May 7, 2024

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

SUMMARY ORDER

SUBJECT: Department of Local Services file no. **E09G0109**

SCOTT AND JENNIFER WHITE
Code Enforcement Appeal

Location: [redacted] Redmond

Appellants: Scott and Jennifer White
represented by **Brian Amsbary**
Law Office of Brian Amsbary PLLC
[redacted]
Seattle, WA 98109
Telephone: [redacted]
Email: [redacted]

King County: Department of Local Services
represented by **LaDonna Whalen**
Department of Local Services
919 SW Grady Way Suite 300
Renton, WA 98057
Telephone: (206) 477-5567
Email: ladonna.whalen@kingcounty.gov

This is nearly the oldest case on our docket (7+ years). It is difficult to count how many conferences, let alone email update back-and-forths, we have engaged in over the years trying to bring this ship into shore.

The parties have spent considerable time working through settlement options, the latest being the May 3 draft counsel produced after our April 30 conference. The topics and detail in that

draft go far beyond what we order even after a lengthy hearing on the merits and thorough findings and conclusions. Thus, we limit our scope today to what we would address in an examiner decision. And we push the deadlines back a little longer than discussed at conference, because (and unlike past time frames) missing a deadline could result in penalties. It seems wiser to build in a little wiggle room, while still setting dates certain.

As to outdoor storage on the property, the Whites will remove all unpermitted equipment and other items stored outside by **August 15, 2024**.

As to clearing and grading, the Whites are providing a $155,939 financial guarantee for the work covered by the approved grading permit. Local Services will accept a lien recorded on the property's title as the financial guarantee, and then Local Services will record that lien. By **September 15, 2024**, the Whites will complete all the planting required by the permit. The Whites will water and maintain the plants to ensure their survival and maturity for the five years required by the guarantee.

If the Whites meet the above terms by those deadlines or any extensions to the deadlines Local Services reasonably approves, no enforcement penalties will attach to the Whites or to the subject property. If they do not, Local Services may issue penalties retroactive to today.

If for some reason we have misunderstood the situation, by **May 31, 2024,** either party is free to file, with the examiner, a motion for reconsideration. Filing a timely motion for reconsideration postpones the deadline (described below the signature line) for lodging an appeal.

Absent a timely motion for reconsideration or appeal, our jurisdiction ends on May 31. Any future disputes about deadlines or compliance would be between the parties, absent some later action (such as appeal from code enforcement penalties) over which an examiner could have jurisdiction.

DATED May 7, 2024.

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 proceedings for review of the decision are timely and properly commenced in superior court. Appeals are governed by the Land Use Petition Act, Chapter 36.70C RCW.

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CERTIFICATE OF SERVICE

SUBJECT: Department of Local Services file no. **E09G0109**

SCOTT AND JENNIFER WHITE
Code Enforcement Appeal

I, Lauren Olson, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **SUMMARY ORDER** 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 May 7, 2024.

Lauren Olson

Lauren Olson
Legislative Secretary

Amsbary, Brian
Law Office of Brian Amsbary PLLC
Hardcopy

Campbell, Thomas
Department of Local Services

Hossienzadeh, Ben
Department of Local Services

Whalen, LaDonna
Department of Local Services

White, Scott/Jennifer
Hardcopy