

**BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE**

In the Matter of the Citations Issued to

**CORNERSTONE GC, INC.**

by the Director, Seattle Department of  
Construction and Inspections for violation  
of the Land Use Code

**Citations:** 1059340-CT  
(Powers)

**ORDER ON  
MOTION FOR  
RECONSIDERATION**

Marcus Comer on behalf of the Appellant, Cornerstone GC, Inc., has submitted a Motion for Reconsideration (“Motion”) concerning the Hearing Examiner’s Order of Untimely Appeal issued in this matter on October 2, 2024.

With regard to the timeliness of the appeal the Motion argues:

Per the citation provided, while Dan Powers signed on September 11<sup>th</sup>, the date it was served was September 16<sup>th</sup> per the stamp on receipt by our office which they provided to me same day.

Our response was mailed on 9/30/2024, which was exactly on the 15<sup>th</sup> day of having been served. This appeal is timely and warrants review as the citation is invalid and this appeal is to strike the citation from record.

Citations must be appealed within 15 days of date of service. As indicated on the citation, service is “the date the Notice of Citation was mailed.” In addition, “[a]ny mailed response must be in the Office of Hearing Examiner by 5:00 p.m. on the day the response is due.”

As indicated in the Order of Untimely Appeal, Citation 1059340-CT was issued by SDCI and served by mail on September 11, 2024. Thus, September 11, 2024, was the date of service. The last day of the period to file a response was September 26, 2024. The notice of appeal was received in our office on October 2, 2024, and was therefore untimely.

Even if the service date by mail is ignored (and the Appellant cites no authority for this to be the case), and the date of receipt by the Appellant of September 16, 2024 were considered the correct service date, the appeal was still untimely, because the appeal would have to have been in the Office of Examiner by October 1, 2024 and it was not received until October 2, 2024.

The Appellant’s mailing date of September 30, 2024, is irrelevant to the consideration of timely filing of the appeal.

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The Motion for Reconsideration is **DENIED**, and the Order of Untimely Appeal issued on October 2, 2024, remains the final decision for this matter.

Entered October 16, 2024.

/s/Ryan Vancil  
Ryan Vancil  
Hearing Examiner

**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 MOTION FOR RECONSIDERATION** to each person listed below, or on the attached mailing list, in the matter of **CORNERSTONE GC, INC.** Hearing Examiner File: **CIT. 1059340-CT** in the manner indicated.

<b>Party</b>	<b>Method of Service</b>
Marcus Comer <a href="mailto:Marcusc@cornerstonegci.com">Marcusc@cornerstonegci.com</a>  Denny Wilson <a href="mailto:dennyw@cornerstonegci.com">dennyw@cornerstonegci.com</a>	<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"/> Hand Delivery <input type="checkbox"/> Legal Messenger
<b>Department SDCI</b>  Dan Powers <a href="mailto:Dan.powers@seattle.gov">Dan.powers@seattle.gov</a>  John Thomas <a href="mailto:John.thomas@seattle.gov">John.thomas@seattle.gov</a>	<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"/> Hand Delivery <input type="checkbox"/> Legal Messenger

Dated: October 16, 2024

/s/ Sarah Grant  
Sarah Grant, Administrative Specialist