

<b>Description</b>	<p>Minutes for US-18-006  ACC Tenant Association  4557 11th Ave NE  Thursday, July 29, 2018</p> <p>Time: 2:00 p.m.  Examiner: Barbara Dykes Ehrlichman  Assistant: Alayna Johnson</p> <p>Party Representatives:</p> <p>Matthew Schrage and Clarissa Jarem, for Complainant  ACC Tenant Associattion</p> <p>Jeana Poloni, Counsel for Respondent</p>
<b>Date</b>	7/19/2018
	<b>Location</b> Large Hearing Room

Time	Speak	Note
<a href="#">2:01:42 PM</a>		Hearing Examiner opens hearing.
<a href="#">2:02:00 PM</a>		Parites are introduced. Jeana Poloni, Counsel for American Campus Communities, Respondent, is present. Sheila Barnett from American Campus Communities is also present.
<a href="#">2:02:30 PM</a>		Matthew Schrage and Clarissa Jarem are present for the Appellant, ACC Tenant Association.
<a href="#">2:05:48 PM</a>		Poloni asks procedural question regarding the scope of the hearing.
<a href="#">2:08:01 PM</a>		Schrage is sworn in and begins testimony.
<a href="#">2:08:11 PM</a>		Jarem is also sworn in.
<a href="#">2:08:21 PM</a>		Schrage offers copies of his lease and utility addendum and they are marked as Exhibit 1.
<a href="#">2:11:21 PM</a>		Schrage offers the City of Seattle Business License Tax Certificate for PayLease LLC, issued 7/3/2018, and it is marked as Exhibit 2.
<a href="#">2:12:30 PM</a>		Schrage offers packet of all utility bills received from PayLease LLC and it is marked as Exhibit 3.
<a href="#">2:13:19 PM</a>		Schrage offers screenshot from building website showing fees charged for one month and it is marked as Exhibit 4.
<a href="#">2:14:15 PM</a>		Exhibits 1-4 are admitted.
<a href="#">2:15:18 PM</a>		Schrage offers a utility addendum of a neighbor and it is marked and admitted as Exhibit 5.
<a href="#">2:15:47 PM</a>		Schrage offers another utility addendum of a neighbor and it is marked and admitted as Exhibit 6.
<a href="#">2:17:02 PM</a>		Schrage offers a third neighbor's lease and it is marked and admitted as Exhibit 7.
<a href="#">2:17:51 PM</a>		A utilities addendum for another neighbor is marked and admitted as Exhibit 8.
<a href="#">2:18:37 PM</a>		Schrage offers e-mail from Justin Bombara from the City of Seattle Office of Housing, dated 4/6/2018, and it is marked and admitted as Exhibit 9.
<a href="#">2:19:45 PM</a>		Schrage offers e-mail from Hutton Sutherland of Bridges at 11th dated 5/24/2018, and it is marked and admitted as Exhibit 10.
<a href="#">2:20:39 PM</a>		Schrage offers second e-mail from Justin Bombara, dated 5/24/2018, and it is marked and admitted as Exhibit 11.
<a href="#">2:21:40 PM</a>		Schrage offers an e-mail from Sheila Barnett of Bridges at 11th dated 6/19/2018 stating they would refund the fee and it is marked and admitted as Exhibit 12.
<a href="#">2:22:43 PM</a>		Schrage offers document from PayLease establishing what the fee is for and it is marked and admitted as Exhibit 13.
<a href="#">2:26:44 PM</a>		Schrage offers utility bills from previous management and it is marked and admitted as Exhibit 14.
<a href="#">2:29:12 PM</a>		Jarem offers screenshot of error received when trying to view bills online and it is marked and admitted as Exhibit 15.
<a href="#">2:34:44 PM</a>		Jarem offers e-mail showing the first written question about the sewer fee, dated 1/4/2018, and it is marked and admitted as Exhibit 16.
<a href="#">2:36:17 PM</a>		Jarem offers e-mail from 6/14/2018 and it is marked and admitted as Exhibit 17.
<a href="#">2:37:16 PM</a>		Jarem offers letter from Bridges at 11th to residents dated 10/12/2017 and it is marked and admitted as Exhibit 18.

<a href="#">2:39:06 PM</a>	Jarem offers packet of e-mails and it is marked and admitted as Exhibit 19.
<a href="#">2:40:04 PM</a>	Appellants conclude with offering Bridges at 11th evidence. Will submit evidence for other properties from the Tenant Association after cross examination.
<a href="#">2:40:06 PM</a>	Poloni begins cross examination regarding the evidence submitted for Bridges at 11th.
<a href="#">2:42:33 PM</a>	Poloni concludes.
<a href="#">2:42:45 PM</a>	Poloni objects for the record that Appellants have no standing to bring a complaint on behalf of residents at a building in which they do not reside.
<a href="#">2:42:55 PM</a>	Schrage responds.
<a href="#">2:43:29 PM</a>	Jarem offers lease from another ACC building and it is marked and admitted as Exhibit 20.
<a href="#">2:44:36 PM</a>	Jarem offers e-mails documenting utility bills for the building and it is marked and admitted as Exhibit 21.
<a href="#">2:45:01 PM</a>	Jarem offers a screenshot of the fee breakdown for utilities at the building and it is marked and admitted as Exhibit 22.
<a href="#">2:46:18 PM</a>	Appellants conclude.
<a href="#">2:46:23 PM</a>	No cross examination regarding these documents.
<a href="#">2:46:29 PM</a>	Poloni begins the Respondents' case.
<a href="#">2:47:05 PM</a>	Poloni calls Barnett as a witness and she is sworn in.
<a href="#">2:47:22 PM</a>	Poloni begins direct examination of Barnett.
<a href="#">2:49:44 PM</a>	Poloni offers a Resident Account Statement for Bridges at 11th and it is marked and admitted as Exhibit 23.
<a href="#">2:52:16 PM</a>	Poloni offers the current lease agreement offered by ACC to new tenants and it is marked and admitted as Exhibit 24.
<a href="#">2:55:13 PM</a>	Poloni offers utility invoice for Schrage and it is marked and admitted as Exhibit 25.
<a href="#">2:57:06 PM</a>	Poloni offers e-mail from Justin Bombara dated 6/25/2018 and it is marked and admitted as Exhibit 26.
<a href="#">2:57:48 PM</a>	Poloni offers ledger for Schrage and it is marked and admitted as Exhibit 27.
<a href="#">2:59:09 PM</a>	Poloni offers statement from Michael Foote from PayLease stating that Schrage never contacted PayLease regarding the charges and it is marked and admitted as Exhibit 28.
<a href="#">2:59:36 PM</a>	Poloni offers e-mail from Hutton Sutherland dated 4/26/2018 and it is marked and admitted as Exhibit 29.
<a href="#">3:00:29 PM</a>	Poloni offers e-mail from Lauren Gannon dated 6/20/2018 and it is marked and admitted as Exhibit 30.
<a href="#">3:02:19 PM</a>	Poloni offers breakdown of utility bills for the second building and it is marked and admitted as Exhibit 31.
<a href="#">3:03:30 PM</a>	Poloni concludes.
<a href="#">3:03:43 PM</a>	Schrage offers rebuttal testimony regarding Exhibit 28.
<a href="#">3:04:16 PM</a>	Jarem begins cross examination of Barnett.
<a href="#">3:07:20 PM</a>	Poloni objects; asked and answered.
<a href="#">3:07:26 PM</a>	Overruled.
<a href="#">3:09:49 PM</a>	Jarem offers another packet of e-mails and it is marked and admitted as Exhibit 32.

<a href="#">3:11:20 PM</a>	Poloni responds regarding Appellants' discovery request.
<a href="#">3:12:20 PM</a>	Examiner grants Appellants' request for document and orders that Respondents produce the document within seven days.
<a href="#">3:15:12 PM</a>	Poloni objects; calls for speculation. Overruled.
<a href="#">3:15:57 PM</a>	Appellants conclude.
<a href="#">3:16:09 PM</a>	Jarem begins closing statement.
<a href="#">3:19:19 PM</a>	Jarem concludes.
<a href="#">3:19:23 PM</a>	Poloni begins closing statement.
<a href="#">3:21:57 PM</a>	Poloni concludes.
<a href="#">3:22:50 PM</a>	Hearing Examiner closes hearing.