

Ms. Barje submitted the relevant companion transient use summons (P Ex 1), which was found in violation, and stated this fire safety charge rises and/or falls with the transient use violation. She said as the transient use violation was found in violation, the instant charge should stand.

Ms. Dossett stated Respondent is challenging the class designation and argued P Ex 1 shows that the relevant transient use summons was issued as a Class 2 violation. She said the transient use was not immediately hazardous, and only one unit was alleged to have been occupied transiently. She argued as per Appeal No. 2401187 (R Ex A), when transient use is not widespread, a fire alarm violation is not a per se Class 1.

Based upon Respondent's evidence and argument, Ms. Barje made a motion to amend the charge to a Class 2 violation. Said motion is granted. She noted correction as of 8/8/23 and recommended mitigation.

Ms. Dossett offered nothing further.

I credit the details as alleged in the summons and find Respondent failed to rebut them.

Therefore, the summons is SUSTAINED.

The Class 2 mitigated penalty is imposed.

	
03/05/2025	03/05/2025
Susan Brand, Hearing Officer	Date