

From: [Alicia Litts](#)
To: [Don Cole](#)
Subject: Re: 3215 72nd Ave. SE - Review of listed conditions in letter dated 10/24/2022
Date: Tuesday, November 29, 2022 3:20:44 PM
Attachments: [image001.gif](#)
[image002.jpg](#)
[image001.gif](#)
[image002.jpg](#)

Hi Mr. Cole, thank you so much for your response. Yes, it my understanding that heat repairs are still on going. As of thanksgiving morning the noise from the fans have not been mitigated. I will confirm tonight when I return. If in fact the noise is still an issue will you come out and reinspect?

Thanks! Alicia

Sent from my iPhone

On Nov 29, 2022, at 1:09 PM, Don Cole <Don.Cole@mercergov.org> wrote:

Dear Alicia,

Per your RCW 59.18.115 request for an inspection, a site visit was made on November 17, 2022 to review your specific listed concerns and verify whether the conditions existed at the time of my visit. No other conditions were reviewed, and no other areas of the premises visited. The sole purpose of this review was to verify, to the best of my ability, whether specifically listed conditions existed. This letter is for the purposes of your private civil remedy, and therefore shall not be related to any other governmental function of the City of Mercer Island.

During my visit, you reported providing the owner written notice of these same items more than 72 hours ago and that notification of some items occurred almost a month ago. Also, you reported that none of the items had been adequately corrected. You directed me to view the listed concern within your letter dated October 24, 2022 in order to check whether the specific conditions still existed. Please see the following description of findings for each item. Also, I discussed each item with the property manager, Nora Grant, and have included status information when applicable.

1). At the time of my inspection, it was confirmed that permanent heating system was not operational. Temporary heating was provided and based on the unit's thermostat reading, appeared to maintain adequate heat within the unit. The property manager indicated that due to supply delays the permanent heat system would not be repaired until the first week in December. However, adequate temporary heating will be provided.

2). At the time of my inspection, it was confirmed that the large ventilation fan located in garage the was operational. The property manager indicated that emanating noise

concerns had been mitigated.

3). At the time of my inspection, the glass shower door was being replaced. The property manager indicated that this work was completed.

4). As discussed, the AC unit operation is not subject to the housing code or city related enforcement of the landlord tenant law. You may want to review my prior email with information about other tenant resources (Attorney General's Office, tenants union, etc.).

5). At the time of my inspection, the hot water to the plumbing fixtures was operational. The property manager confirmed that permanent repairs have been completed.

Please let me know if I can be of further assistance. I can be reached at (206) 275-7701 or don.cole@mercergov.org if you have any questions.

Sincerely,

Don Cole, Building Official

Development Services Group, City of Mercer Island

9611 SE 36th St. Mercer Island, WA 98040-3732

206.275.7605 phone 206.275.7726 fax

206.275.7701 voicemail don.cole@mercergov.org

From: Alicia Litts <adiane02@hotmail.com>

Sent: Wednesday, November 23, 2022 7:22 PM

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

Subject: Re: [77 Central Neighbors] For those with no heat (or other safety issues)

Hello Mr. Cole, as of tomorrow it will be one month we have been without heat. If I remember correctly you were going to send a report confirming we didn't have heat at the time of your visit. I have not received the report and wanted to check on the status. If I am wrong please let me know what I should be expecting from your visit.

Hope you have a happy and warm thanksgiving!

Thanks! Alicia

Sent from my iPhone

On Nov 9, 2022, at 12:13 PM, Alicia Litts <adiane02@hotmail.com> wrote:

Mr. Cole, your information was passed to me by Laura Shepherd as I am also a resident of 77 Central. I gave C&W notice of repairs required on October 24, 2022 - attached. As of today, November 9, 2022, items 1 and 2, which are serious health and safety issues and possibly item 5 if not properly repaired, have not been addressed. Per the Washington Residential Landlord Tenant Act, Cushman & Wakefield should have already started all of the repairs requested. Most urgent of these matters is item 1 the LOSS of HEAT followed by item 2 the CO ventilation system. We have been without heat for over two weeks. WINTER IS HERE and as of this morning it was 33 degrees. The cold weather/rain drives people and their cars indoors and without a properly maintained CO ventilation system there is the potential for increased CO poison and possibly death of tenants, visitors, 77 Central staff and their contracted workers. I am requesting your assistance due to Cushman & Wakefield's unresponsiveness to the health and safety repairs needed at 77 Central.

Thanks! Alicia Litts

703.447.8789

From: 77-central-neighbors@googlegroups.com <77-central-neighbors@googlegroups.com> on behalf of Laura E. Shepherd <laura.shepherd@comcast.net>

Sent: Saturday, November 5, 2022 12:11 AM

To: 77 Central Neighbors <77-central-neighbors@googlegroups.com>

Subject: [77 Central Neighbors] For those with no heat (or other safety issues)

Today I had a conversation with the Mercer Island Building Official that handles landlord-tenant issues. All he is able to do is act as a neutral third party to verify the landlord has not resolved a **safety issue** in the timeframe required **after receiving proper notice from the tenant**. This is needed if there is ever a lawsuit but it can also be used as a way to get repairs done in a more timely fashion.

He did say the Attorney General is where you would go to file a complaint for violation of the Landlord-Tenant Act defined by the RCW, however, in his experience, that route is not always productive. If the city pays a visit, that can be much more effective.

He can assist with heat, and the recycling room if that becomes a fire

hazard again. I suspect mold as well. He is not able to help with hot tub, ice on sidewalks, cleanliness, utility billing, and the like.

Before contacting him to request a visit, tenants with a safety issue will need to give the property manager official notice requesting repairs and give them the opportunity to make the repair in the timeframe required by law. **Please see his instructions highlighted in yellow below.** The sample text for a Notice Requesting Repairs is in the attached word doc.

Laura

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To unsubscribe from this group and stop receiving emails from it, send an email to 77-central-neighbors+unsubscribe@googlegroups.com.

To view this discussion on the web visit

<https://groups.google.com/d/msgid/77-central-neighbors/EBEE9BED-37F2-4C40-9694-916150CFFD4F%40comcast.net>.

<https://www.washingtonlawhelp.org/resource/tenants-what-to-do-if-your-rental-needs-repai>

["Tenants: If You Need Repairs" Packet](#)

Begin forwarded message:

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

Subject: Landlord Tenant law discussion

Date: November 4, 2022 at 3:37:16 PM PDT

To: "laura.shepherd@comcast.net"

<laura.shepherd@comcast.net>

Hello Laura,

Per our phone conversation, 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. Please provide me a copy of your written and dated letter to your landlord requesting the repair(s). If they have not complied within the RCW's specified time frame for compliance, please call me to arrange a meeting time to certify your concerns.

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

Also, below are two web site links that might provide 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>

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

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image001.gif



Don Cole, Building Official
Community Planning & Development
City of Mercer Island

9611 SE 36th St. Mercer Island, WA 98040-3732

206.275.7605 phone
206.275.7701 voicemail
don.cole@mercergov.org
www.mybuildingpermit.com

206.275.7726 fax
206.275.7730 inspections
www.mercergov.org
Building Permit Information

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Please note the new permit counter hours for

Community Planning & Development:

Monday 8:30 a.m. – 4:00 p.m.

Tuesday 8:30 a.m. – 4:00 p.m.

Wednesday 10:00 a.m. – 4:00 p.m.

Thursday 8:30 a.m. – 4:00 p.m.

Friday 8:30 a.m. – 4:00 p.m.

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