testimony.
11. Animal Services was unable to have the complainant or another witness testify during the hearing. This means that the evidence supporting the menacing violation consists of the complaint submitted by Ms. Burgh and Officer Wheatley's written summary of Ms. Burgh's verbal statement after the incident. Exs. D2, D3.

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. Mr. Hartley acknowledged that Remy escaped from his property on November 3, 2025. The "Running at Large" violation under KCC 11.04.230.L is supported by a preponderance of the evidence and upheld.
15. "Menacing" is not defined in Title 11, but commonly means "a show of intention to inflict harm" or "a dangerous or threatening quality."¹ To support a violation of KCC 11.04.230.E, a preponderance of the evidence must indicate that, based on a reasonable person standard, Remy's behavior had a dangerous or threatening quality which indicated an intent to inflict harm.
16. Because the accusation of "menacing" behavior depends entirely on the assessment of a dog's demeanor and the credibility of the individual making that assessment, I am not inclined to sustain the menacing violation without the complainant's participation in the hearing. This is particularly true where Mr. Hartley's recollection of some of the facts differ from Ms. Burgh's statements. Also, Ms. Burgh's characterization of the events insert assumptions and portrayals of Remy and Mr. Hartley that could not be checked or substantiated through direct questioning at the hearing.
17. Provocation is also a defense the appellant would have to a finding that Remy's behavior was menacing. Any questioning as to what may have happened immediately prior to Remy barking at Ms. Burgh's dog was not possible without her participation as a witness.

¹ <https://www.merriam-webster.com/dictionary/menace>

18. Based on the evidentiary gaps in the record, I do not find that a preponderance of the evidence supports the “Menacing” violation under KCC 11.04.230.E. That violation, along with the associated monetary penalty, is overturned.

DECISION:

1. Mr. Hartley’s appeal is GRANTED with respect to the “Menacing” violation.
2. Mr. Hartley’s appeal is DENIED with respect to the “Running at Large” violation and associated \$50 civil penalty.

ORDERED January 28, 2026.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

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 JANUARY 13, 2026, HEARING IN THE APPEAL OF DOUG
HARTLEY, REGIONAL ANIMAL SERVICES OF KING COUNTY
FILE NO. V25017845-A25005152**

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. A25005152 |
| Exhibit no. D3 | Online Complaint form of November 3, 2025, incident by Amber Burgh,
dated November 3, 2025 |
| Exhibit no. D4 | Notice of violation no. V25017845-A25005152, issued November 7, 2025 |
| Exhibit no. D5 | Appeal, received November 25, 2025 |
| Exhibit no. D6 | Map of subject area |

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CERTIFICATE OF SERVICE

SUBJECT: Regional Animal Services of King County file no. **V25017845-A25005152**

DOUG HARTLEY
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 28, 2026.



Lauren Olson
Legislative Secretary

Burgh, Amber
Hardcopy

Eykel, Chelsea
Regional Animal Services of King County

Hartley, Doug
Hardcopy