

From: Don Cole <Don.Cole@mercergov.org>
Sent time: 02/03/2023 04:04:48 PM
To: SHEILA C WHEELER <sheilawheeler@comcast.net>; Gilbysan@gmail.com; Laura E. Shepherd <laura.shepherd@comcast.net>
Subject: RE: One more email from a 77 Resident on Status here at 77 Mercer

Hello Sheila,

Thank you for the detailed information. The city is aware of this situation and in contact with the property manager. A compliance notice was issued for the restoration of heat to all units on or before February 17, 2023, or further compliance action will be initiated. Also, further code compliance action will be initiated if management does not provide adequate temporary heat and/or does not continue to make reasonable best efforts to complete the needed repairs.

Also, I have notified other tenants that they may have other remedies beyond city code enforcement, such as civil remedies, contacting their attorney, the Attorney General's Office, which is the authority on the Landlord Tenant Law, or the Tenant's Union, etc. These resources may reach beyond the minimum codes enforced by the city of Mercer Island. For example, I have provided certification letters to tenants to witness that their permanent heating systems were not operational, which may be used as evidence in a Landlord Tenant dispute.

Here is a link to the Washington State Landlord-Tenant Law. Specifically, see RCW Section 59.18.115 providing the process for local government certification.

<http://apps.leg.wa.gov/RCW/default.aspx?cite=59.18>

Also, below are two web site links that might provide information and a friendlier version of the RCW. However, I do not know if these sites are accurate or up to date, so please remember the actual RCW prevails. <http://tenantsunion.org/en/rights/steps-to-request-a-repair>

<https://www.washingtonlawhelp.org/resource/your-rights-as-a-tenant-in-washington>

Thanks again for your information and please feel free to call me at any time to discuss in more detail.

Don Cole

Building Official

City of Mercer Island - Community Planning & Development

206.275.7701 | mercerisland.gov/cpd | mybuildingpermit.com

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW).

The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

From: SHEILA C WHEELER <sheilawheeler@comcast.net>
Sent: Thursday, February 2, 2023 10:27 AM
To: Don Cole <Don.Cole@mercergov.org>; Gilbysan@gmail.com; Laura E. Shepherd <laura.shepherd@comcast.net>
Subject: One more email from a 77 Resident on Status here at 77 Mercer

I am a 40 years plus resident of Mercer Island, and owned a single family home on the South End for most of that time.

I moved to 77 Mercer in downtown area of Island after selling my house, as it felt like a community with amenities and premium quality feel -- a rental home, but a good place to live..

Under the previous management, it not only felt that way, it was.

With a change to Cushman Wakefield management that has changed.

Recently, heating has been sporadic in halls, and very under performing (hovered at 66 to 67 degrees in my unit) until it was restored some few weeks ago.

Many still do not have it.

The past two years' winters, my unit had no heat for 4 to 6 weeks--twice each calendar year--with CW response that it was a work in progress, parts needed, etc etc and to plug in little space heaters the office provided.

So sorry meanwhile, etc.

Last summer, many did not have air-conditioning who paid for it.

CW response was replacement a few times of regional managers and a series of replacements of office management on site with young "managers" .

That has settled down, and we have had a longer running on site duo, here often along with temps that substitute for stretches also.

On site staff I believe have hands tied. They are conduits, not decision and action makers which start at regional level and upwards..

Last summer was a big issue--hot units that supposedly had AC for many, and mature small trees and large bushes in the public area inner courtyard and public courtyard street side of stairs leading to it that CW almost let die.

CW made aware but no action for weeks.

Residents tried to take 2 to 4 hour shifts to water them and continued to ask for basic upkeep to start and proceed

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in the 80 to 90 degree long weather patch..

We used hoses for shifts that then were taken away and a the regional manager who stated all should just be removed and done.

These are public green spaces, which prior management previously maintained.

Regional manager after escalated complaints was replaced.

Finally light watering resumed, and extreme heat spell broke after weeks, so many trees and plants saved, and came back over time.

Some I think died however..

I believe there was information offered to CW that there existed City fines for owners who let die public plantings in their public areas, as well as requirements in addition to replace at full maturity which may have had some impact.

In sum—

Unhealthy cold units in the winter has been continuing..

Sweltering units in the summer has been an issue.

Rents stay high, and are raised annually.

As well as other types of neglect.

CW response has been an ongoing issue.

You have heard from one or two voice which represent a collective of many who agreed not to jam your email!

But there area a multitude here who have been impacted with health and living quality and other issues and chose to pay to live here, happily, for many years prior to current status..

Are there any rules or regs protecting tenants, as there are in other areas, from management abuse and neglect?

Sincerely,

Sheila Wheeler

Unit 410

77 Mercer building

Downtown Core.