

From: Don Cole <Don.Cole@mercergov.org>
Sent time: 12/19/2022 08:20:45 AM
To: Richard A. Day <rday@columbiasoft.com>; Day, Rich <Rich.Day@marcusmillichap.com>
Cc: David Henderson <david.henderson@mercergov.org>
Subject: RE: 77 Central Apartments - Not Providing Heat to Tenants
Attachments: image001.jpg image002.png

Thanks for letting me know. I spoke with the property manager on Thursday, and they stated the heating coils arrived and they would be repairing the units, so good to hear some are back in service. I would expect they are working on the other units this week.

From: Richard A. Day <rday@columbiasoft.com>
Sent: Monday, December 19, 2022 7:33 AM
To: Day, Rich <Rich.Day@marcusmillichap.com>; Don Cole <Don.Cole@mercergov.org>
Cc: David Henderson <david.henderson@mercergov.org>
Subject: 77 Central Apartments - Not Providing Heat to Tenants

Hi Don,

I am following up on the email my son Rich Day sent you on December 6th. I want to report that we finally got our heat fixed on December 17th after being without heat since October 12th (9weeks). That said in the past week we have had conversations with two residences of the apartment that have on going heating problems one of them has also been without heat since October 12th. I don't know if these folks have reported their situation to you but want to make you aware that some residence still have a problem.

Thank you
Richard Day
(503) 789-3601

From: Day, Rich <Rich.Day@marcusmillichap.com>
Sent: Tuesday, December 6, 2022 8:55 PM
To: Don Cole <Don.Cole@mercergov.org>
Cc: David Henderson <david.henderson@mercergov.org>; Richard A. Day <rday@columbiasoft.com>
Subject: RE: Mercer Island Multifamily Property Not Providing Heat to Tenants

Hi Don,

Good speaking with you today.

To recap our conversation, five other tenants have already reached out to you about this issue with the first tenant contacting you approximately two weeks ago. Based on my conversations with my parents, it is my understanding that this issue is affecting more than five residents, though I am not sure of the exact number at this time. It is my understanding that the issue with the heating began around October 12th. The management did not inform residents via any formal communication as my parents learned about the HVAC failure after contacting maintenance. The space heaters were provided approximately a week after the failure and appear to not sufficiently heat the units. My parents have to keep several of the rooms in their apartment shut in order to heat other areas. More space heaters would not correct this issue as adding additional units trips the fuse.

You have been in contact with the management and they have conveyed that this issue will be addressed by next week. I am skeptical that this will occur as the management has made promises to my parents previously that were not followed through. If this issue is not resolved by the beginning of next week, it is my understanding you will begin issuing code violation notices which carry escalating fines for the ownership.

Beyond City of Mercer Island issuing code violations and fines, other avenues to compel the ownership to take action and address the HVAC failure include tenants reaching out to the Attorney General's Office or Tenant's Union. I believe many of the tenants were discussing taking some kind of legal recourse though I don't believe an attorney has been contacted yet.

I've copied my dad, also named Richard, in case he has anything further to add.

Again, I appreciate the time.

Thank you,

Rich

From: Don Cole [<mailto:Don.Cole@mercergov.org>]
Sent: Tuesday, December 6, 2022 9:38 AM
To: Day, Rich <Rich.Day@marcusmillichap.com>

MI_0006

Cc: David Henderson <david.henderson@mercergov.org>

Subject: RE: Mercer Island Multifamily Property Not Providing Heat to Tenants

Hello Rich,

I am the city contact regarding Landlord Tenant confirmations. I spoke with property management at 77 Central, they have provided temporary space heaters to the affected units, which must be capable of maintaining 68 degrees until they can obtain parts and complete the repairs. The property manager reported repairs should be complete by the 2nd week in December. This appears to be a reasonable timeframe and further city code enforcement action will not be taken at this time. However, they need to provide adequate temporary heat, so if that is not the case, please contact me.

Additionally, every tenant may have other remedies beyond city code enforcement, such as civil remedies, contacting 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 provided a certification letter to a tenant witnessing that the permanent heating system was not operational, which may be used as evidence in a Landlord Tenant dispute.

Please let me know if I can be of further assistance.

Don Cole

Building Official

City of Mercer Island - Community Planning & Development

206.275.7701 | merceraisland.gov/cpd | mybuildingpermit.com

Community Planning and Development has modified our operations. City Hall is open to the public for "walk in" permit service between 10 AM and 2 PM on Tuesdays and Thursdays, and available other times by appointment only. Some remote work operations may continue. Please feel free to contact us by phone for general customer support at 206-275-7626.

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From: David Henderson <david.henderson@mercergov.org>

Sent: Monday, December 5, 2022 11:51 AM

To: Don Cole <Don.Cole@mercergov.org>

Subject: FW: Mercer Island Multifamily Property Not Providing Heat to Tenants

Hi Don,

This came in last Thursday. I believe it is a landlord tenant issue. Please advise if you want me to respond.

Thank you!

David

David Henderson

Building Inspector

Building Plans Examiner

Code Compliance Officer

City of Mercer Island – Community Planning & Development

Cell: Call or Text 206-507-2064 | David.Henderson@mercergov.org

Schedule an inspection: [Inspection Scheduling](#)

If possible, please include within either the subject line or body of your email one or more of the following to help me assist you efficiently:

A contact telephone number; site address; assigned permit number; Code Compliance case file number; King County Assessor's parcel identification number (APN).

Code Compliance webpage: <https://www.merceraisland.gov/cpd/page/code-compliance>

Please contact us by phone or email for general customer support at 206-275-7605 or epermittech@mercergov.org.

From: Day, Rich <Rich.Day@marcusmillichap.com>

Sent: Thursday, December 1, 2022 6:10 PM

To: David Henderson <david.henderson@mercergov.org>

Subject: Mercer Island Multifamily Property Not Providing Heat to Tenants

Hi David,

It has come to my attention that 77 Central, located at 2630 77th Ave SE on Mercer Island, has not been providing adequate heat to its residents. The central heating broke down approximately 5-6 weeks ago and while heat is now available in some units, others are resorting to using space heaters. The space heaters aren't sufficient and are constantly tripping electrical

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fuses.

The ownership appears slow to provide an adequate solution and I believe they are in violation of RCW 59.18.060, hence why I am reaching out to you. Please confirm whether you investigate these matters or if I should be reaching out to someone else in your office.

Thank you,

Rich

Rich Day

*First Vice President Investments
National Multi Housing Group
National Land Group*

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View my profile at <http://www.marcusmillichap.com/RichDay>



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