

**BEFORE THE HEARING EXAMINER
CITY OF SEATTLE**

In the Matter of the Appeal of

ESCALA OWNERS ASSOCIATION,

from a decision by the Director,
Seattle Department of Construction and
Inspections

Hearing Examiner File:
MUP-20-012

**ORDER
ON STAY OF
PROCEEDINGS**

Due to conditions of a global pandemic, the Office of Hearing Examiner (“OHE”) is taking precautions to maintain a safe and healthy hearing environment for OHE system users and staff in response to COVID-19. The evolving situation regarding COVID-19 dictates we initiate measures to help keep the community safe, including where necessary, rescheduling, continuing, or suspending appeals or any aspect thereof.

On March 16, 2020 the Office of Hearing Examiner adopted an emergency rule entitled “Office of Hearing Examiner Operating Rules During COVID-19.” (See a copy of the Rule at: <http://www.seattle.gov/Documents/Departments/HearingExaminer/CODV19%20HXE%20Fact sheets/Emergency%20Order%203-16-2020.pdf>)

This emergency rule requires that all hearings be conducted remotely. In addition, on March 25, 2020 the Washington Governor issued Proclamation 20-25, prohibiting all people in Washington State from leaving their homes and all non-essential businesses in Washington State from conducting in person business (“Stay Home – Stay Healthy Proclamation”). Office of Hearing Examiner hearings are not considered “essential business” under the Proclamation.

Under the circumstances, the OHE is suspending the hearing schedule for matters wherein any party is not able to fully participate by remote technology, as is the case with RA-20-005. We anticipate reevaluating the hearing calendar on an ongoing basis and will contact each of the parties to this matter if there is any change in schedule. The OHE will contact or update you as to scheduling status no later than Friday June 19, 2020.

If any party believe that this matter needs urgent attention from the Examiner prior to that date, or if special accommodations are needed then they should submit their request/concerns to the Examiner in writing at their convenience.

The Hearing Examiner hereby stays Case Number RA-20-005. This stay precludes the scheduling of any teleconferencing, scheduling of any hearings, and filing of motions. In this instance, the stay does not apply to discovery, and the parties may proceed with discovery efforts during this period.

Entered this 12th day of May, 2020.

s/Ryan Vancil
Ryan Vancil, Hearing Examiner

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CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of Washington that on this date I sent true and correct copies of the attached **Order on Stay of Proceedings** to each person listed below, or on the attached mailing list, in the matters of **ESCALA OWNERS ASSOCIATION**, Hearing Examiner Files: **MUP-20-012 (W)** in the manner indicated.

Party	Method of Service
Appellant John Sosnowy Escala Owners Association john@sosnowy.com Appellant Legal Counsel David Bricklin bricklin@bnd-law.com Claudia Newman newman@bnd-law.com	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Applicant Jodi J Patterson-O'Hare jodi@permitcnw.com Applicant Legal Counsel McCullough Hill Leary Katie Kendall kkendall@mhseattle.com John C. McCullough jack@mhseattle.com Ian Morrison imorrison@mhseattle.com	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Department Shelley Bolser SDCI Shelley.bolser@seattle.gov	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger

Mailing Peggy Cahill cahill@bnd-law.com Lauren Verbanik LVerbanik@mhseattle.com	<input type="checkbox"/> U.S. First Class Mail, postage prepaid <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Fax <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
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Dated: May 13, 2020

/s/ Angela Oberhansly

Angela Oberhansly
Administrative Specialist