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February 14, 2022

Belltown Court Board of Directors
C/O SUHRCO Residential Properties, LLC
2010 156th Avenue NE, Suite 100
Bellevue, WA 98007

RE: Belltown Court Violation Appeal

██████████
██████████
Seattle, WA 98121

To Whom It May Concern:

██████████ has contacted our office regarding the denial of his appeal to the Board of Belltown Court. Mr. ██████████ requests that the appeal be reconsidered give the nature of the soft flooring materials used and the extensive use of hard surface materials throughout Belltown Court. Mr. ██████████ went to great lengths and expense to install materials that provided the maximum of noise suppression and was given confirmation from the flooring company and King County that they would be considered as soft flooring rather than hard surface flooring. He understands that the Board is utilizing a strict interpretation of the Declaration in its decision to deny his appeal however, with multiple units being allowed to have hard surface flooring without continuing fines it would seem that he is being singled out for selective enforcement of the covenants.

It has been held that "covenants are deemed abandoned when habitual substantial violations have eroded the general plan so that enforcement would be inequitable." (Mountain Park Homeowners Ass'n Inc. v. Tydings, 125 Wn 2d 337, 334, 833 p.2d 1382 (1994) Mr. ██████████

reports that there are numerous units that have hard surface flooring and have not been fined or have paid a one-time fine and continue to have the hard surface flooring. Mr. [REDACTED] has presented materials showing the noise prevention efforts taken in his selection of the type of flooring used and that he had compared it to carpet and hard surface flooring. Mr. [REDACTED]'s documentation show that the product is equal to or superior to carpet noise suppression ratings. Lastly, there as been no physical inspection of the materials as installed by the Board to establish the actual quality of the flooring materials. In spite of the information provided and the ongoing use of hard surface flooring in other units the Board had continued to pursue enforcement of this convent solely against Mr. [REDACTED]'s unit.

Effective immediately, please send all written communication to our law firm via e-mail as opposed to through the US Mail whenever possible. Please use the following e-mail address docs@lombinomartino.com.

Sincerely yours,

LOMBINO · MARTINO

"Sent without signature to avoid delay"

Sally A. Hiserman

SAH:jl

cc: [REDACTED]