

BEFORE THE HEARING EXAMINER
FOR THE CITY OF SHORELINE

In The Matter of the Appeal of) No. CE-17-0034
)
Lynnwood Center, LLC)
)
Of a Notice of Violation and)
Order to Correct) **PRE-HEARING ORDER**

TO: Jason Anderson, Appellant Attorney
Via email to: Jason@jasonandersonlaw.com

Ryan Odegaard, City Code Enforcement Officer
Via email to: rodegaard@shorelinewa.gov

Allison Taylor, Clerk to the Hearing Examiner
Via email to: ataylor@shorelinewa.gov
[For file]

PLEASE TAKE NOTICE that an appeal was filed by Attorney Jason Anderson, on behalf of Lynnwood Center, LLC (Appellant) in the above-referenced case. The City's Notice of Violation and Order to Correct (NOV) states that violations of the Shoreline Municipal Code (SMC 20.10.040, 20.20.040, 20.30.740.A.3) and the International Residential Code have occurred pursuant to RCW 19.27.0310. The NOV also states that corrective action is required. The Appellant has requested a hearing to contest the alleged violations.

An open record appeal hearing will be held on **February 21, 2020, at 10:30 AM**, in the City Council Chambers, Shoreline City Hall, 17500 Midvale Ave N, Shoreline, WA.

APPEAL PROCEDURES

The Hearing Examiner is directed by the municipal code to decide this appeal following an open record appeal hearing. *ICC 16.13.110.A.4*. In order to facilitate the efficient presentation of issues at the appeal hearing, the following procedures shall be followed:

1. **Motions:** By **Noon, February 7, 2020**, two paper copies of any motions may be submitted by any party to the Clerk to the Hearing Examiner of the City (who will forward one copy to the Hearing Examiner) with copies to the other party. By **Noon, February 14, 2020**, two copies of any response to motions, may be submitted by any party to the Clerk to the Hearing Examiner of the City (who will forward one copy to the Hearing Examiner) with copies to the other party.

*Pre-Hearing Order
City of Shoreline Hearing Examiner
Lynnwood Center, LLC, Appeal of Notice of Violation and Order to Correct
No. CE-17-0034*

2. Witness and Document Lists: By **Noon, February 14, 2020**, the parties shall provide to the other parties, with two copies to the Clerk to the Hearing Examiner of the City, the following:
 - a. a witness list
 - b. a documents list
 - c. copies of the documents

The witness list shall include the name, address and telephone number of each witness. If the witness will be providing expert testimony, the witness list shall also identify the area of expertise. Only those witnesses and documents identified shall be considered at the hearing, unless the Hearing Examiner rules otherwise. Objections to admission may be made at the hearing; if no objection is made the document will be deemed admitted. All parties to the appeal shall have an opportunity to cross-examine witnesses. Copies of documents shall be tabbed and designated as follows: Appellant (A-1, A-2, etc.) and City (C-1, C-2, etc.). The Clerk to the Hearing Examiner shall forward one set of copies to the Hearing Examiner.

3. The issues that may be addressed at the appeal hearing are limited to those identified in the appeal statement. The order of presentation shall be:
 - a. Introductory remarks by the Hearing Examiner
 - b. Presentation of City witnesses, and cross-examination of those witnesses by the Appellant.
 - c. Presentation of Appellant witnesses, and cross-examination of those witnesses by the City.
 - d. Closing arguments, if any, by the Appellant and City.
4. The parties are urged to resolve the appeal issue prior to a hearing, including seeking mediation.

So ordered this 28th day of January 2020.



ANDREW M. REEVES
Hearing Examiner
Sound Law Center