

**FINDINGS AND DECISION
OF THE HEARING EXAMINER FOR THE CITY OF SEATTLE**

In the Matter of the Appeal of

Hearing Examiner File:
RA-25-002

KAYLA GALGANO,

from an eligibility determination by the Director,
Department of Construction and Inspections
under the Tenant Relocation Assistance Ordinance

Findings of Fact

1. The Department of Construction and Inspections (“Department”) implements the Tenant Relocation Assistance Ordinance, Ch. 22.210 SMC, which provides relocation assistance to low-income tenants who must vacate due to a demolition or substantial renovation. Kayla Galgano occupied an apartment undergoing a substantial renovation which necessitated her relocation. She applied for relocation assistance, the Department denied the application based on untimely supplemental information, and she appealed.

2. An appeal hearing was held March 11, 2025. Ms. Galgano appeared. The Department appeared through Silke Anderson. The Landlord appeared through Yin Yang. All three testified. The Department submitted Exhibits 1-7, including a hearing memo. Tenant Galgano submitted Exhibit 1. These exhibits were admitted without objection. After the hearing, the Landlord submitted a Department brochure on relocation assistance. As the exhibit was not addressed at hearing and the record had closed, it was not admitted.

3. The Landlord mailed the Tenant a relocation assistance packet on November 7, 2024.¹ The Tenant submitted a relocation assistance request on December 11, 2024, attaching her 2023 tax return.² As the request was submitted within 30-days, plus the five days allowed for mailing,³ the Department viewed the submittal as timely.

4. The Department mailed its request for additional income documentation on December 17, 2024. The Tenant immediately responded, providing authorization to the Department to pull payment records from the state and stating she would work with the Department on the other records. The Tenant e-mailed the Department on January 2, 2024, and asked when additional documentation was due. The Department stated January 5, so on January 4 the Tenant requested an extension.⁴ On January 7, the Department denied the request, determining that fifteen days, plus mailing, had passed.⁵ The Tenant’s position was that her submittal was timely. She timely requested an extension and her 2025 tax return, which she has since submitted,⁶ had not yet been prepared.

¹ Ex. D-2 (Proof of Delivery).

² Ex. D-3 (Application Form and E-mails).

³ Ex. D-7 (Memo); Testimony, Ms. Anderson.

⁴ Testimony, Ms. Anderson and Ms. Galgano; Exs. D-3 and D-4.

⁵ Ex. D-3 and D-6.

⁶ Ex. T-1.

5. The Landlord asserted the Tenant's supplemental information was untimely and asked the Examiner to address whether the Tenant was low-income. However, the Department's decision did not include an income determination.

Conclusions

1. The Hearing Examiner has jurisdiction over this tenant relocation assistance appeal.⁷ A low-income tenant is eligible for relocation assistance if the tenant resided in a dwelling unit slated for demolition or substantial rehabilitation and had to vacate.⁸ The tenant is to submit a relocation assistance application within 30-days of tenant relocation information packet delivery but may request a 30-day extension.⁹ Once submitted, if the Department requires further information, it may request same. If the Tenant refuses to provide same or does not respond, the application is denied.

If information submitted by a tenant on a relocation assistance certification form is incomplete, is inadequate, or appears to be inaccurate, the Director may require the tenant to submit additional information to establish eligibility for relocation assistance. If the tenant fails or refuses to respond within 15 days to the Director's request for additional information, such tenant shall not be eligible for relocation assistance.¹⁰

2. The Tenant did not refuse to provide information. On the day it was requested, she provided authorization to the Department to request state income records which may be on file. She also requested an extension within fifteen days of the Department's correspondence. This 15-day deadline ran not on January 5, a Sunday, but Monday, January 6. Deadlines falling on a Sunday are moved to the next business day.¹¹ The Tenant requested an extension over the weekend, on January 4, so the response was timely.

3. The requested income verification materials were not available in January, so an extension was required. The Tenant is self-employed, so she did not have wage statements and could not have provided her 2024 return by January 6, as her accountant did not prepare it until February 28.¹² Given her business income, this is the document the Department needed.

4. The Landlord asked the Examiner to assess the financial documents provided. However, because the Department determined the application was incomplete, the Department did not make an income eligibility determination. The Examiner has only appellate authority under Ch. 22.210 SMC, so lacks authority to make an initial eligibility determination.

⁷ SMC 22.210.150.

⁸ SMC 22.210.100, .130.

⁹ SMC 22.210.090.A.

¹⁰ SMC 22.210.090.C.

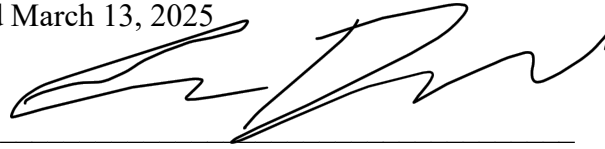
¹¹ SMC 1.04.070.

¹² Ex. T-1 (tax return).

Decision

The Director's relocation assistance determination is **REVERSED** and returned to the Department for action consistent with this Decision. Jurisdiction is not retained.

Entered March 13, 2025

A handwritten signature in black ink, appearing to read 'Susan Drummond', written over a horizontal line.

Susan Drummond, Deputy Hearing Examiner

Concerning Further Review

NOTE: It is the responsibility of the person seeking to appeal a Hearing Examiner decision to consult Code sections and other appropriate sources, to determine applicable rights and responsibilities.

A party's request for judicial review must be filed with the King County Superior Court within ten calendars of this decision. *See* SMC 22.210.150.

If the Superior Court orders review of the decision, the person seeking review must arrange for and bear the initial cost of preparing a verbatim transcript of the hearing. Instructions for preparation of the transcript are available from the Office of Hearing Examiner, PO Box 94729, Seattle, Washington 98124, (206) 684-0521.

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 **FINDINGS AND DECISION** to each person below in **GALGANO**, Hearing Examiner File **RA-25-002**, in the manner indicated.

Party	Method of Service
Appellant Kayla Galgano kayla.galgano@gmail.com	<input type="checkbox"/> U.S. First Class Mail <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Department Silke Anderson silke.anderson@seattle.gov	<input type="checkbox"/> U.S. First Class Mail <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger
Landlord Yin Yang parkside55th@gmail.com	<input type="checkbox"/> U.S. First Class Mail <input type="checkbox"/> Inter-office Mail <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger

Dated: March 13, 2025

/s/ Angela Oberhansly
 Angela Oberhansly, Legal Assistant