



CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT
9611 SE 36TH STREET | MERCER ISLAND, WA 98040
PHONE: 206.275.7605 | www.mercergov.org

Notice of Violation of Stop Work Order

April 16, 2020

Pursuant to MICC 6.10.070, this Notice of Violation of Stop Work Order is issued as follows:

This Notice is being issued to the following Persons Responsible for the violation(s):

Radimir and Ella Mandzyuk

Violation(s) of Mercer Island City Code (MICC) is occurring at the following location:

4719 90th Ave SE, Mercer Island, WA 98040, Tax Parcel # 019110-1135

The persons identified above are responsible for the following violations that are occurring at the location identified above:

MICC 6.10.070(A)(1) – *Stop work orders. Issuance.*

The director shall issue a stop work order if the director finds that the work is not authorized by a valid permit or inaccurate information was used to obtain the permit.

MICC 6.10.070(B) – *Stop work orders. Effect.*

When a stop work order has been issued, posted and/or served pursuant to this section, it is unlawful to conduct the activity or perform the work covered by the order, even if the order has been appealed, until the director has removed the copy of the order, if posted, and issued written authorization for the activity or work to be resumed.

MICC 6.10.070(D) – *Stop work orders. Removal of a Stop Work Order.*

When a stop work order has been posted in conformity with the requirements of this chapter, removal of such order without the authorization of the city, or the hearing examiner if the matter has been heard by the hearing examiner, is unlawful and a violation.

Please note: The City also has authority to suspend or revoke a business license when a responsible party is repeatedly doing work in violation of city regulations (Chapter 5.01 MICC).

Supporting facts:

- On February 13, 2020, a Stop Work Order was posted on the property after City staff observed the interior of the house had been reduced to studs with no permits in place at the time.
- Permit 2002-111 was issued on February 19, 2020 lifting the first Stop Work Order.
- On March 24, 2020, a new complaint was submitted alleging work outside of the scope of the permit on the property. The complainant submitted photos on March 24 confirming the carport was being enclosed.
- A second Stop Work Order was posted in response to the new complaint on March 24, 2020.
- Compliance staff allowed the contractor to install sod grass to address possible erosion concerns under the Stop Work Order. No other work was authorized at the time.

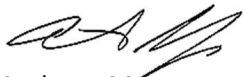
- On April 1, 2020, Building Official Don Cole approved emergency work to address flooding inside of the house. No other work was authorized at the time.
- On April 7, 2020, Mercer Island Police received a complaint alleging work on the property in violation of Governor Inslee's "Stay Home" proclamation.
- Mercer Island Police spoke with an electrician working inside the house and determined the house was not in violation of the governor's order. Officers were unaware of the Stop Work Order on the property because the sign posted on the property had been removed.
- Compliance staff has received multiple emails with photos attached from the complainant between April 3-8, 2020 showing work subcontractors on the property doing work in violation of the Stop Work Order.
- City staff has determined the electrical work and exterior painting were done in violation of the Stop Work Order.

Pursuant to MICC 6.10.050, penalties for a priority violation described in this Notice shall be as follows:

- Violation of MICC 6.10.050(D)(2) is a priority violation with a maximum penalty of up to \$10,000.
- When the potential penalty amount is listed as a range, the director will set the penalty based on the following criteria:
 - The significance and severity of the violation and its impact on the public and the environment.
 - The difficulty and time involved in resolving the violation and mitigating or remediating the area impacted by the violation.
 - The resulting ill-gotten economic benefit and savings of construction costs realized by the person responsible for the violation.
- Staff have calculated the base penalty amount for the priority violation to be \$6,875. This property has been subject to Stop Work Orders on February 13, 2020 and March 24, 2020. Barcelo Homes, Inc. has but subject to prior enforcement involving a Stop Work Order on March 4, 2019 (Case CE19-004) and April 2, 2019 (Case CE19-0023)
- Permit 2002-111 is currently on hold while under review for a revision. Once the review is complete, the permit will remain on hold until the appeal period has ended, and the civil penalty is paid in full (MICC 6.10.050(F)).

If you would like to discuss the resolution of this code case or schedule a compliance inspection, please contact me by call me at (206) 275-7712 or by email at Anthony.Myers@mercergov.org. Thank you for your cooperation.

Sincerely,



Anthony Myers
Code Compliance Officer
City of Mercer Island



**City of Mercer Island
Development Services**

9611 SE 36th Street, Mercer Island, WA 98040
 Inspection Request Line (206) 275-7730
 General Information (206) 275-7605
 www.mercergov.org www.mybuildingpermit.com

BUILDING PERMIT
 Exhibit 23 - Page 3 of 10
 SF ADD/ALT COM

Permit No. 2002-111
Project No.
Main Permit No.

Site Address: 4719 90TH AVE SE		Valuation: 37,000.00	Parcel No. 0191101135
Owner: MANDZYUK, ELLA Tenant:		Description of Work: INTERIOR UPDATES - DRYWALL REPAIR+WINDOWS+ENLARGE POWDER RM	
Mailing Address: 4719 90TH AVE SE MERCER ISLAND WA 98040			
Phone: (253)326-0326			
Legal Description			
Lot: 3	Block: 15	Plat:	
Contractor: BARCELO HOMES INC		State Contractor Lic#: BARCEHI869J9	
Mailing Address: 1414 E YESLER WAY SEATTLE WA 98122		MI Business Lic#: 140447	
Phone: (253)332-4812			
FEES		Receipt # & Date	
BUILDING PERMIT FEE		687.60	174146 2/19/2020
COMBO ELECT-MECH-PLUMB		213.16	174146 2/19/2020
PLAN CHECK		135.00	174146 2/19/2020
SURCHARGE - RES		6.50	174146 2/19/2020
TECHNOLOGY FEE		31.07	174146 2/19/2020
TOTAL FEE		\$1,073.33	
TOTAL FEES PAID		\$1,073.33	
TOTAL FEES DUE		\$0.00	
Comments			

Permit expires if work is not completed within two years. The City of Mercer Island is not responsible for reviewing the applicability of private covenants to this permit. Compliance with private plat covenants is the sole responsibility of the applicant/owner.

I hereby certify that I am the owner of the subject property or I have been authorized by the owner(s) of the subject property to represent this permit, and that I have read and examined this permit and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be met whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

 Signature of Owner/Contractor/Authorized Agent

 Date

Project No.
Main Permit No.
Permit No.

2/18/20
2002-111

FILE COPY

Excise Docs: 3029287 Selling Price: \$1,050,000.00 Tax Amount: \$17,795.00 Record Date:1/9/2020 10:27 AM
Electronically Recorded King County, WA

When recorded return to:

Aleksander Deyneka, Bogdan Maksimchuk, Radimir Mandzyuk
9104 SE 50th St.
Mercer Island, WA 98040

OLD REPUBLIC TITLE LTD
07-166016

STATUTORY WARRANTY DEED

3/105.50

THE GRANTOR(S) Xinlin Li and Xiuling Yuan, husband and wife

for and in consideration of \$10.00 and other good and valuable consideration
in hand paid, conveys, and warrants to Radimir Mandzyuk and Ella Mandzyuk, husband and wife and
Aleksander Deyneka, a married man as his sole and separate property and Bogdan Maksimchuk, a
married man as his sole and separate property

the following described real estate, situated in the County of King, State of Washington:

Lot 3, Block 15, ALL VIEW HEIGHTS ADDITION TO SEATTLE, according to the plat thereof
recorded in Volume 16 of Plats, page 20, records of King County, Washington.
TOGETHER WITH that portion of vacated alley adjoining that would attach by operation of law.

SITUATE in the County of King, State of Washington

Abbreviated Legal:

Tax Parcel Number(s): 019110-1135

Dated: January 02, 2020

[Signature]
Xinlin Li

[Signature]
Xiuling Yuan

State of Washington
County of King

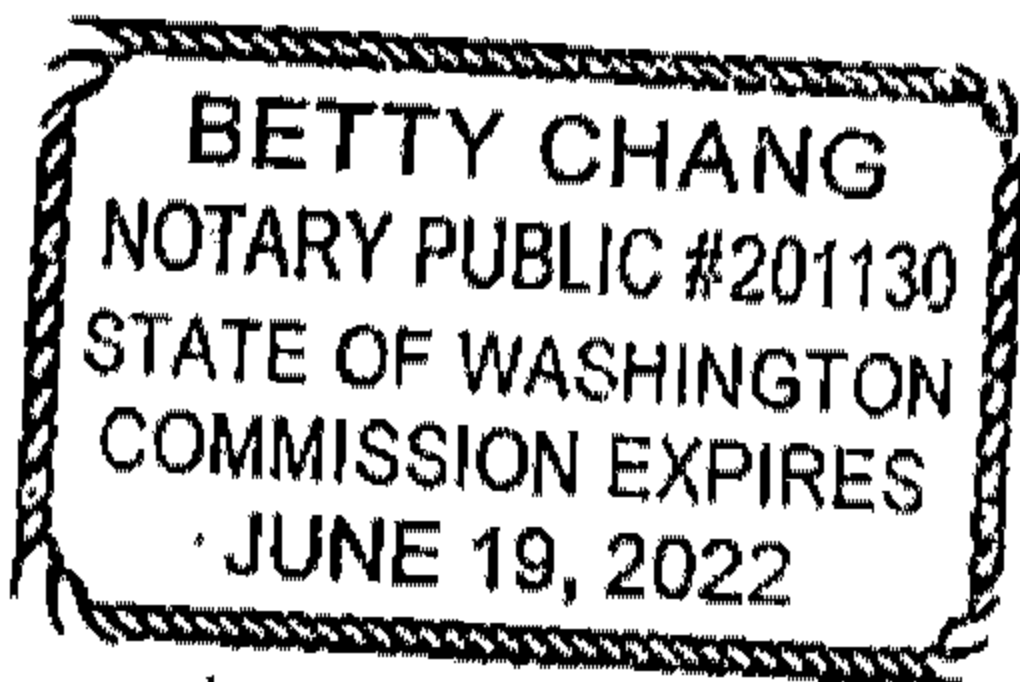
I certify that I know or have satisfactory evidence that
Xinlin Li & Xiuling Yuan

(is/are) the person(s) who appeared before me, and said person(s) acknowledge that (he/she/they) signed this instrument and acknowledged it to be (his/her/their) free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: 1/2/20

[Signature]
Notary Public in and for the State of Washington

My appointment expires: 6/19/22



Official Copy

EXHIBIT A

Any private easements/rights in favor of the owners of other lots within the subdivision, which the herein described property is a part of, lying within the former lines of Vacated Alley.

Unofficial Copy

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PARCEL DATA

Parcel	019110-1135	Jurisdiction	MERCER ISLAND
Name	LI XINLIN	Levy Code	1031
Site Address	4719 90TH AVE SE 98040	Property Type	R
Residential Area	034-003 (SE Appraisal District)	Plat Block / Building Number	15
Property Name		Plat Lot / Unit Number	3
		Quarter-Section-Township-Range	<u>SW-18-24-5</u>

Legal Description

ALLVIEW HEIGHTS ADD TGW POR VAC ALLEY ADJ
 PLat Block: 15
 Plat Lot: 3

LAND DATA

Highest & Best Use As If Vacant	SINGLE FAMILY
Highest & Best Use As Improved	PRESENT USE
Present Use	Single Family(Res Use/Zone)
Land SqFt	10,125
Acres	0.23

Percentage Unusable	
Unbuildable	NO
Restrictive Size Shape	NO
Zoning	R-9.6
Water	WATER DISTRICT
Sewer/Septic	PUBLIC
Road Access	PUBLIC
Parking	ADEQUATE
Street Surface	PAVED

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Views

Rainier	
Territorial	
Olympics	
Cascades	
Seattle Skyline	
Puget Sound	
Lake Washington	
Lake Sammamish	
Lake/River/Creek	
Other View	

Waterfront

Waterfront Location	
Waterfront Footage	0
Lot Depth Factor	0
Waterfront Bank	
Tide/Shore	
Waterfront Restricted Access	
Waterfront Access Rights	NO
Poor Quality	NO
Proximity Influence	NO

Designations

Historic Site	
Current Use	(none)
Nbr Bldg Sites	
Adjacent to Golf Fairway	NO
Adjacent to Greenbelt	NO
Other Designation	NO
Deed Restrictions	NO
Development Rights Purchased	NO
Easements	NO
Native Growth Protection Easement	NO
DNR Lease	NO

Nuisances

Topography	
Traffic Noise	
Airport Noise	
Power Lines	NO
Other Nuisances	NO

Problems


Water Problems	NO
Transportation Concurrency	NO
Other Problems	NO

Environmental

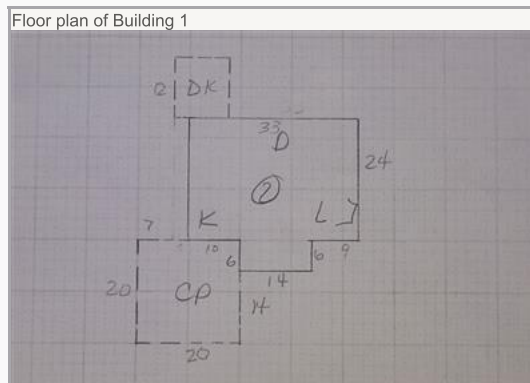
Environmental	NO
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BUILDING

Building Number	1
Year Built	1967
Year Renovated	0
Stories	2
Living Units	1
Grade	8 Good
Grade Variant	0
Condition	Good

 Click the camera to see more pictures.
 Picture of Building 1

Basement Grade	7 Average
1st Floor	880
1/2 Floor	0
2nd Floor	880
Upper Floor	0
Finished Basement	880
Total Finished Area	2,640
Total Basement	880
Basement Garage	0
Unfinished 1/2	0
Unfinished Full	0
AGLA	1,760
Attached Garage	0
Bedrooms	5
Full Baths	2
3/4 Baths	1
1/2 Baths	1
Heat Source	Gas
Heat System	Forced Air
Deck Area SqFt	200
Open Porch SqFt	0
Enclosed Porch SqFt	0
Brick/Stone	0
Fireplace Single Story	0
Fireplace Multi Story	1
Fireplace Free Standing	0
Fireplace Additional	1
AddnlCost	5000
Obsolescence	0
Net Condition	0
Percentage Complete	0
Daylight Basement	YES
View Utilization	



Accessory Of Building Number: 1

Accessory Type	Picture	Description	SqFt	Grade	Eff Year	%	Value	Date Valued
PRK:CARPORT			400		1967			

TAX ROLL HISTORY

Account	Valued Year	Tax Year	Omit Year	Levy Code	Appraised Land Value (\$)	Appraised Imps Value (\$)	Appraised Total Value (\$)	New Dollars (\$)	Taxable Land Value (\$)	Taxable Imps Value (\$)	Taxable Total Value (\$)	Tax Value Reason
019110113503	2020	2021		1031	954,000	154,000	1,108,000	10,000	954,000	154,000	1,108,000	
019110113503	2019	2020		1031	809,000	267,000	1,076,000	0	809,000	267,000	1,076,000	
019110113503	2018	2019		1031	794,000	260,000	1,054,000	0	794,000	260,000	1,054,000	
019110113503	2017	2018		1031	718,000	233,000	951,000	0	718,000	233,000	951,000	
019110113503	2016	2017		1031	657,000	199,000	856,000	0	657,000	199,000	856,000	
019110113503	2015	2016		1031	595,000	181,000	776,000	0	595,000	181,000	776,000	
019110113503	2014	2015		1031	550,000	165,000	715,000	0	550,000	165,000	715,000	
019110113503	2013	2014		1031	501,000	78,000	579,000	0	501,000	78,000	579,000	
019110113503	2012	2013		1031	462,000	72,000	534,000	0	462,000	72,000	534,000	
019110113503	2011	2012		1031	486,000	42,000	528,000	0	486,000	42,000	528,000	
019110113503	2010	2011		1031	509,000	44,000	553,000	0	509,000	44,000	553,000	
019110113503	2009	2010		1031	524,000	46,000	570,000	0	524,000	46,000	570,000	
019110113503	2008	2009		1031	650,000	57,000	707,000	0	650,000	57,000	707,000	
019110113503	2007	2008		1031	435,000	230,000	665,000	0	435,000	230,000	665,000	
019110113503	2006	2007		1031	389,000	184,000	573,000	0	389,000	184,000	573,000	
019110113503	2005	2006		1031	354,000	178,000	532,000	0	354,000	178,000	532,000	
019110113503	2004	2005		1031	325,000	160,000	485,000	0	325,000	160,000	485,000	
019110113503	2003	2004		1031	325,000	160,000	485,000	0	325,000	160,000	485,000	
019110113503	2002	2003		1031	325,000	160,000	485,000	0	325,000	160,000	485,000	
019110113503	2001	2002		1031	301,000	119,000	420,000	0	301,000	119,000	420,000	
019110113503	2000	2001		1031	262,000	125,000	387,000	0	262,000	125,000	387,000	
019110113503	1999	2000		1031	210,000	141,000	351,000	0	210,000	141,000	351,000	
019110113503	1998	1999		1031	200,000	110,000	310,000	0	200,000	110,000	310,000	
019110113503	1997	1998		1031	0	0	0	0	130,000	136,000	266,000	

019110113503	1996	1997		1031	0	0	0	0	120,000	109,600	229,600	
019110113503	1994	1995		1031	0	0	0	0	120,000	109,600	229,600	
019110113503	1992	1993		1031	0	0	0	0	78,400	148,600	227,000	
019110113503	1990	1991		1031	0	0	0	0	80,000	151,600	231,600	
019110113503	1988	1989		1031	0	0	0	0	41,400	85,800	127,200	
019110113503	1986	1987		1031	0	0	0	0	41,400	74,600	116,000	
019110113503	1984	1985		1031	0	0	0	0	32,200	70,800	103,000	
019110113503	1982	1983		1031	0	0	0	0	32,200	70,800	103,000	

SALES HISTORY

Excise Number	Recording Number	Document Date	Sale Price	Seller Name	Buyer Name	Instrument	Sale Reason
3029287	20200109000583	1/2/2020	\$1,050,000.00	LI XINLIN+XIULING YUAN	MANDZYUK RADIMIR+ELLA+DEYNEKA ALEKSANDER+MAKSIMCHUK BOGDAN	Statutory Warranty Deed	None
3029286	20200109000578	1/2/2020	\$0.00	DEYNEKA LYUDMILA	DEYNEKA ALEKSANDER	Quit Claim Deed	Property Settlement
3029281	20200109000552	1/2/2020	\$0.00	MAKSIMCHUK NADEZHDA	MAKSIMCHUK BOGDAN	Quit Claim Deed	None
2019501	20040223000462	2/18/2004	\$443,800.00	LONG DENISE	LI XINLIN+YUAN XIULING	Statutory Warranty Deed	None
802156	198411300615	11/27/1984	\$110,000.00	KENNEDY DON+BETTY ANN	SABIN M DENISE	Warranty Deed	None

REVIEW HISTORY

PERMIT HISTORY

Permit Number	Permit Description	Type	Issue Date	Permit Value	Issuing Jurisdiction	Reviewed Date
2002-111	INTERIOR UPDATES -DRYWALL REPAIR+WINDOWS+ENLARGE POWDER RM,	Remodel	2/19/2020	\$37,000	MERCER ISLAND	5/20/2020
1607-228	#88732923, INVESTIGATE & REPAIR LEAK ON MAIN, 1 (3X5') CUT,	Other	7/26/2016	\$0	MERCER ISLAND	9/3/2019

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