



# ORCA TALES

## Security Trade Show

Bellingham Police Dept. & Bellingham Police Assoc. Proudly Sponsors Security Trade Show.

*For Businesses, Apartments, and Homes!!!*  
 Never before have they had so many security related businesses together!! Come out and see what's new, what works, and what makes sense for you and your business.

Types of Security likely represented:

- \*Security Cameras
- \*Security Guards
- \*Locks
- \*Lighting
- \*Alarms
- \*Safes
- \*Fencing
- \*Computer Security
- \*Applicant Screening
- \*Security Glazing

Location: Bellingham Technical College  
 (cafeteria & conference Room)  
 3028 Lindberg Ave.  
 Bellingham, WA 98225.  
 Date: Jan. 28,2003  
 Time: 4-9PM

## News From Around The `Net

Issue#30—Nov2002 By Kara Rice, CAM, CAS

The Savvy multifamily professional taps into the wealth of information found on the World Wide Web in order to stay informed on the latest issues, trends and innovations affecting the apartment industry today

\* [Http://www.workindex.com](http://www.workindex.com) *Human Resource Executive Work Index* provides information for supervisors of all levels.

- The Sales & Marketing Magic Companies has announced they will offer their 14th Annual Multifamily Housing Brainstorming Sessions twice in 2003.
- For further information, <http://www.smmonline.com/brainstroming.htm>.

\* Did someone say “**mold**”? Thanks to Matt Francis at Gables Residential for sharing this Link from the Environmental Protection Agency (EPA) Titled “*Checklist for Mold Remediation*” <http://www.epa.gov/iaq/molds/checklist.html>.

\* Thanks for your continued interest, and please be sure to email me at [Krice@gracehill.com](mailto:Krice@gracehill.com)

## Americans with Disabilities Act (ADA)

ADA news you can use. SOCR releases new booklets on disability etiquette, accessible publications & other topics. By The Seattle Office For Civil Rights

\* As a property manager, you probably talk with hundreds of people every day— including people with disabilities. According to the American Association of People with Disabilities, more than 50 million people in the U.S. have a disability. One out of every five Americans.

\* Many of us are unsure how to communicate in speech or on paper with residents and staff who are disabled.

\* You can find the answers to questions of etiquette in “A Disability Etiquette Handbook,” one of four new booklets from the Seattle Office for civil rights that focus on access issues for people with disabilities. “A Disability Etiquette Handbook” discusses reasonable accommodations and etiquette in daily interactions and job interviews.

\* “Services Animals” answers common questions about service animals and the laws that govern them. “Discover Ability” is designed to encourage small business owners to hire people with disabilities.

\* For more Information about these materials or about SOCR, call (206) 684-4507 (TTY 206-684-4503), or find SOCR on the web at [www.cityofseattle.net](http://www.cityofseattle.net).

## ORCA WISDOM



*The early bird gets the worm, but the second mouse gets the cheese.*

*By Steven Wright*

## ORCA Referrals

### Perfect Surface

For all your hard surface repairs & color changes

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Tina Phelan (Sales & Marketing Director)

(877) 922-5335 (toll free)

(253) 922-5364 (fax)

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**Small Claims Procedures— Washington State***Who Can Sue And Be Sued?*

Any individual, business, partnership, or corporation (with a couple of exceptions) may bring a small claims suit for *recovery of money only* for an amount up to \$2,500. A small claims case must be filled in the county of the defendant's residence, or in the case of a traffic accident, the county where the accident occurred.

*How Much Does It Cost?*

You must pay the court clerk a filing fee of \$25 at the time the suit is filed. You must pay additional fees to have the Notice of small claims served on the defendant by the sheriff or a process server. As an alternative, you may commence the suit by registered or certified mail. You must have a return receipt signed by the defendant to show the judge to prove the notice was received.

*How Do I Get Started?*

First you will prepare a Notice of Small Claim form that is provided by the clerk. You are required to sign the Notice the Notice in the presence of the clerk, unless otherwise instructed by the court. On the Notice form a hearing date, trial date, or response date will be entered by the clerk. It is the plaintiff's responsibility to accurately identify the defendant, provide a proper address and, if possible, provide a phone number.

*Serving The Notice*

The clerk will assist you with forms and general information about the process. The clerk is not allowed to give legal advice or attempt to predict how the judge might rule in a given situation. Service of the claim form can be accomplished by any of the following: (1) Sheriff's office, (2)

A process server, (3) Any legal age who is not connected with the case or party, (4) By mailing the copies to the defendant by registered or certified mail.

*What If We Settle?*

In most cases, neither party is one hundred percent right or wrong. You are encouraged to try to settle your case before trial.

*What Is The First Appearance?*

The first appearance is not a trial. Do not bring witnesses or exhibits to this hearing. If both parties are at the first appearance, the case will be sent at that time to mediation for a possible resolution of the case. If the plaintiff fails to appear, the case will be dismissed without prejudice. If a written counterclaim has been filed and properly served, and proof filed, a default judgment will be entered in favor of the defendant.

*Preparing For Trial*

You can help yourself by being well prepared. To prepare for the trial, collect all papers, photographs, receipts, estimates, canceled checks, or other documents that concern the case. It may be helpful to write down ahead of time the facts of the case in the order that they occurred.

*What Happens At The Trial?*

When you arrive at the court, report to the courtroom in which your case has been assigned. When your case is called into the courtroom, come forward to the counsel table and the judge will swear in all the parties and witnesses. Make sure to tell you story "In you own words" do not just read a written statement. After both sides have been heard by the judge, he/she will normally announce the decision, and will sign and hand the parties a judgment.

*What If My Opponent Does Not Appear For Trial?*

If the defendant fails to appear for trial, the plaintiff will be granted judgment for the amount of the claim proven in court, plus costs-provided the plaintiff can show proof of service.

*How Do I Collect My Money?*

A money judgment in your favor does not necessarily mean that the money will be paid. The Small Claims Court does not collect the judgment for you. If no appeal is taken and the judgment is not paid within 30 days, you may request (in writing) and upon payment of \$6 fee, that a transcript of the judgment be entered into civil docket of the court. Remember the clerks cannot give you legal advice. You may need assistance of an attorney or collection agency at this point.

*Can You Appeal A Case If You Lose?*

The party who files a claim or counterclaim cannot appeal unless the amount claimed exceeds \$1,000. The following steps must be taken within 30 days of the entry judgment if an appeal is taken to the superior court. (1) Prepare a written Notice of Appeal. (2) Serve a copy of Notice on the other parties. (3) Pay the \$6 transcript fee. (4) Deposit at the district court the \$110 superior court filing fee. (5) Post a bond in a sum equal to twice the amount of judgment and costs. Within 14 days of filing the Notice of Appeal, the district court clerk will file the court record and notify the district court.

*For More Information Please Contact Your Local County District Courts.*