

This is my testimony regarding how I benefited by learning some of the property rights protections principles taught me by the Kitsap Alliance of Property Owners:

I am a pastor in Kitsap County living in Mason County. About three years ago I sought permits for building a garage on my property with overhead storage that could someday be converted to an auxiliary dwelling unit nearing my retirement from ministry.

I had a great deal of difficulty in my permit being turned down for one reason or another. A year and a half passed. I was introduced by KAPO to my County Commissioner, and he was briefed, and only then was I able to obtain a permit after he told the legal department of the county to fix the roadblock, which they did by allowing me to sign an affidavit promising never to sue the county about slope issues.

Now that I could obtain a permit, I found that the county would not release the permit to me unless I signed (26) conditions to which I was required to consent. A few of these were practicable. Others, however, were simple extortion of my property rights. (Examples: Perpetual permission for county personnel to come onto my property any time, demand that current requirements to obtain additional permitting be adhered to even if changes were being planned for years in the future.)

KAPO advised how I could agree to sign-off on these conditions “under protest”, preserving my constitutional rights. I wrote a letter to the prosecutor explaining how under *Nollan vs. California Coastal Commission* and *Dolan vs. City of Tigard*, the U.S. Supreme Court had ruled these actions by Mason County’s DCD to be illegal. I also wrote in the same letter how the county was in violation of RCW 62A.1-207 when they refused to issue me the permit unless I removed my statements of “under protest, without prejudice” from each of the contracts I felt I was being extorted to sign.

The prosecutor then wrote an email (which I never saw but was informed had been written) to Mark Core, head of the Mason County building department, asking him to reword the “contracts” as necessary. After a two hour face-to-face meeting Mr. Core and I were able to come to agreement. I suspect (but don’t know) that everyone else in the county is still subjected to signing contracts as they were written, which I consider extortion.

Mr. Core apologized to me that my permit had been withheld because of my refusal to sign contracts with the county unless I was allowed to reserve my rights by signing under protest, without prejudice per RCW 62A.1-207. It was clear that he was not aware of State and Federal laws, or the constitutional protections of our freedom.

Like all bureaucracies, they are only interested in their control over the citizens. These controls will increasingly deprive the citizens of this once great country of the life, liberty and pursuit of happiness that many millions of souls have bled and died to purchase for us. I pray this creeping crud of regulation and control will be thwarted so that their blood was not spilled in vain. Kevin Lea